


MEMORANDUM

TO: Council, SSC and AP Members
FROM: Chris Oliver 
Executive Director
DATE: March 30, 2010
SUBJECT: Staff Tasking

ESTIMATED TIME 4 HOURS

ACTION REQUIRED

Review tasking and committees and provide direction

BACKGROUND

Committees and Tasking

The list of Council committees is attached as Item D-5(a). An updated workplan for implementing the programmatic groundfish management policy is attached as Item D-5(b). Item D-5(c) is the three meeting outlook and Item D-5(d) provides a summary of current projects and tasking. The Council may wish to discuss priorities for completing ongoing projects, as well as any new tasks assigned during the course of this meeting.

GOA COE Program (GOA Am. 66) eligibility status for two communities

In March, the Council received two letters from individuals petitioning the Council to take action to include their communities in the list of eligible communities for the Community Quota Entity (CQE) Program in the Gulf of Alaska. The two communities at issue are Game Creek and Naukati Bay, both located in Area 2C (southeast Alaska). The letters are provided as Item D-5(e). The Council's final motion on GOA Amendment 66, including the list of eligible communities, is provided as Item D-5(f).

Both letters outline the eligibility criteria for the program and provide rationale as to why the communities should be determined eligible. Staff has discussed the issue with both individuals and conducted preliminary research regarding eligibility. In brief, both communities appear to meet the CQE program eligibility criteria for Gulf communities, but were not included on the list of eligible communities published in the final rule in Federal regulations (69 FR 23681, April 30, 2004). Eligible communities must meet all the following criteria, which includes being listed in Federal regulations. Details are provided below.

The existing community eligibility criteria for the Gulf CQE Program are:

- A community that is listed in Table 21 to 50 CFR 679.
- Is a municipality or census designated place, as defined in the 2000 United States Census, located on the GOA coast of the North Pacific Ocean;
- Has a population of not less than 20 and not more than 1,500 persons based on the 2000 United States Census;

- Is not accessible by road to a community larger than 1,500 persons based on the 2000 United States Census;
- Has had a resident of that community with at least one commercial landing of halibut or sablefish made during the period from 1980 through 2000, as documented by the State of Alaska Commercial Fisheries Entry Commission.

Game Creek appears to meet all of the above criteria, with the exception of being listed on Table 21 in Federal regulations. Game Creek is located in Area 2C, on Chichagof Island in Southeast Alaska, 2.6 miles southwest of Hoonah. It is recognized as a census designated place by the U.S. 2000 Census with a population of 35. It is not accessible by road to a community larger than 1,500 persons. The criterion in question is whether residents of Game Creek have had at least one commercial landing of halibut or sablefish during 1980 – 2000. Upon review, it appears that several residents of Game Creek have recorded landings of halibut during the specified time period. These landings are attributed to the City of Hoonah in the CFEC data, thus, they were attributed to Hoonah during the development of GOA Am. 66. However, the letter notes that all mail for residents of Game Creek is sent to a specific post office box in Hoonah (PO Box 95). Staff has verified this practice with the Hoonah post office, and CFEC has recently provided evidence that several halibut permit holders have reported addresses of PO Box 95 in Hoonah. (Specific permit information is not included here, due to confidentiality.) Thus, it appears that Game Creek may meet the eligibility criteria for inclusion in the CQE Program.

Naukati Bay appears to meet all of the above criteria, with the exception of being listed on Table 21 in Federal regulations. Naukati Bay is located in Area 2C, on the west coast of Prince of Wales Island, near Ketchikan in Southeast Alaska. It is recognized as a census designated place by the U.S. 2000 Census with a population of 135. It is not accessible by road to a community larger than 1,500 persons. Similar to Game Creek, it appears that several residents of Naukati Bay have recorded landings of halibut during the specified time period. These landings are attributed to the City of Ketchikan or Port Alice in the CFEC data, thus, they were not attributed to Naukati Bay during the development of GOA Am. 66. However, the letter notes that all mail for residents of Naukati Bay is sent to a specific zip code and post office box in Ketchikan (Box NKI, 99950). Staff has verified this practice with the Ketchikan post office, and CFEC has recently provided evidence that several halibut permit holders have reported addresses of Box NKI in Ketchikan. Thus, it appears that Naukati Bay may meet the eligibility criteria for inclusion in the CQE Program.

Upon review of the information for the above communities, staff conducted a review of all communities recognized by the U.S. Census that meet the non-fishing activity criteria listed in Federal regulations, in order to assess how many additional communities may potentially be eligible due to fishing permit holder residency issues in the data. It appears that only two other communities could potentially be eligible, although only one has landings clearly attributable to residents of the community. Neither has petitioned the Council for inclusion.

Kupreanof, located in southeast Alaska (Area 2C), is just across the Wrangell Narrows from Petersburg. Kupreanof appears to meet the non-fishing activity criteria, but does not have landings attributable to its residents in the CFEC data. Residents of Kupreanof receive their mail in Petersburg, but according to the Petersburg post office, there is no special designation to delineate Kupreanof residents' mail. In effect, there is no direct way to determine whether any of the permit holders listed with an address of Petersburg are actually residents of Kupreanof. Staff does not assume that this community is eligible under Amendment 66, it is only noted as it is the only other community identified that could have a similar situation as Game Creek and Naukati Bay.

Finally, it appears that Cold Bay may meet the eligibility criteria, with the exception of being listed on Table 21 in Federal regulations. Cold Bay is located at the western end of the Alaska Peninsula, in Area 3B. It is incorporated as a city with a population of 88 reported in the 2000 U.S. Census. It is not accessible by road to a community larger than 1,500 persons. According to CFEC, residents of Cold Bay have recorded landings of

halibut/sablefish during the specified time period, thus, it appears that Cold Bay may meet the eligibility criteria for inclusion in the CQE Program. While the CFEC community and census reports are updated periodically with new gross earnings data runs, staff cannot verify why Cold Bay did not appear eligible during the development of Amendment 66 in 2002.

Potential Council action

Federal regulations dictate that if a community appears to meet the eligibility criteria but is not specifically designated on the list of communities adopted by the Council, then that community must apply directly to the Council to be included. In this event, the Council may modify the list of eligible communities adopted by the Council through a regulatory amendment. Separate petitions have been received by residents of Game Creek and Naukati Bay. **At this meeting, the Council may determine whether to initiate a regulatory amendment to analyze the proposed action to add Game Creek and Naukati Bay to the list of communities eligible for the Gulf CQE Program.** If determined eligible and added to the list in Federal regulations, each community would have to establish a nonprofit corporation (CQE) and submit an application to NMFS in order to participate in the CQE program.

Other Requests for Council Action

We have also received the following letters (D-5 supplemental) requesting Council consideration:

- Elfin Cove request for Community Halibut Charter permits
- Nanwalek request for community halibut allocation
- Groundfish Forum requesting additional alternative in Amendment 80 vessel replacement analysis
- Ludger Dochterman requesting 100% trawl vessel observer coverage
- Alaska Charter Association requesting changes to halibut catch sharing plan

NPFMC Committees & Workgroups
 (Revised March 29, 2010)

Council/Board of Fisheries Joint Protocol Committee

Updated: 8/10/07	<u>Council:</u> Dave Benson Ed Dersham Eric Olson	<u>Board:</u> Larry Edfelt John Jensen Mel Morris
Staff: Jane DiCosimo		

Council Coordination Committee

[Designated and renamed by Magnuson Act reauthorization April 2007]

Appointed: 4/05 Updated: 7/23/09 Staff: Chris Oliver	<u>CFMC:</u> C: Eugenio Pinerio ED: Miguel Rolon	<u>NPFMC:</u> C: Eric Olson ED: Chris Oliver
	<u>GMFMC:</u> C: Robert Shipp ED: Steve Bortone	<u>PFMC:</u> C: Dave Ortmann ED: Don McIsaac
	<u>MAFMC:</u> C: Richard Robins ED: Dan Furlong	<u>SAFMC:</u> C: Duane Harris ED: Bob Mahood
	<u>NEFMC:</u> C: John Pappalardo ED: Paul Howard	<u>WPFMC:</u> C: Stephen Haleck ED: Kitty Simonds

Council Executive/Finance Committee

Updated: 8/10/07	Eric Olson (Chair)
<u>Status:</u> Meet as necessary	Doug Mecum (NMFS) Alt. Sue Salvesson
	Dave Hanson (PSMFC)
	Denby Lloyd (ADFG) Alt. Dave Bedford
	Roy Hyder (ODFW)
Staff: Chris Oliver/Dave Witherell/Gail Bendixen	Bill Tweit (WDFW)

Bering Sea Crab Advisory Committee

Appointed 4/25/07	Sam Cotten (Chair)	Lenny Herzog
	Jerry Bongen	Kevin Kaldestad
Revised 11/15/07	Steve Branson	Frank Kelty
	Florence Colburn	John Moller
	Linda Freed	Rob Rogers
	Dave Hambleton	Simeon Swetzof
	Phil Hanson	Ernest Weiss
Staff: Mark Fina	Tim Henkel	

NPFMC Committees & Workgroups

(Revised March 29, 2010)

BS/AI Pacific Cod Split Committee

Pending appointment
Staff: Nicole Kimball

Bering Sea Salmon Bycatch Workgroup

Appointed: 3/07 Staff: Diana Stram	Stephanie Madsen (Co-chair) Eric Olson (Co-chair) Becca Robbins Gisclair John Gruver Karl Haflinger	Jennifer Hooper Paul Peyton Mike Smith Vincent Webster (BOF)
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Comprehensive Economic Data Collection Committee

Appointed: 12/07 Updated: 2/9/09 Staff: Jeannie Heltzel	John Henderschedt (Chair) Bruce Berg Michael Catsi Dave Colpo Paula Cullenberg	Brett Reasor Glenn Reed Ed Richardson Mike Szymanski Gale Vick
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Crab Interim Action Committee

[Required under BSAI Crab FMP]

Doug Mecum, NMFS Denby Lloyd, ADF&G Phil Anderson, WDF
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Ecosystem Committee

Updated: 10/22/07 <u>Status</u> : Active Staff: Diana Evans	Stephanie Madsen (Chair) Jim Ayers Dave Benton Doug DeMaster/Bill Karp Dave Fluharty John Iani Jon Kurland Caleb Pungowiyi
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NPFMC Committees & Workgroups

(Revised March 29, 2010)

Enforcement Committee

Updated: 7/03	Roy Hyder (Chair) CAPT Mike Cerne, USCG Jon Streigel, AK F&W Protection Martin Loefflad, NMFS Stefanie Moreland, ADF&G Lisa Lindeman/Garland Walker, NOAA-GC Sherrie Meyers/Ken Hansen, NMFS-Enforcement Sue Salveson, NMFS
<u>Status:</u> Active	
Staff: Jon McCracken	

Fur Seal Committee

Updated: 8/10/07	David Benson (Chair) Larry Cotter Aquilina Lestenkof Paul MacGregor Heather McCarty Anthony Mercurief
<u>Status:</u> Active	
Staff: Jeannie Heltzel	

GOA Groundfish Rationalization Community Committee

Appointed: 11/04	Hazel Nelson (Chair) Julie Bonney Duncan Fields Chuck McCallum	Patrick Norman Joe Sullivan Chuck Totemoff Ernie Weiss
Staff: Nicole Kimball		

Halibut Charter Stakeholder Committee

Appointed: 1/06 Revised: 3/29/10 <u>Status:</u> Idle, pending direction	Dave Hanson (Chair) Seth Bone Robert Candopoulos Ricky Gease John Goodhand Kathy Hansen Dan Hull Chuck McCallum	Larry McQuarrie Scott Meyer Stephanie Moreland Rex Murphy Peggy Parker Charles "Chaco" Pearman Greg Sutter
Staff: Jane DiCosimo		

IFQ Implementation Committee

Reconstituted: 7/31/03 Updated: 11/09	Dan Hull (Chair) Bob Alverson Rick Berns Julianne Curry Tim Henkel Don Iverson	Jeff Kauffman Don Lane Kris Norosz Paul Peyton Jeff Stephan Phil Wyman
Staff: Jane DiCosimo		

NPFMC Committees & Workgroups

(Revised March 29, 2010)

Non-Target Species Committee

Appointed: 7/03 Updated: 8/10/07 Staff: Jane DiCosimo, NPFMC/ Olav Ormseth, AFSC	Dave Benson (Chair) Julie Bonney John Gauvin Ken Goldman Karl Haflinger Michelle Ridgway	Janet Smoker Paul Spencer Lori Swanson Anne Vanderhoeven Jon Warrenchuk
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Observer Advisory Committee

Reconstituted: 6/09 Updated: 7/09 <u>Status</u> : Active Staff: Chris Oliver/ Nicole Kimball	Denby Lloyd (co-Chair) Bill Tweit (co-Chair) Bob Alverson Christian Asay Jerry Bongen Julie Bonney Kenny Down Matt Hegge	Michael Lake Todd Loomis Paul MacGregor Tracey Mayhew Brent Paine Theresa Peterson Kathy Robinson Ann Vanderhoeven Richie Davis
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Pacific Northwest Crab Industry Advisory Committee

Appointed: 2/07 Staff: Diana Stram	Steve Minor (Chair) Keith Colburn Lance Farr Phil Hanson Kevin Kaldestad Garry Loncon Garry Painter	Rob Rogers Vic Sheibert Gary Stewart Tom Suryan Arni Thomson, Secretary (non-voting)
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Rural Outreach Committee

Appointed: 6/09 Staff: Nicole Kimball	Eric Olson (Chair) Paula Cullenberg Duncan Fields Jennifer Hooper Tom Okleasik Ole Olsen Pete Probasco
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NPFMC Committees & Workgroups
(Revised March 29, 2010)

Steller Sea Lion Mitigation Committee

Appointed: 2/01 Updated: 11/09 [formerly SSL RPA Committee; renamed February 2002] Staff: Jeannie Heltzel Advisor: Dan Hennen	Larry Cotter (Chair) Jerry Bongen Julie Bonney Kenny Down John Gauvin Pat Hardina Sue Hills Frank Kelty	Steve MacLean Stephanie Madsen Max Malavansky, Jr Gerry Merrigan Mel Morris Art Nelson Glenn Reed Beth Stewart
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VMS Committee

Appointed: 6/02 <u>Status</u> : Idle, pending direction Staff: Jane DiCosimo	Roy Hyder (Chair) Al Burch Guy Holt Ed Page LCDR Lisa Ragone Lori Swanson
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Groundfish Workplan

Priority actions revised in February 2007, status updated to current

General Priority (in no particular order)	Specific priority actions	Related to management objective:	Status (updated 3-30-10)	2010				2011					
				Apr	Jun	Oct	Dec	Feb	Apr	Jun	Oct	Dec	
Prevent Overfishing	a. continue to develop management strategies that ensure sustainable yields of target species and minimize impacts on populations of incidentally-caught species	5	Aggregate ABC/OFL for GOA 'other species' in Apr 08 BSAI skates TAC breakout in Oct 2009 remaining other species mgmt addressed under ACLs; final action in Apr 10	█									
	b. evaluate effectiveness of setting ABC levels using Tier 5 and 6 approaches, for rockfish and other species	4	AFSC responding to CIE reviews as part of harvest specifications process										
	c. continue to develop a systematic approach to lumping and splitting that takes into account both biological and management considerations	5	BSAI Pcod split discussion in Jun 10 report from non-target species committee in Dec 09	█									
Preserve Food Web	a. encourage and participate in development of key ecosystem indicators	10	ecosystem SAFE presented annually; AI FEP identified/refined indicators for the Aleutians; AI report Feb 2011				█	█					█
	b. Reconcile procedures to account for uncertainty and ecosystem considerations in establishing harvest limits, for rockfish and other species	11	report from non-target species committee in Dec 09										
	c. develop pilot Fishery Ecosystem Plan for the AI	13	FEP brochure published Dec 07 FEP updates, AI report for Feb 2011	█	█								
Manage Incidental Catch and Reduce Bycatch and Waste	a. explore incentive-based bycatch reduction programs in GOA and BSAI fisheries	15	partially addressed in BSAI salmon bycatch EIS										
	b. explore mortality rate-based approaches to setting PSC limits in GOA and BSAI fisheries	20	partially addressed in BSAI salmon bycatch EIS										
	c. consider new management strategies to reduce incidental rockfish bycatch and discards	17											
	d. develop statistically rigorous approaches to estimating bycatch in line with national initiatives	14, 19	National Bycatch Report update in Dec 07										
	e. encourage research programs to evaluate population estimates for non-target species	16	Part of research priorities, adopted in June 2007	█	█	█	█	█	█	█	█	█	█
	f. develop incentive-based and appropriate biomass-based trigger limits and area closures for BSAI salmon bycatch reduction, as information becomes available	14, 15, 20	bycatch limit for Chinook adopted Apr 09; review alternatives for chum analysis in Jun 10	█	█	█	█	█	█	█	█	█	█
	g. assess impact of management measures on regulatory discards and consider measures to reduce where practicable	17	partially addressed by GOA arrowtooth MRA analysis (Council action Oct 07)										

Groundfish Workplan

Priority actions revised in February 2007, status updated to current

General Priority (in no particular order)	Specific priority actions	Related to management objective:	Status (updated 3-30-10)	2010				2011			
				Apr	Jun	Oct	Dec	Feb	Apr	Jun	Oct
Reduce and Avoid Impacts to Seabirds and Marine Mammals	a. continue to participate in development of mitigation measures to protect SSL through the MSA process including participation in the FMP-level consultation under the ESA	23	NMFS is preparing a Biological Opinion (post-Mar 2010); SSL committee will meet once it is published	██████████							
	b. recommend to NOAA Fisheries and participate in reconsideration of SSL critical habitat	23									
	c. monitor fur seal status and management issues, and convene committee as appropriate	24, 25									
	d. adaptively manage seabird avoidance measures program	22	Council action, seabird avoidance measures in 4E in Jun 08								
Reduce and Avoid Impacts to Habitat	a. evaluate effectiveness of existing closures	26	NMFS researching GOA closed areas (Sanak & Albatross), Council review in 2011								
	b. consider Bering Sea EFH mitigation measures	27	Council action on measures in June 07 BS flatfish trawl sweep mods required in Oct 09 EFH 5-year review, Dec 09 to Apr 2010 develop Northern BS Research Plan for 2011								
	c. consider call for HAPC proposals on 3-year cycle	27	Council to discuss next HAPC process in conjunction with EFH 5-year review								
	d. request NMFS to develop and implement a research design on the effects of trawling in previously untrawled areas	27	Part of research priorities, adopted in June 2007								
Promote Equitable and Efficient Use of Fishery Resources	a. explore eliminating latent licenses in BSAI and GOA	32	Council action on trawl LLP recency in Apr 08 GOA fixed gear latent licenses in Apr 09								
	b. consider sector allocations in GOA fisheries	32, 34	Final action GOA Pcod sector allocations Dec 09 reconsideration of GOA rockfish pilot program								
Increase Alaska Native and Community Consultation	a. Develop a protocol or strategy for improving the Alaska Native and community consultation process	37	protocol presented in Jun 08 annual review of protocol								
	b. Develop a method for systematic documentation of Alaska Native and community participation in the development of management actions	37	outreach plan for chum salmon, meetings planned for Feb-Mar 2011 Report on workshop for NBSRA research plan, Apr 10								
Improve Data Quality, Monitoring and Enforcement	a. expand or modify observer coverage and sampling methods based on scientific data and compliance needs	38, 39	Council action in Apr 08 to improve program next phase of electronic monitoring EFP 2010 restructuring analysis initial review Jun 10								
	b. explore development programs for economic data collection that aggregate data	40	final action, salmon bycatch data collection Dec 09 partially addressed in BSAI Amd 80								
	c. modify VMS to incorporate new technology and system providers	41	Council action, VMS exemption for dinglebar gear, Jun 08								

April 6, 2010 Anchorage, AK Hilton Hotel	June 7, 2010 Sitka, AK	October 4, 2010 Anchorage, AK Captain Cook
<p>SSL Biological Opinion: Discuss schedule</p> <p>Halibut Charter Endorsements: Initial Review/Final Action Catch Shares Report: Finalize comments</p> <p>Rural Community Outreach Ctte: Action as necessary</p> <p>Am 80 Co-op Report</p> <p>CGOA Rockfish Program: Initial Review</p> <p>Observer Program: Report on Outreach Efforts</p> <p>BSAI WAG: Final Action BSAI Crab Emergency Relief: Discussion/Direction</p> <p>Northern BS Research Plan: Review Progress</p> <p>Groundfish ACL Requirements: Final Action</p> <p>GOA Tanner Crab Bycatch: Initial Review GOA Chinook Salmon Bycatch: Discussion paper</p> <p>Crab ACLs: Preliminary Review Snow/Tanner Rebuilding Plans: PT report; Preliminary Review Pribilof BKC Rebuilding Plan: Preliminary Review</p> <p>Scallops: Plan Team Report; Approve SAFE Scallop ACLs: Preliminary Review</p> <p>AI Ecosystem Plan Team: Approve Terms of Reference HAPC Criteria and Priorities: Review/Adopt EFH 5-Year Evaluation: Final Review; action as necessary</p>	<p>SSL Biological Opinion: Review and comment (T)</p> <p>GOA P.cod sideboards for crab vessels: Initial Review (T)</p> <p>GOA Halibut PSC Discussion Paper: Preliminary Review</p> <p>Am 80 Lost Vessel Replacement: Final Action</p> <p>CGOA Rockfish Program: Final Action</p> <p>Observer Program Restructuring: OAC report; Initial Review</p> <p>BSAI Crab ROFR: Initial Review (T)</p> <p>BSAI Chum Salmon Bycatch: Review Disc paper; finalize alts.; Outreach Update</p> <p>Arrowtooth Flounder MRA: Initial Review (T)</p> <p>Crab ACLs: Initial Review Snow/Tanner Rebuilding Plans: Initial Review Pribilof BKC Rebuilding Plan: Initial Review</p> <p>Alaska MPA System Briefing: Review Scallop ACLs: Initial Review</p>	<p>Research Priorities SSL Measures: action as necessary</p> <p>BS&AI P.cod Split: Discuss plan/action as necessary (T) GOA P.cod sideboards for crab vessels: Final Action (T)</p> <p>GOA Halibut PSC Discussion Paper: Review final paper CQE area 3A D class purchase: Initial Review CQE in Area 4B: Review Discussion paper Area 4B D shares on C vessels: Initial Review/Final Action</p> <p>Economic Data Collection: Review discussion papers Electronic Monitoring Research: Receive report Observer Program Restructuring: Final Action (T)</p> <p>BSAI Crab ROFR: Final Action (T) BSAI Crab Rationalization 5-year review: Receive report</p> <p>BSAI Chinook salmon bycatch EDR: Review regulations and forms</p> <p>Arrowtooth Flounder MRA: Final Action</p> <p>GOA Tanner Crab Bycatch: Final Action (T)</p> <p>BSAI Crab SAFE: Review and Approve Crab ACLs: Final Action Snow/Tanner Rebuilding Plans: Final Action Pribilof BKC Rebuilding Plan: Final Action</p> <p>MPA Nomination Discussion Paper: Review Hagemeister Island: Initial Review Scallop ACLs: Final Action Groundfish Specifications: Receive Plan Team Reports Adopt Proposed Catch Limits</p> <p>HAPC: Review Proposals for Analysis (T) EFH: Action as necessary</p>

ACL - Annual Catch Limit
AI - Aleutian Islands
GOA - Gulf of Alaska
SSL - Steller Sea Lion
BKC - Bue King Crab
BOF - Board of Fisheries
FEP - Fishery Ecosystem Plan
CDQ - Community Development Quota
VMS - Vessel Monitoring System
EFP - Exempted Fishing Permit
BiOp - Biological Opinion
MRA - Maximum Retainable Allowance

PSC - Prohibited Species Catch
TAC - Total Allowable Catch
BSAI - Bering Sea and Aleutian Islands
IFQ - Individual Fishing Quota
ROFR - Right of First Refusal
GHL - Guideline Harvest Level
EIS - Environmental Impact Statement
LLP - License Limitation Program
SAFE - Stock Assessment and Fishery Evaluation
MPA - Marine Protected Area
EFH - Essential Fish Habitat
HAPC - Habitat Areas of Particular Concern

Future Meeting Dates and Locations

April 6-, 2010 in Anchorage (start on Tuesday)
June 7 - , 2010 in Sitka
Oct 4-, 2010 in Anchorage (Captain Cook)
Dec 6- 2010 in Anchorage Hilton
January 31-February 8, 2011-Seattle
March 28-April 5, 2011-Anchorage
June 2011 - Nome
September 26-, 2011 in Unalaska

(T) Tentatively scheduled

NPFMC/NMFS Action - updated 3/29/10

Action	Status	Staffing	Timeline											
			2010											
			April	May	June	July	August	Sept	Oct	Nov	Dec			
Blue = Post Council Action, Rulemaking														
BSAI Chinook Salmon Bycatch	Preparation of ROD	NMFS 100%												
Halibut Catch sharing plan	Preparation of final analytical documents and rulemaking package	NMFS 80% Council 20%												
LLP recency actions	Preparation of final analytical documents and rulemaking package	NMFS 80% Council 20%												
Recent Crab Rationalization program changes	Preparation of analytical documents and rulemaking package	NMFS 80% Council 20%												
Litigation workload	Ongoing	NMFS 90% Council 10%												
BSAI fixed gear parallel waters	Preparation of analytical documents and rulemaking package	NMFS 70% Council 30%												
Permit fees in all fisheries	Preparation of final analytical documents and rulemaking package	NMFS 100% Council 0%												
BSAI skate amendment	Proposed and Final Rule	NMFS 100% Council 0%												
Bottom trawl sweeps	Preparation of final analytical documents and rulemaking package	NMFS 90% Council 10%												
GOA P cod sector splits	Preparation of analytical documents and rulemaking package	NMFS 10% Council 90%												
Observer Reg. Package	Preparation of Final Rule	NMFS 90% Council 10%												
Am 80 coop formation	Preparation of analytical documents and rulemaking package	NMFS 90% Council 10%												
Remove inactive Halibut/Sablefish QS	Proposed and Final Rule	NMFS 100% Council 0%												

Naukati Bay, Inc.
PO Box 129
Craig, Alaska 99921

March 5, 2010

North Pacific Fishery Management Council
605 West 4th, Suite 306
Anchorage, Alaska 99501-2252

RECEIVED

MAR 15 2010

Attn: Eric Olson

Re: Request for GOA eligibility

Dear Mr. Olson,

The community of Naukati Bay, Alaska (Naukati Bay, Inc) is requesting the North Pacific Fishery Management Council take action to add it to eligible communities for GOA and CQE.

Naukati Bay, Alaska meets all of the requirements as follows:

- 1) It is recognized by the U.S. Censes
- 2) Population of greater than 20 but less than 1500 according to the 2000 U.S. Census
- 3) Is not connected to a larger community on the road system
- 4) Have a commercial landing of either Halibut or Sablefish by a resident between 1980-2000 according to Commercial Fisheries Entry Commission data for permit and fishing activity.
- 5) Designated on Table 21 to Part 679 of Federal Regulations

Naukati Bay appears to be the only coastal community in Southeast Alaska that was left off of the list of eligible communities. I suspect that it was simply an oversight by community members at the time of application.

Application has been made to the National Marine Fisheries Service, Restricted Access Management and all requirements for that application have been met.

The State of Alaska Commercial Fisheries Commission (Kurt Schelle) has provided catch data information in support of this eligibility request to your office.

If you require additional Information please contact me at (907) 965-5964 or email at gwparsley@yahoo.com

Regards


Gregg Parsley

RECEIVED

MAR 15 2010

Lucas Clark
P.O. Box 96
Hoonah, AK 99829
(907) 967-0046

March 4, 2010

Attn: Chairman of the North Pacific Fishery Management Council
606 W. 4th Avenue, Suite 306
Anchorage AK 99501

Dear Mr. Olson,

As you may already be aware, we would like to petition the North Pacific Fishery Management Council to take action to add the community of Game Creek to the list of communities eligible for the Gulf Community Quota Entity (CQE) Program in Federal regulations.

I was told the following criteria must be met by the community:

1. Identification by the 2000 US Census.
2. Population of 20 to 1500.
3. Not connected by road to a larger community.
4. Located on the Pacific Gulf Coast.
5. History of CFEC recorded halibut and/or sablefish landings between 1980 and 2000.

This is what I found in regard to these criteria:

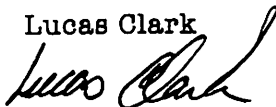
- 1,2. Game Creek is recognized as a Census Designated Place (CDP) with a 2000 US Census population of 36.
3. Game Creek is remote with no road connection to a larger community. It is accessible only by water.
4. Game Creek is located on Alaska's Gulf Coast/ Southeast Alaska, Chichagof Island, Port Frederick.
5. Game Creek has a history of CFEC recorded halibut and/or sablefish landings from the mid-1970's to present. The permit holder names can be identified as being addressed to P.O. Box 96 in Hoonah. P.O. Box 96 is a general community mailbox with redistribution at Game Creek. These names are as follows: Mike Lopez, Robert Clark, David Austin, William Casey, William Burnett, and others. This list was validated by Kurt Shelley of the Entry Commission who forwarded his information to Nicole Kimball of your office for further review.

These landings had previously been credited by CFEC to the City of Hoonah but for purposes of this application, we would like to make the distinction that all P.O. Box 96 addressees are residents of the community of Game Creek.

Thank you for your consideration.

Sincerely,

Lucas Clark



Council Motion on Community Quota Share Purchase – Gulf FMP Amendment 66
April 10, 2002

The Council recommends to allow eligible Gulf of Alaska coastal communities to hold commercial halibut and sablefish QS for lease to and use by community residents, as defined by the following elements and options.

Element 1. Eligible Communities (Gulf of Alaska Communities only)

Rural communities with less than 1,500 people, no road access to larger communities, direct access to saltwater, and a documented historic participation in the halibut and/or sablefish fisheries.

Communities meeting the above criteria at final action will be listed as a defined set of qualifying communities in regulation (*see attached list*). Communities not listed must apply to the North Pacific Fishery Management Council to be approved for participation in the program and will be evaluated using the above criteria.

Element 2. Ownership Entity

- New non-profit community entity
- New non-profit entity formed by an aggregation of several qualifying communities
- New regional or Gulf-wide umbrella entity acting as trustee for individual communities

Element 3. Use Caps for Individual Communities

1% of Area 2C and 0.5% of the combined Area 2C, 3A and 3B halibut QS, and 1% of Southeast and 1% of all combined sablefish QS.

Communities in Areas 3A and 3B cannot buy halibut quota share in Area 2C and communities in Area 2C cannot buy halibut quota shares in Area 3B.

Element 4. Cumulative Use Caps for All Communities

Communities are limited to 3% of the Area 2C, 3A, or 3B halibut QS and 3% of the SE, WY, CG, or WG sablefish QS in each of the first seven years of the program, with a 21% total by area, unless modified by the Council through the five-year review.

Element 5. Purchase, use and sale restrictions

Block Restrictions (Block restrictions are retained if the community transfers QS.)

- Allow communities to buy blocked and unblocked shares.
- Individual communities will be limited to 10 blocks of halibut QS and 5 blocks of sablefish QS in each management area.
- Restrict community purchase of blocked halibut quota share to blocks of shares which, at the time of the implementation of sweep provisions (1996), exceeded the following minimum poundage of IFQ:

- (a) For Areas 2C and 3A, minimum halibut IFQ poundage of 3,000 lbs.
- (b) For Areas SE, WY, CG, and WG, minimum sablefish IFQ poundage of 5,000 lbs.

Vessel Size Restrictions (Vessel size restrictions are retained if the community transfers the QS)

Quota share held by communities under this program would be exempt from vessel size (share class) restrictions while the QS is owned and leased by the community.

Transferability of halibut QS in Areas 2C and 3A from commercial to community entities is restricted to B and C category quota share.

Sale Restrictions

Communities may only sell their QS for one of the following purposes:

- (a) generating revenues to sustain, improve, or expand the program
- (b) liquidating the entity's QS assets for reasons outside the program. In that event, NMFS would not qualify that entity or another entity to hold QS for that community for a period of 3 years.

Use Restrictions

Leasing of community quota share shall be limited to an amount equal to 50,000 pounds of halibut and 50,000 pounds of sablefish IFQs, inclusive of any IFQ owned, per transferee.

Leasing of community quota share shall be limited to an amount equal to 50,000 pounds of halibut and 50,000 pounds of sablefish IFQs, inclusive of any IFQ owned, per vessel.

Element 6. Performance Standards

Communities participating in the program must adhere to the following performance standards established by NMFS in regulation:

- (a) Leasing of annual IFQs resulting from community owned QS shall be limited to residents of the ownership community. (Residency criteria similar to that established for the subsistence halibut provisions shall be used and verified by affidavit.)

The following should be seen as goals of the program with voluntary compliance monitored through the annual reporting mechanism and evaluated when the program is reviewed. When communities apply for eligibility in the program they must describe how their use of QS will comply with program guidelines. This information will be used as a benchmark for evaluating the program.

- (b) Maximize benefit from use of community IFQ for crew members that are community residents.
- (c) Insure that benefits are equitably distributed throughout the community.
- (d) Insure that QS/IFQ allocated to an eligible community entity would not be held and unfished.

Element 7. Administrative Oversight

Require submission of a detailed statement of eligibility to NMFS prior to being considered for eligibility as a community QS recipient. The statement would include:

- (a) Certificate of incorporation
- (b) Verification of qualified entity as approved in Element 2
- (c) Documentation demonstrating accountability to the community
- (d) Explanation of how the community entity intends to implement the performance standards

Require submission of an annual report detailing accomplishments. The annual report would include:

- (e) A summary of business, employment, and fishing activities under the program
- (f) A discussion of any corporate changes that alter the representational structure of the entity
- (g) Specific steps taken to meet the performance standards
- (h) Discussion of known impacts to resources in the area.

Element 8. Program Review

Council review of the program after 5 years of implementation.

The Council also recommends forming a community QS implementation committee, in order to ensure that the program is implemented as intended.

(42) Eligible Communities for Purchase of Halibut and Sablefish Quota Share (Element 1)

General Qualifying Criteria: Rural communities in the Gulf of Alaska with less than 1,500 people, no road access to larger communities, direct access to saltwater, and a documented historic participation¹ in the halibut or sablefish fisheries.

Area 2C		Area 3A	
<u>Community</u>	<u>Population²</u>	<u>Community</u>	<u>Population</u>
Angoon	572	Akhiok	80
Coffman Cove	199	Chenega Bay	86
Craig	1,397	Halibut Cove	35
Edna Bay	49	Karluk	27
Elfin Cove	32	Larsen Bay	115
Gustavus	429	Nanwalek	177
Hollis	139	Old Harbor	237
Hoonah	860	Ouzinkie	225
Hydaburg	382	Port Graham	171
Kake	710	Port Lions	256
Kassan	39	Seldovia	286
Klawock	854	Tatitlek	107
Metlakatla	1,375	Tyonek	193
Meyers Chuck	21	Yakutat	<u>680</u>
Pelican	163		
Point Baker	35	14 communities	2,711
Port Alexander	81		
Port Protection	63	Area 3B	
Tenakee Springs	104	<u>Community</u>	<u>Population</u>
Thorne Bay	557	Chignik	79
Whale Pass	58	Chignik Lagoon	103
		Chignik Lake	145
21 communities	8,119	Ivanof Bay	22
		King Cove	792
		Perryville	107
		Sand Point	<u>952</u>
		7 communities	2,200

¹As documented by CFEC, DCED, or reported by ADF&G in *Alaska Rural Places in Areas with Subsistence Halibut Uses*.

²2000 census data, Alaska Department of Community and Economic Development.

Note: The above 42 communities appear to meet the qualifying criteria at Council final action on April 10, 2002, and will be listed as a defined set of qualifying communities in Federal regulation. Communities not listed must apply to the North Pacific Fishery Management Council to be approved for participation in the program and will be evaluated using the above criteria.

Elfin Cove Community Quota Entity
P. O. Box 1
Elfin Cove, Alaska 99825
907-239-2226

March 23, 2010

Mr. Chris Oliver
North Pacific Fishery Management Council
605 W. 4th Avenue, Suite 306
Anchorage, AK 99501
Fax: 907-271-2817

RECEIVED
MAR 29 2010

Dear Mr. Oliver:

The Elfin Cove Community Quota Entity is submitting this petition for a change of status under the North Pacific Fisheries Management Council's Community Charter Halibut Permit regulations. Elfin Cove is an unincorporated community on Chichagof Island approximately 85 miles west of Juneau in Southeast Alaska. The community does not have road access, State Ferry service, nor regular barge service. The post office receives mail on an irregular schedule of four required deliveries per month. Elfin Cove is classified as "distressed" by the Alaska Department of Economic Development. The community school was forced to close in 1998 as a result of dwindling enrollment. The registered population has fallen to just 25. The local economy continues to be in decline. We understand the need to manage the growth in the charter halibut sector of the fishery. We also have a keen awareness that any further reductions charter halibut sector will have dire economic implications for this community.

The design of the regulations of this program took into account the needs of the small rural coastal communities, their residents and economies by creating Community Charter Halibut Permits. It is our understanding that under current North Pacific Fisheries Management Council determination, Elfin Cove does not currently qualify for these permits. During the qualifying years (2004/2005/2008), it was determined by the Council that Elfin Cove appeared to have a fully developed charter port and economy. At the time of this determination Elfin Cove's charter fleet was deemed to be on the cusp of qualifying with one or two permits making the difference. Today's reality is very different from that evident during the qualifying and recency years.

The local economy depends on two primary sectors, commercial fishing and tourism. The tourism sector is almost exclusively in the form of destination lodges that offer charter sport fishing. In recent years both sectors have experienced significant downturns. Commercial fishing's input into the local economy continues to decline as fish buying resources and demand for fleet support resources in Elfin Cove dwindles. The number of boats that base out of Elfin Cove continues to decline affecting businesses that provide support services such as fuel, electricity, repairs and provisions. These services are the

backbone of our fragile economy.

By our informal account there will be thirteen charter halibut permits awarded to businesses in Elfin Cove. That is roughly one-half of the number of halibut charter boats that were operating in 2004/2005/2008. The permits will be awarded to just four lodges. Four other businesses may or may not be open for business in 2010. If open this year, these businesses will likely not qualify for charter halibut permits for 2011. This reality will dramatically impact the local economy and further compromise the tenuous business and employment climate in our community. Had the qualifying years, or the recency year, occurred this past season or in 2010 Elfin Cove would not be considered a fully developed charter port and would have qualified under the Community Charter Halibut Permit program.

In the last two years, Elfin Cove has seen two lodges fail, and others operate at a fraction of the previous years' level. Business failures, changes in ownership and failure to complete log books will limit permits awarded in Elfin Cove. In addition to the permanent lodges, Elfin Cove has a history of a handful of "freelance" captains that were available for hire to any lodge to meet fluctuating demand. These operators will not be operating in Elfin Cove as demand for their services has all but disappeared. These businesses have moved away from Elfin Cove to seek a sustainable business climate and viable schedule. Even if these business owners wanted to provide services in Elfin Cove, most will not qualify for Charter Halibut Permits.

Elfin Cove has recently undergone significant infrastructure upgrades to utilities and services to provide a base for economic development. Elfin Cove's non-profit corporation operates the fuel dock, community buildings, the electrical power plant, and the water system. Without eight lodges operating at a traditional level, the price of fuel and electricity will rise, grocery prices to

consumers will increase as volumes decrease, the U.S. Post Office will have reduced hours, and local businesses will experience a direct loss of income. As a result of the further losses in the charter sector, a continued decrease in the commercial fleet, and the reduced opportunities for local employment a tipping point for the local economy may be on the horizon. Access to CQE Charter Permits will provide the community with an opportunity to support existing businesses and to encourage new businesses to come to Elfin Cove.

The Elfin Cove Community Quota Entity is petitioning the North Pacific Fisheries Management Council to consider the following key points in support of a change in status for Elfin Cove under the Community Charter Halibut Permit program:

1. During the qualifying years of 2004 and 2005 the number of charter businesses operating in Elfin Cove were at a historical high.

2. The current economic downturn has dramatically changed Elfin Cove's lodge/charter business climate. We estimate that one-half of the halibut charter businesses operating in 2004/2005/2008 will not be operating in 2010. Those businesses still operating are making reductions in their operations in anticipation of a continued slow economy.

3. The number of individual halibut charter boats operating in 2010 in Elfin Cove is projected to be one-half of the number operating in 2004/2005/2008. If there is an increased future demand for these services it is likely that permit holders based in other communities such as Hoonah, Sitka, Gustavus and Juneau may displace those who could be based in Elfin Cove. The loss of economic opportunity for Elfin Cove is obvious.

4. In 2009, most surviving lodge/charter businesses shortened their operating season, reduced the number of boats operated, and reduced the number of employees in order to meet the economic challenges of the industry. This negatively impacted the local economy in Elfin Cove.

5. The current economic downturn has had a dramatic impact on the economy of Elfin Cove. The reduction in charter businesses has a direct impact on the already limited number of employment opportunities in Elfin Cove; the cost of critical infrastructure such fuel and electricity; and, reductions in other businesses and services such as the store, restaurant and Post Office. Elfin Cove was already identified as a "Distressed Community". Loss of this opportunity to support our economy may well be the tipping point for the very existence of the community.

6. Having Community Charter Halibut Permits would allow Elfin Cove to use a portion of the proceeds developed from the Community Charter Halibut Permits to buy IFQs within the CQE for the benefit of the local halibut fishermen and the entire community.

It is our hope that the Council will concur with our assessment that the status of the charter halibut fleet in Elfin Cove has changed significantly. We respectfully ask that the Council change the determination regarding the charter halibut fleet in Elfin Cove to allow for the issue of Community Charter Halibut Permits.

Sincerely,



Gordon Wrobel, President
Elfin Cove Community Quota Entity
PO Box 1
Elfin Cove, AK 99825
907-239-2226



NANWALELK IRA COUNCIL

Telephone: 907-281-2274 / Fax: 907-281-2252

100 Nikita Street / P.O.Box 8028 Nanwalek Alaska 99603

***Please present this Letter of Introduction and Intent during the week of April 6th
Council Meeting under New Business.***

The Native Village of Nanwalek IRA
Tim Greene, Resource Development Coordinator
PO Box 8057
Nanwalek, AK 99603

March 29, 2010

RECEIVED
MAR 31 2010

Letter of Introduction and Intent for:
North Pacific Fisheries Management Council

Subject:
Indigenous Rights and Healthy Community

I am writing to the Council on behalf of the Indigenous Peoples of Nanwalek, Alaska. Nanwalek is located in the heart of the Halibut capital of the world, past the end of road, and on the southern tip of the Kenai Peninsula.

The Nanwalek IRA Council and the Indigenous Peoples of Nanwalek have a problem. Our small village of approximately 300 people, half of which are children under the age of 18, is struggling to stay viable. Unemployment lingers around 75%, energy costs are two to three times as more expensive when compared to urban areas of our state, food costs are even higher, and reliance on governmental subsidies have sadly become necessary for the continued existence of the Village and her people. We don't like living like this.

It is impossible to return to days before Westernization where our Peoples were totally self-sufficient and where traditional subsistence practices ensured the village's sustainability. The Village members want to work, we want to support ourselves but have few opportunities; however, some do exist.

Namely, through proposed cooperation with the North Pacific Fisheries Management Council and Nanwalek IRA Council; in which, an Indigenous Economic Resource Allocation be established for the Native Village of Nanwalek. From the vast Halibut IFQ for Area 3A, a small percentage, 1 or 2 in total, would make a huge impact for a small boat fishery, which would thrive under an indigenous maritime culture and tradition, but is currently dying economically and socially. Further, we are aware of our CQE status; however and even if there were thousands of Halibut IFQ for sale (which there isn't), the Village couldn't afford the millions of dollars to buy it.


With an allocation from our own traditional fishery, it will allow our Peoples to make an honest living doing jobs related to a sustainable and traditional resource. This allocation makes sense in the economic opportunities it will provide, as well as, benefits, both directly and indirectly, associated with a healthy economy. These benefits include, in part, lower drug and alcohol abuse, decreases in domestic violence and child abuse, increased educational opportunities, as well as, and perhaps most importantly, a return of one's ethnic identity and pride. Simply put, a working village is a healthy village.

As the Village tribal members watch the commercial halibut fleet go and come back heavily laden with halibut, and as many as 50 halibut charter boats within the sight of our village at any given time, we are saddened in the fact that we have lost our traditional waters and the resources they provide to others, as well as, the subsequent economic and social effects. We only want a small percentage of what was totally ours. We want to be able to hold our heads high, pay our own bills with our own money, and teach the kids of our village our rich cultural and maritime traditions.

As the goals of Nanwalek IRA Council and North Pacific Fisheries Management Council are similar we look forward in working with you in these efforts. Further, we ask the Council to consider our claim without delay, as precedents have been set through various Indigenous rights acts and laws. Please respond to the Nanwalek IRA Council's Resource Development Coordinator.

The document has been prepared under the guidance of the Nanwalek IRA Council, with the collective reasoning of the members of Native Village of Nanwalek and under the authorship of Tim Greene. At this time, please contact Tim Greene with all correspondence pertaining to this matter: Tim Greene, PO Box 8057, Nanwalek, AK 99603.

Sincerely,

A handwritten signature in black ink that reads "Tim Greene". The signature is written in a cursive, flowing style.

Tim Greene, Resource Development Coordinator
The Nanwalek IRA Council
The Members of the Native Village of Nanwalek

cc: Wally Kvasnikoff, 1st Chief

Groundfish Forum

4241 21st Avenue West, Suite 302
Seattle, WA 98199
206-213-5270 Fax 206-213-5272
www.groundfishforum.org

March 30, 2010

Mr. Eric Olson, Chairman
North Pacific Fishery Management Council
605 W 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Re: Agenda Item D-5 (Staff Tasking); Amendment 80 vessel replacement analysis

Dear Chairman Olson,

Groundfish Forum is comprised of six quota share (QS) holders representing 15 QS permits in the Amendment 80 (non-AFA trawl catcher-processor) sector. We are writing to request an addition to the Amendment 80 vessel replacement analysis which is in preparation for final action by the Council in June.

As you know, vessels in our sector are among the oldest in the federal fisheries and are facing increasingly stringent retention requirements that cannot be met by many of the existing vessels. At the same time, there is no clear direction on how these vessels can be replaced or rebuilt to optimize the value of the fishery while improving efficiency and safety. We need the Council to take action on this as soon as possible, realizing that ultimately we may need legislative language to implement vessel replacement.

Groundfish Forum believes there is no need or justification for limiting the size of replacement vessels in our sector. The fishery is rationalized and sideboards are in place to protect other sectors, so new vessels cannot harvest more fish; however, new or rebuilt platforms provide the ability for new processing techniques, such as the ability to do mince and meal for increased utilization, improved vessel safety measures, better crew quarters, cleaner technologies, including ability to use biofuels, and increased engine performance with decreased fuel consumption. Vessel owners, working with marine architects, will select new vessel designs that make the best use of the quota they have and the markets that are available. An artificial length restriction could compromise the design process with no real benefit to anyone.

We recognize that some people are not comfortable with the idea of 'unlimited' replacement, for whatever reason. The term to use really should be 'unspecified.' To address this concern, we recommend that the Council ask staff to include an additional alternative in the Amendment 80 vessel replacement analysis under Alternative 3 option 1, which would read:

(e) A replacement vessel may have a length overall 100 feet or 150 feet greater than the vessel it replaces.

Analysis of this explicit option may help the Council determine if there is a way to place an upper limit on the size of replacement vessels without unnecessarily restricting the design of replacement vessels.

We appreciate your attention to this matter and will provide testimony during the 'staff tasking' portion of the upcoming Council meeting.

Sincerely

Lori Swanson
Executive Director

GOA GROUND FISH TRAWL SUBSECTOR OBSERVER PROPOSAL

North Pacific Fishery Management Council — 197th Plenary Session
February 10-16, 2009 Anchorage, Alaska Fax: (907) 271-2817

For the Official Record**D-3 Groundfish Issues & D-5 Staff Tasking – Requesting Placement on the Agenda**

Name of Proposer: Ludger W. Dochtermann

Date: (orig. June 1, 2005) **April 8, 2010**

Address:

P.O. Box 714
Kodiak, Alaska

Telephone:

(907) 486-5450

Applying: NS#1 issues of 'rebuilding', optimum yield, preventing overfishing; NS#2 –best science & providing most current, comprehensive information; NS#3 'close coordinated management'; NS#7 minimize costs (damaged stocks, wasted fuel etc.) NS#8 sustained community participation & NS#9 minimize bycatch & mortality on non-targeted species. For multi-species management to maximize net national benefits from Kodiak fisheries.

Brief Statement of Proposal:

Full (100%) Observer Coverage on All GOA Trawl Vessels for the Year 2011, and once in every 5 or 7 years thereafter. By "Year 2010," I mean before any further Rationalization regulations are promulgated, so inherent in this proposal is a halt to further action until the best (adequate) scientific data is made available.

Objectives of Proposal (What is the problem?):

To accurately evaluate the trawl fishery subsector's entire catch performance regarding the bycatch of non-targeted species and the on-board management conduct of the fishery's prosecution. There is a serious need to have years of full knowledge regarding bycatch for several reasons, not the least of which is for comparison with other years of reduced coverage where the Nation relies upon self-reporting during non-observer hauls.

Need and Justification for Council Action (Why can't the problem be resolved through other channels?):

Due to the nature of the extraordinary value of bycatch – often exceeding the value of targeted species, and due to the nature of massive discards when incidents of 'bad hauls' occur, NOAA Fisheries and the Council need more accurate base data years' statistics. Absent the presence of constant recording cameras and other means of full data collection, and given the need for human confirmation of such 'remote sensing' were it to occur, the 2010 fishery would be a first start in accurate measurement.

Human behavior in the interests of overwhelming economic rewards absent effective comparison data and enforcement commands that NOAA base its decisions on more accurate data, and confirm that behavior is not incorrectly reported when observer coverage is not at 100% levels. The Council and NOAA are also aware of the uselessness of GOA bycatch data. The OMB needs to review Compliance with the Data Quality Act in the self-reporting system.

The recent submittal of pictures of tanner crab bycatch in the Kodiak groundfishery at the June 2009 session clearly demonstrates the need for 100% observer coverage, full time for 1 base year. While some have historically considered Bering Sea crab pod encounters to be rare instances, whether true or not, around Kodiak trawlers fish shallow bays and other grounds that increase the likelihood of pod encounters or simply dragging through crab abundantly concentrated on the ocean floor.

Foreseeable Impacts of Proposal (Who wins, who loses?):

The program would arguably be costly and operationally inconvenient to many vessels, however government could cover much of the costs in return for the knowledge gained. For the cost of not having full and complete knowledge – at least once every 7 years, and at least “once” (in 2010) – before creating any further arbitrary resource allocation (property rights shifting) regulations (such as “rationalization schemes”) may be a grave loss to society and regional economies as heavy-impact, intense methods of fishing – i.e. hard-on-bottom trawling – proceed unabated and unwatched.

The question of “who loses” has been answered — crab and halibut fishermen — unless a 100% observer program for 1 base year is put in place. Considering that Kodiak was once the “king crab capital of the world” and its restoration is severely harmed by trawl subsector bycatch incidents, the Council needs this base year to analyze such comparable losses.

The question of “who wins and who loses?” is also moot under the logic that the Public resource is an invaluable asset of the Nation, and no one loses when we all know what are the true conditions of the prosecution of such fisheries. Everyone wins when regulations are based on the best data, and when they follow the National Standards in the Magnuson-Stevens and Sustainable Fishery Acts, in their spirit and intent – especially when the regulatory process proceeds on science, not politics and greed.

Are there Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem?:

There is another means of keeping an eye on the prosecution of the fishery, but the cost of having numerous Coast Guard vessels on site, around the clock, along with ‘random-boarding’ (fair) observer coverage would be much higher than instituting a full-coverage year-stratification program that operates only once every 5 to 7 years.

Also, the Council could ban bottom trawling in state waters around Kodiak altogether.

Supportive Data and Other Information (What data are available and where can they be found?):

This is a complex matter, as NOAA has not had adequate budgets for better research. But the conduct of the trawl fishery and the witnessing of its highly destructive prosecution are well known among NOAA, Alaskan communities and fishing crews. The Council and NOAA might have greater insight on data collection and statistical need, and that could all come out during the evaluation of this proposal were the Council to create an agenda item specifically to task going forward with 100% observer coverage in 2010.

I ask you to please take this into discussion in Groundfish issues, and to propose in staff tasking to agenda this proposal and to conduct complete analysis as soon as possible.

Signature:

Ludger W. Dochtermann, F/V North Point, F/V Stormbird – Kodiak, AK



Alaska Charter Association
PO Box 478
Homer, AK 99603

March 30, 2010

Eric Olson, Chairman
North Pacific Fisheries Management Council
605 W 4th Avenue, Suite 306
Anchorage, AK 99501-2252

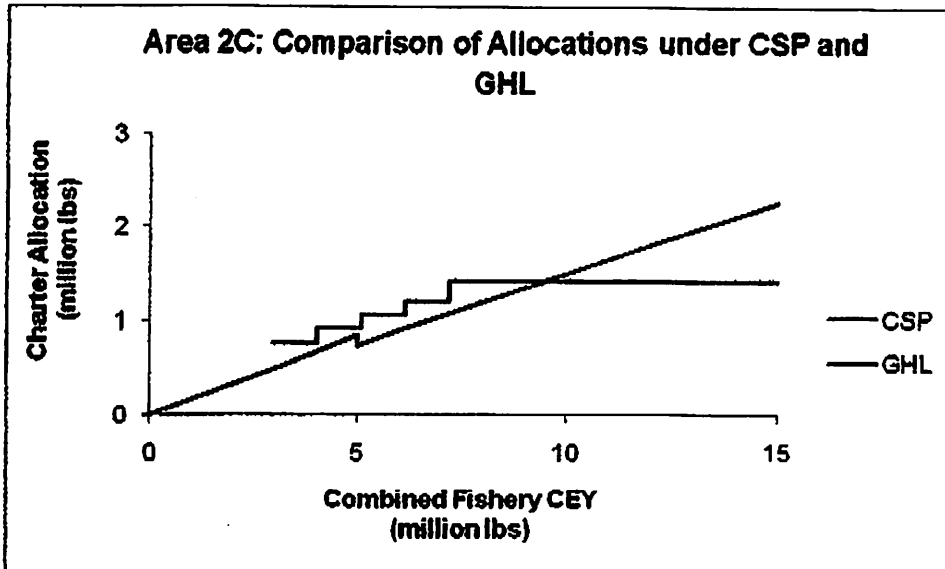
Dear Chairman Olson,

The Alaska Charter Association (ACA) is a statewide organization representing over 150 charter and associated businesses. Its mission is to preserve and protect those fishing rights and resources necessary for the Alaska charter fleet to best serve the recreational fishery.

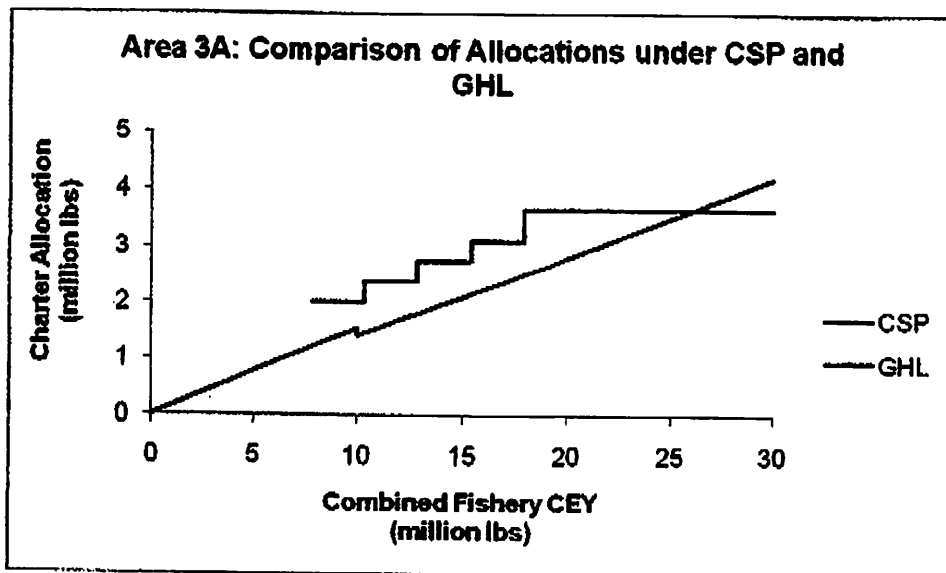
ACA is writing to discuss three issues with the Catch Sharing Plan (CSP) adopted by the Council in October 2008. First, the allocations chosen by the Council fall well below the Guideline Harvest Level (GHL) allocations that they replace. Next, the leasing provision raises multiple issues that in ACA's opinion render it undesirable. Finally, the CSP matrix contains flaws that could result in unconstrained guided harvest. ACA will discuss each issue in turn and offers viable options for their resolution.

Issue 1: CSP Allocation

The October 2008 CSP motion selected new charter allocations that are well below the GHL. Included for the Council's review are graphical comparisons of the GHL and CSP allocations.



The Area 2C graph shows that the GHL exceeds the CSP by close to 250k pounds, with the CSP finally exceeding the GHL at a combined fishery CEY of around 10 million pounds.



The Area 3A graph shows that the GHL exceeds the CSP by close to a million pounds, with the CSP finally exceeding the GHL at a combined fishery CEY of over 25 million pounds.

ACA believes that it was the Council's intent to set the CSP allocations at levels that approximately matched the GHL. Reviewing side by side comparisons of the GHL and the CSP allocation, it is clear that this is not what happened. ACA asks the Council to reconsider its October 2008 motion.

ACA is including a problem statement and alternatives that adjust the CSP allocation to a range that more closely approximates the GHL.

Issue 2: IFQ Leasing

ACA has queried its members on their thoughts on IFQ leasing and has compiled a sizable list of reasons why it believes that the leasing option is not a viable long term solution.

- Leasing *is not* a compensated allocation shift mechanism.
 - Leasing is a one time only exchange of IFQ.
 - Leasing of IFQ vs. QS Purchase is analogous to buying a glass of milk vs. buying the cow.
- Leasing establishes an undesirable landlord/tenant relationship between the commercial and guided recreational sector.
- Leasing is contrary to the owner on board concept that was the Council's intent in the original commercial QS program.

- Leasing could establish a niche business for small QS holders, allowing them to purchase QS and never fish it.
- Leasing is cost prohibitive:
 - Favors large better financed guided operations over small ones.
 - Favors wealthy clients over less wealthy clients.
 - Leasing could potentially add hundreds of IFQ buyers to the market, raising IFQ and QS prices substantially.
- There is not enough leasing allowed to make a difference, especially in 2C
- Leasing of GAF fish is totally non-transparent to the end user, as the angler would have to choose if he/she wanted to pay extra for GAF fish.
- Enforcement and Accounting Issues
 - Distributed nature of recreational fishery makes leasing provisions difficult to enforce.
 - Two sets of rules for guided recreational harvest (guided, guided w GAF)
 - Two sets of harvest reporting: Guided Harvest/GAF Harvest
 - Which fish is the GAF fish, counted against ComFish Allocation?
 - Which fish is counted against the CSP allocation?
- Equity issues with GAF based on average fish sizes
 - Operations in one sub-area will be paying for an average sized fish when their average may be well below average. Operations in another sub-area will be paying for an average size fish and harvesting much larger fish.
 - Example: 2008 Average weight in 2C areas: POW Island 9.2 lb versus Glacier Bay 45.3 lb.
 - Likely outcome of less use in areas of small fish, more use in areas of large fish, with possible overharvest when GAF harvest is converted to pounds.

ACA asks that the Council reconsider the CSP leasing option and consider the substitution of an option that incorporates a compensated allocation shift mechanism. **ACA believes that a reasonable allocation coupled with a market-driven compensated reallocation plan is the only viable way to equitably solve the issue of allocation in the long term.** ACA believes that a "pool plan" where QS is purchased on the open market and held in trust to supplement the baseline CSP allocation is worthy of analysis. Such a plan would contain the following features:

1. The initial allocation would be the CSP allocation for that area.
2. A non-profit entity would be established to hold the initial CSP allocation to as well as QS purchased on the open market.

Option 1: one entity for each area

Option 2: one entity for both areas

3. The Halibut IFQ program would be amended to allow the entity to buy QS from commercial QS holders to add to the CSP allocation.
4. The entity would sell halibut stamps to affix to recreational licenses, with the revenue from the stamps used to buy commercial QS.
5. The entity would manage the CSP allocation + purchased QS as the *total allocation*, available for guided recreational anglers who buys the required halibut stamp.
6. Purchase of a halibut stamp makes an angler a member of the entity for that year and guided recreational anglers must have a halibut stamp to retain halibut.

Option: Halibut stamp could be good for a fixed number of harvested halibut.

7. The annual harvest rule would be determined by selection of the most liberal rule under which harvest is projected to be within the total allocation.
8. Provisions to limit guided recreational harvest to total allocation are incorporated in plan.

Option 1: Halibut stamp allows retention of up to a specific number of harvested halibut per guided angler holding a stamp (i.e., 8, 12, or 16 halibut for Area 3A and 4, 6, or 8 halibut for Area 2C).

Option 2: Divide total allocation by sub-season.

Sub-season closure when sub-season allocation is harvested.

Option 3: A stamp is good for a specified number of fish.

A limit is set on the total number of halibut stamps sold based on best estimate of number of halibut that can be landed within the allocation.

9. Charter logbooks would be used to estimate guided recreational catch through the end of September each year.
10. The entity **would not** lease unharvested IFQ back to the commercial sector.

Option 1: 90 percent of any unused IFQ from the pool would be distributed *at no cost* to commercial QS holders (in proportion to their QS) starting October 1 as IFQ that the commercial QS holders could harvest that year.

Option 2: Unused recreational quota is left in the water to be reapportioned to the commercial sector in the following year's catch limits setting process.

Option 3: A portion of unused recreational allocation is "banked" as insurance against an unexpected overage in the following year.

ACA notes advantages resulting from the replacement of IFQ leasing by the pool plan described above:

- A pool plan is a true compensated allocation shift mechanism.
 - Buys the cow, not the glass of milk.
- This proposal does not include leasing in order to prevent either side from having an incentive to "rent" the resource to the other sector.
 - Excess pool fish either goes to commercial QS holders for free this year, or most of it goes to them next year by default.
- A pool plan is a willing buyer, willing seller, market based system.
- A pool plan is 100% consistent with the concept of owner on board, as the owner of the fish (the angler) is on board the vessel.
- A pool plan manages guided recreational harvest within allocation.
- A pool plan is not cost prohibitive:
 - Costs are shared equally by all guided anglers.
 - Does not favor large, better financed guided operations over small ones.
 - Does not favor wealthy anglers over less wealthy anglers.
- A pool plan adds a single buyer in QS transactions instead of many.
 - A single buyer is much less disruptive to the QS market than hundreds of buyers.
- A pool plan is virtually transparent to the end user.
- Enforcement and harvest accounting
 - One set of rules for guided recreational harvest
 - One set of harvest reporting data
 - No differentiation of fish between QS/CSP Allocation on the water.
 - Accounting for QS/CSP is done off the water.

- No GAF, so no equity issues with GAF based on average fish sizes.
- A pool plan could be extended to include guided and unguided recreational fisheries.

ACA asks that the Council task its staff with analysis of an amendment to the CSP to replace the leasing option with the pool-based compensated allocation shift mechanism we have described above. ACA has included a draft problem statement and alternatives for the Council's consideration.

Issue 3: Catch Sharing Plan Matrix

The October 2008 CSP motion contains a matrix of harvest rules that, based on a combined guided recreational and commercial fishery CEY, assign a default harvest rule and a more restrictive secondary harvest rule.¹ If the guided harvest is projected to fall within the allocation range, the default harvest rule is selected. If the guided harvest is projected to exceed the allocation range, a secondary, more restrictive rule is selected. *A problem arises when the secondary rule is selected and harvest is still projected to exceed allocation under that rule.* For example, in area 3A, above a combined fishery CEY of 27m pounds, the default harvest rule is 2 fish of any size. If projections indicate that guided harvest under that rule will exceed allocation, the "minnow rule" (1 fish any size, one under 32") is chosen. Once under the minnow rule however, there are no more restrictive rules to choose should the projected harvest still exceed allocation. This situation could continue for several years if abundance remains in the same range.

ACA believes that in its motion for the catch sharing plan, the Council's intent was to manage guided recreational harvest within an allocation range at all abundance levels. ACA suggests the following solution to the CSP matrix issue:

A. Define an ordered set of harvest rules ranging from most liberal to most restrictive.

For instance:

- Two fish any size*
- One fish any size, one fish under 32 inches*
- One fish any size*
- One fish of a predetermined size*

B. Select the most liberal harvest rule where projected harvest falls within that year's allocation.

ACA believes that this solution solves the issue with the matrix in a simple and straightforward way that satisfies the Council's intent. ACA is enclosing a problem statement and alternatives for the matrix issue.

¹ http://www.fakr.noaa.gov/npfmc/current_issues/halibut_issues/CSPmatrix1208.pdf (Figure 1)

In summary, the ACA has noted three issues with the Catch Sharing Plan, and has provided what we feel are viable options to address each of them. ACA notes that the management of guided recreational harvest of halibut has been an ongoing issue at the Council for over 17 years. ACA believes is time to resolve this issue in a manner that manages the harvest within allocation while allowing for compensated allocation growth. ACA respectfully asks the Council to reconsider its October 2008 CSP motion.

Sincerely,



Greg Sutter, President

Encl: CSP Allocation Problem Statement and Alternatives
Leasing/Compensated Allocation Problem Statement and Alternatives
Matrix Problem Statement and Alternatives
Copy of Council's October 2008 CSP Matrix

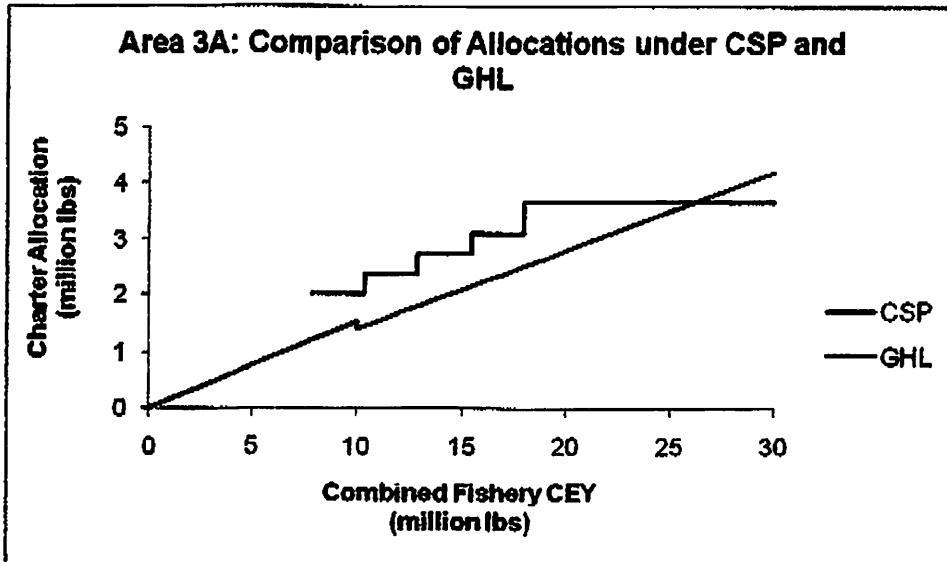
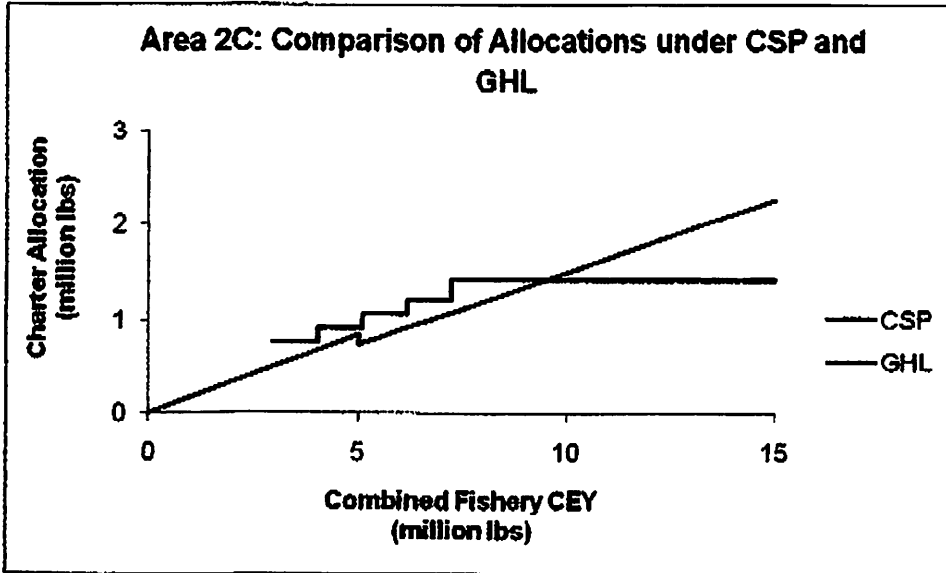
Issue One: Allocation

Problem Statement:

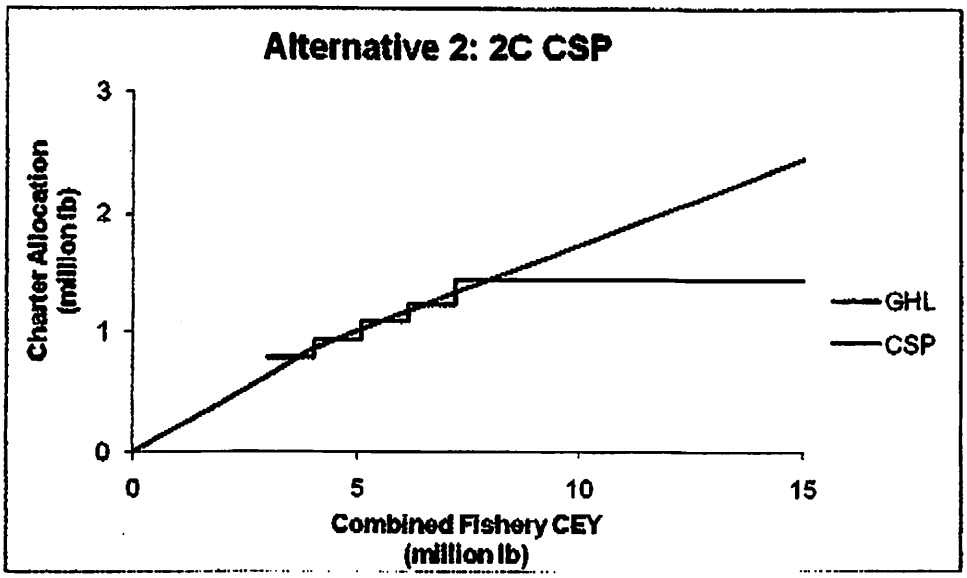
The guided recreational sector allocations chosen by the Council in its October 2008 Catch Sharing Plan (CSP) motion are well below the allocations under the Guideline Harvest Level (GHL) that they replace.

Alternatives:

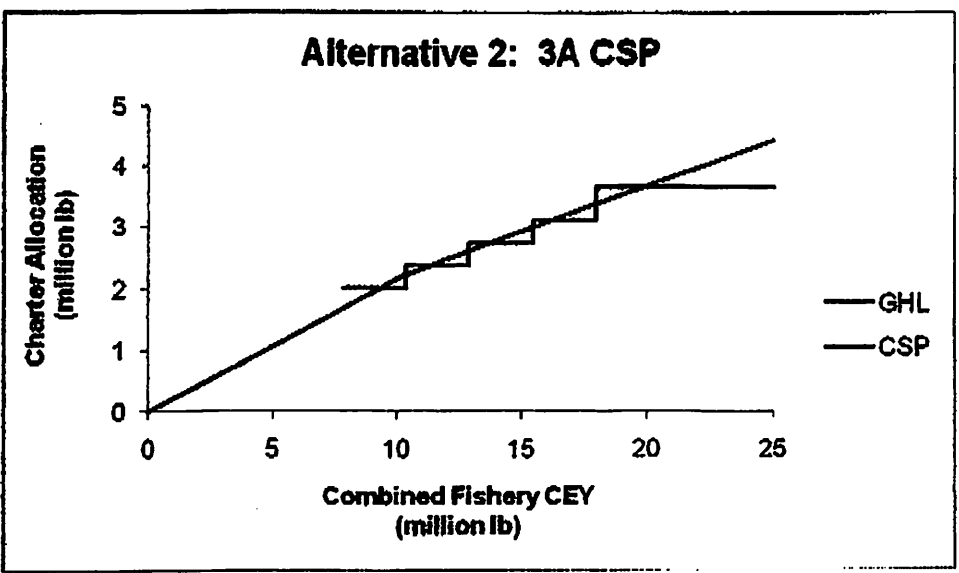
Alternative 1. Status quo. 2008 CSP Motion compared to GHL



Alternative 2:

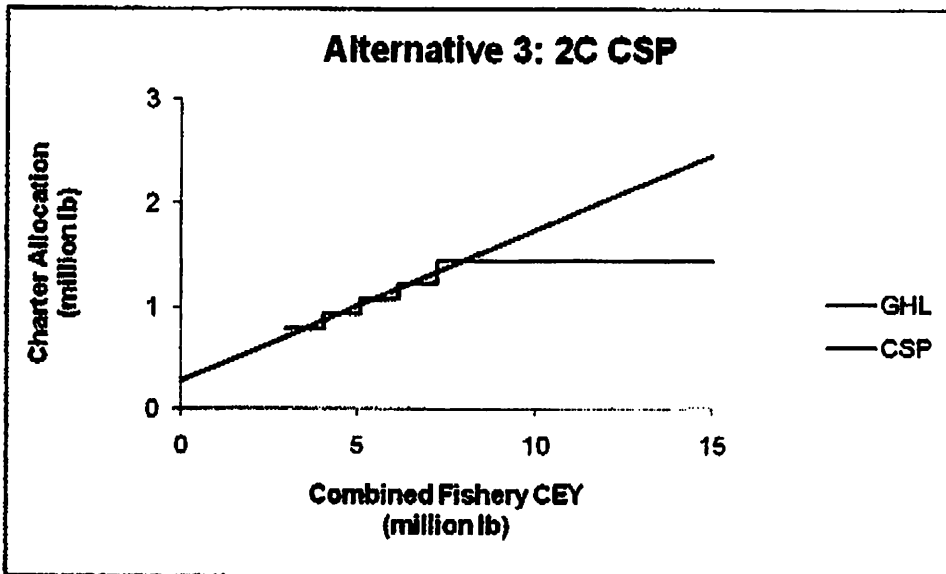


2C Allocation : Up to a CCL of 4.0 million pounds: 21.5% of the combined catch limit
 Over a CCL of 4.0 million pounds, 280 k pounds plus 14.5% of the CCL

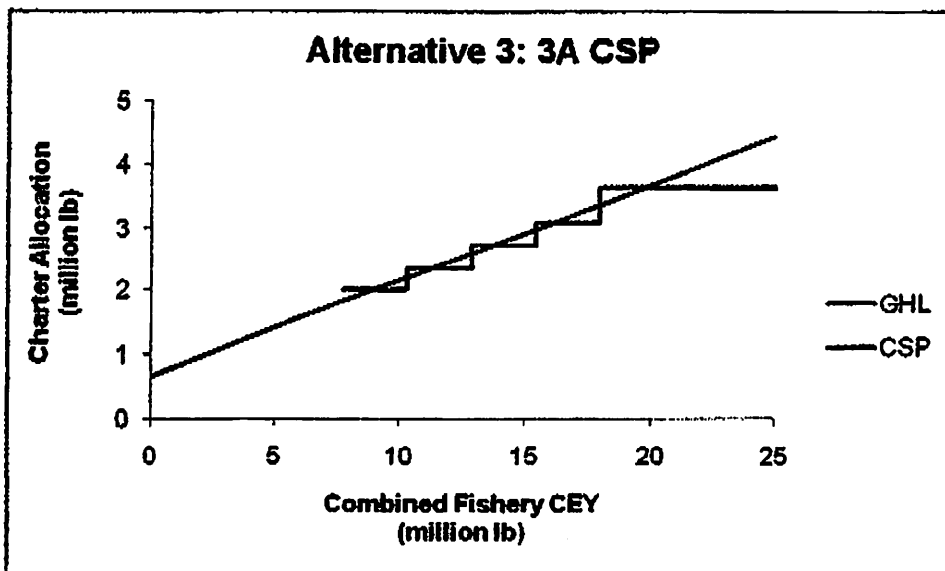


3A Allocation: Up to a CCL of 10.114 million pounds: 21.6% of CCL
 Over 10.114 million pounds: 658 k plus 15.2% of the CCL

Alternative 3:



2C Allocation: 280 k pounds plus 14.5% of the CCL



3A Allocation: 658 k pounds plus 15.2% of the CCL

Issue 2: Leasing/Compensated Allocation

Problem Statement: The Catch Sharing Plan adopted by the Council contains no mechanism to enable a compensated allocation shift between the Commercial and Guided Recreational Sectors. The leasing option presently included in the CSP is problematic and is not a permanent allocation shift mechanism.

Alternatives:

Alternative 1. Status quo. The Council's October 2008 motion. The allocation under the CSP remains a fixed percentage of the combined fishery CEY, with no provision allowing for compensated allocation shift.

Alternative 2. The CSP leasing provision is replaced by a CSP "pool plan" where commercial Catch Shares are purchased on the open market and held in trust to supplement the baseline CSP allocation.

Key Elements of the Plan:

1. *The initial allocation would be the CSP allocation for that area.*
2. *A non-profit entity would be established to hold the initial CSP allocation as well as QS purchased on the open market.*
 - Option 1: one entity for each area*
 - Option 2: one entity for both areas*
3. *The Halibut IFQ program would be amended to allow the entity to buy QS from commercial QS holders to add to the CSP allocation.*
4. *The entity would sell halibut stamps to affix to recreational licenses, with the revenue from the stamps used to buy commercial QS.*
5. *The entity would manage the CSP allocation plus purchased QS as the total allocation, available for guided recreational anglers who buy the required halibut stamp.*
6. *Purchase of a halibut stamp makes an angler a member of the entity for that year and guided recreational anglers must have a halibut stamp to retain halibut.*
 - Option: Halibut stamp could be valid for a fixed number of harvested halibut.*
7. *The annual harvest rule would be determined by selection of the most liberal rule under which harvest is projected to be within the total allocation.*
8. *Provisions to limit guided recreational harvest to total allocation are incorporated in plan.*

Option 1: Halibut stamp allows retention of up to a specific number of harvested halibut per guided angler holding a stamp (i.e., 8, 12, or 16 halibut for Area 3A and 4, 6, or 8 halibut for Area 2C).

*Option 2: Divide total allocation by sub-season.
Sub-season closure when sub-season allocation is harvested.*

*Option 3: A stamp is good for a specified number of fish.
A limit is set on the total number of halibut stamps sold based on best estimate of number of halibut that can be landed within the allocation.*

9. Charter logbooks would be used to estimate guided recreational catch through the end of September each year.

10. The entity would not lease unharvested IFQ back to the commercial sector.

Option 1: 90 percent of any unused IFQ from the pool would be distributed at no cost to commercial QS holders (in proportion to their QS) starting October 1 as IFQ that the commercial QS holders could harvest that year.

Option 2: Unused recreational quota is left in the water to be reapportioned to the commercial sector in the following year's catch limits setting process.

Option 3: A portion of unused recreational allocation is "banked" as insurance against an unexpected overage in the following year.

Issue 3: CSP Matrix

Problem Statement:

Under the Catch Sharing Plan, at a given level of abundance, once the more restrictive harvest rule is selected, there are no alternatives to further restrict guided harvest if it is still projected to exceed allocation.

Alternatives:

Alternative 1. Status quo. For example, at the highest abundance level, once the sector is managed under the minnow rule, there is no more restrictive rule defined should projections indicate that guided harvest will still exceed allocation. The problem is remedied only if abundance drops to the next level in the matrix, but relief may only be temporary, as a similar scenario also exists at the next lower level.

Alternative 2. A. Define an ordered set of harvest rules ranging from most liberal to most restrictive.

For instance:

- Two fish any size*
- One fish any size, one fish under 32 inches*
- One fish any size*
- One fish of a predetermined size*

B. Select the most liberal harvest rule where projected harvest falls within that year's allocation.

Catch Sharing Plan Matrix

Area 2C

Charter Fishery (SEY (million lb))	Allocation	Charter Fishery Bag & Size Limit Regulations		
		If charter harvest within allocation range	If charter harvest projected to exceed allocation range	If charter harvest projected to be below allocation range
<5	Comm alloc = 82.7% Charter alloc = 17.3% Charter range = 13.8-20.8%	One Fish	Maximum size limit imposed that brings harvest to <17.3%	One Fish
≥5 - <9	Comm alloc = 84.9% Charter alloc = 15.1% Charter range = 11.6-18.6%	One Fish	Maximum size limit imposed that brings harvest to <15.1%	Two fish, but one must be less than 32" in length
≥9 - <14	Comm alloc = 84.9% Charter alloc = 15.1% Charter range = 11.6-18.6%	Two fish, one must be less than 32" in length	One Fish	Two Fish
≥14	Comm alloc = 84.9% Charter alloc = 15.1% Charter range = 11.6-18.6%	Two Fish	Two fish, but one must be less than 32" in length	Two Fish

Area 3A

Charter Fishery (SEY (million lb))	Allocation	Charter Fishery Bag & Size Limit Regulations		
		If charter harvest within allocation range	If charter harvest projected to exceed allocation range	If charter harvest projected to be below allocation range
<10	Comm alloc = 84.6% Charter alloc = 15.4% Charter range = 11.9-18.9%	One Fish	Maximum size limit imposed that brings harvest to <15.4%	One Fish
≥10 - <20	Comm alloc = 86.0% Charter alloc = 14.0% Charter range = 10.5-17.5%	One Fish	Maximum size limit imposed that brings harvest to <14.0%	Two fish, but one must be less than 32" in length
≥20 - <27	Comm alloc = 86.0% Charter alloc = 14.0% Charter range = 10.5-17.5%	Two fish, one must be less than 32" in length	One Fish	Two Fish
≥27	Comm alloc = 86.0% Charter alloc = 14.0% Charter range = 10.5-17.5%	Two Fish	Two fish, but one must be less than 32" in length	Two Fish

Figure 1. October 2008 CSP Matrix

Ecosystem Committee Minutes

April 7, 2010 1-5pm

Hilton Hotel, Aspen/Spruce Room, Anchorage, AK

Committee: Stephanie Madsen (chair), Jon Kurland, Dave Benton, Doug DeMaster, Caleb Pungowiyi, Jim Ayers, John Iani (teleconf), Diana Evans (staff)

Others attending included: John Olson, Matt Eagleton, Bill Wilson, Dave Witherell, Jeannie Heltzel, Jeanne Hansen, Dorothy Childers, Clem Tillion, Bill Tweit, Jon Warrenchuk

Essential Fish Habitat 5-year review

Ms Evans, Mr Eagleton, and Mr Olson presented the summary report of the Essential Fish Habitat (EFH) 5-year review. The presentation focused on those chapters to which new information has been added since the Preliminary Report was available in December 2009: EFH description review for crab, scallop, and salmon species, and the effects of fishing evaluation. Ms Evans also identified how the Committee's recommendations from December have been addressed, and presented the report's conclusions. The Committee commended the agency and Council staff for their work on the report, and coordination among the various contributors and Plan Teams.

The Committee discussed the scope of the EFH review. The difficulty in distinguishing between impacts on stocks and impacts on habitat was an issue during the development of the 2005 EFH EIS, and continues to generate discussion and sometimes confusion. The Committee noted that recommendations from the stock assessment authors and Plan Teams were sometimes inconsistent in the way in which they distinguished between these factors. The Committee also discussed the degree to which the effects of fishing on habitat can be discerned from an analysis of spatial distribution of bycatch or incidental catch of invertebrate species, and to what degree information on spatial distribution of incidentally caught species is available either in the EFH report or on the NMFS website.

The Committee recommends that the Council initiate an analysis to address all the recommendations identified in Table 22 of the revised Chapter 14 of the EFH Summary Report (the conclusions section), with three exceptions: the rows relating to the Salmon FMP and HAPC, and the language under the effects of fishing evaluation row that identifies concerns about crab stocks (see also the attached table). The Committee notes that the report concludes that there is sufficient new information to warrant initiating an analysis for updating the FMPs. The recommended changes in the summary report form the starting point for the analysis, however the Committee notes that it is not their intention to predispose the conclusions of the eventual amendment, which may evolve through the course of developing the required amendments, and the attendant public and Council review (for example, the component pertaining to research needs further clarification through the amendment process). One member of the Committee objected to the Committee recommendation, noting that the issue of bycatch has importance for the discussion of EFH but is not sufficiently addressed in the report.

With respect to the Salmon FMP recommendations summarized in Table 22, **the Committee recommends that an amendment to address the changes to the salmon EFH descriptions be initiated, with the exception of revising the 2005 evaluation of fishing effects on EFH for Chinook salmon (see summary table on page 51 of the report)**. The Committee noted that the salmon FMP review had greater inconsistency with the approach used in the rest of the report due to the lack of review at a Salmon Plan Team. The language supporting the recommended change to Chinook salmon with respect to the effects of fishing cites factors that are clearly related to bycatch impacts from the fisheries, rather than impacts on habitat. The Committee agreed that Chinook bycatch is an important issue, but the Council is addressing bycatch through a separate program, and bycatch management in the trawl fisheries is a bycatch issue not a habitat issue.

The Committee noted the Crab Plan Team's discussion on the evaluation of fishing effects on crab species generally. **The Committee recommends that the Council initiate a discussion paper to further evaluate the Plan Team's recommendation to re-evaluate fishing effects on crab, prior to incorporating this component in the EFH amendment analysis.** The Plan Team raises questions about the pelagic environment and transport mechanisms, their importance for spawning and breeding populations, and how they relate to habitat usage. The Committee also suggested that it may be important to evaluate existing closures for crab habitat, to see if habitat usage by crab species has changed since the mid-1990s when these closures were put into effect. A staff discussion paper would help to identify relevant issues for the public and the Council with respect to understanding the effects of fishing on crab stocks, and including the appropriate parameters in the methodology used by such a review. Once there is further clarification about this component, the review could be merged with the overall proposed amendment analysis.

The Committee also recommends that the Council request the use of a common terminology in the report and in any subsequent analysis with respect to the taking of coral and sponge in the fisheries, which should be identified as 'observed catch'. In some places in the document this is referred to as bycatch, which has a specific (different) definition under the Magnuson-Stevens Act.

HAPC Priorities and Criteria

Ms Evans and Mr Eagleton provided an overview of the Council's established HAPC process, and identified that the Council is scheduled to take action at this meeting to identify HAPC priorities (thus initiating a call for proposals), and to adopt evaluation criteria for HAPC proposals.

The Committee acknowledged the work by the SSC and the Plan Teams to develop revised criteria for evaluating HAPC proposals. **The Committee recommends that a proposal must meet a rarity score of "3" in order to comply with the Council's requirement that all proposed HAPC candidate sites in Alaska meet the rarity consideration. Additionally, the Committee suggests replacing the word 'unique' in this description with 'uncommon'.** The Committee noted that the language in lower scores is imprecise, and allowing a low score does not meet the Council's intent that meeting the rarity consideration be mandatory for the identification of Alaska HAPCs. The language describing a score of "3", as amended by the Committee, is consistent with the EFH regulations and the Council's intent. The Committee notes that if scores 0-2 are deleted from the table for rarity, a modifier should be added to 'one region' to explain that region is identified as one of the Alaska regions, namely the Gulf of Alaska, Bering Sea, Aleutian Islands, and Arctic.

The Committee recommends deleting footnote 1 entirely from the evaluation criteria table. The footnote defines habitat; the Committee notes that EFH is already clearly defined in the Magnuson-Stevens Act, and proposers should be referred to the Act's definition to minimize confusion. EFH is defined as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity".

Recognizing the Council has flexible authority to act at any time for the conservation and management of species, the Committee recommends that the timing for the HAPC proposal cycle be modified to coincide with the EFH 5 year review. This amendment would be consistent with the SSC's similar recommendation in June 2009. The Committee believes that it makes sense to have the benefit of the comprehensive EFH review before identifying appropriate priorities for HAPC identification, unless a conservation concern suggests initiating HAPC proposals mid-cycle.

Regarding the Council's action to consider whether to set HAPC priorities, **the Committee recommends that if the Council elects to identify HAPC priorities, the set of priorities should be discrete and**

informative, so that they are clear to the public and result in a focused HAPC proposal process. One Committee member objected to this recommendation.

Aleutian Islands Ecosystem Team Terms of Reference

Ms Evans presented the draft terms of reference that were developed by the AIET, based on discussions at their January meeting. The Committee expressed appreciation for the work of the Team, and their continued interest in providing quality advice to the Council and developing the Fishery Ecosystem Plan. **The Committee recommends that the Council adopt the Terms of Reference with 2 small editorial changes, as attached.** In the first paragraph, third line, the Committee recommends inserting the word 'scientific' before advice, so that it reads, "The AIET will provide the Council with *scientific* advice...". In section 4 on page 2, paragraph b, third line, the Committee recommends that the phrase read, "information will flow through the Ecosystem Committee, *and provide scientific advice to the Plan Teams, SSC, and Council.*"

Update on the Northern Bering Sea Research Area (NBSRA) research plan

Ms Evans provided a brief update on the recent community subsistence and stakeholder workshop in Anchorage, February 24-25, 2010, to gather information for the protection of areas and resources important for the subsistence needs of western Alaska communities, an element of the research plan. The AFSC has proposed a change in schedule, to delay the completion of the draft research plan in order to accommodate results from the upcoming trawl survey and concerns expressed by the community about the process moving too fast. Dr DeMaster spoke to the AFSC's recent letter to the workshop participants and other communities in the Northern Bering Sea, explaining the purpose and importance of the 2010 trawl survey in the NBSRA. Dr DeMaster indicated that the area that includes the NBSRA is particularly important for understanding the impacts of climate change and loss of sea ice, and is likely going to be an area of importance for research for NOAA over the next decade. The Obama administration is directing NOAA to put together a research plan for the Arctic, which is broadly defined to include the Bering Sea.

Mr Pungawi noted that the communities' concerns with the trawl survey are primarily related to an increase of fishing in the area, and that having a survey is more likely to eventually result in increased fishing. Dr DeMaster responded that the loss of sea ice research program is designed to investigate how both commercial and subsistence needs in the Bering Sea may be affected by ecosystem change, and that in the NBSRA, the research is primarily responding to the needs of subsistence users, in the current absence of commercial fisheries.

Ecosystem Committee recommendations for EFH and HAPC

(based on Table 22 in the EFH Summary Report, as revised following the Crab Plan Team meeting)

EFH component	Council FMP	Recommended change
EFH descriptions of individual species	BSAI Groundfish	Initiate amendments for all 24 species or complexes whose habitat is described in the FMP, to revise some aspect of the EFH description, as described in the summary report
	GOA Groundfish	Initiate amendments for all 24 species or complexes whose habitat is described in the FMP, to revise some aspect of the EFH description, as described in the summary report
	BSAI Crab	Initiate amendments for all 5 species or complexes in the FMP, to revise general EFH and fishery information for each species, as described in the summary report (amendments to revise the evaluation of fishing effects conclusions are not initiated at this time, rather see discussion under evaluation of fishing effects)
	Scallop	Initiate amendment for the one species whose habitat is described in the FMP, to revise aspects of the EFH description, as described in the summary report
	Salmon	Initiate amendments for all 5 species in the FMP, to revise some aspect of the EFH description, as described in the summary report, except that the recommendation to revise the conclusions of the effects of fishing on Chinook would not be forwarded for analysis
Fishing activities that may adversely affect EFH	All Council FMPs	<p>A general re-evaluation of the effects of fishing activities on EFH, including re-running the model, should not be initiated at this time. Recent research results are consistent with the habitat sensitivity and recovery parameters and distributions of habitat types used in the prior analysis of fishing effects for the EFH EIS. Fishing intensity has decreased overall, gear regulations have been designated to reduce habitat damage, and area closures have limited the expansion of effort into areas of concern.</p> <p>For crab species, request a discussion paper to look at how the effects of fishing are considered for crab stocks. The paper should include the Plan Team's comments about considering the pelagic environment and transport mechanisms and their importance for spawning and breeding populations, and should also evaluate existing closures for crab habitat to see if habitat usage by crab species has changed since the mid-1990s when these closures were put into effect. Based on this discussion paper, the Council can then decide whether further analysis of this issue should be incorporated into the overall EFH analysis and amendments.</p>
Non-fishing activities that may adversely affect EFH	All Council FMPs	Initiate amendments to update EFH conservation recommendations for 14 of 22 nonfishing activities.
Research and information needs	Potentially all FMPs	Identify alternatives to consider whether research priority objectives in the FMP should be amended. The Council's research priority objectives from 2005 have largely been met, however many of the research questions are still valid and remain to be investigated (see Section 13.1.1). The Council may wish to identify new objectives to guide EFH research over the next 5 years.
HAPC	All FMPs	Initiate amendment to revise the timeline associated with the HAPC process to coincide with the EFH 5-year review.

ALEUTIAN ISLANDS ECOSYSTEM TEAM

TERMS OF REFERENCE

Ecosystem Committee changes indicated in italics

1. **Establishment.** The North Pacific Fishery Management Council (Council) shall establish the Aleutian Islands Ecosystem Team (AIET) for the continued development of the Aleutian Islands Fishery Ecosystem Plan (AI FEP). The AIET will provide the Council with *scientific* advice on ecosystem interactions as they relate to the Aleutian Islands ecosystem¹.
2. **Membership.** AIET members will be appointed from government agencies, academic institutions, or organizations having expertise relating to the Aleutian Islands. Collectively, members should have experience to address the key ecosystem issues of the Aleutian Islands: fishery species biology and assessment, marine mammals, seabirds, ecosystem and food web modeling, habitat, physical oceanography, fishery management, economics, and anthropology. Normally, the AIET will also have at least one member from each of the Council's Bering Sea/Aleutian Islands Crab and Groundfish Plan Teams, and the Alaska Fisheries Science Center (AFSC) Resource Ecology and Ecosystem Modeling Division (which is responsible for preparing the annual Ecosystem Considerations report). With the consent of the sponsoring agency or institution, nominations may be made by the Council, the Scientific and Statistical Committee (SSC), the Advisory Panel (AP), the Ecosystem Committee, or the AIET. All nominations will be subject to approval by the SSC, with the Council retaining final appointment authority. Appointments should reflect the AIET's function to evaluate and make recommendations on ecosystem issues related to the Aleutian Islands.
3. **Organization.** The AIET will be directed by a chairperson, and may divide some of its responsibilities among work groups organized according to subject matter.
 - (a) **Rules of order.** In general, rules of order will be informal. AIET decisions will be reached by consensus, whenever possible. If a decision is required and consensus cannot be reached, the opinion of the majority will prevail. In representing the AIET publicly, the spokesperson will take care to relate AIET opinions accurately, noting points of concern where consensus cannot be reached.
 - (b) **Meetings.** In so far as is practicable, the AIET will meet annually to discuss updates to the status of the AI ecosystem, and updates or further development of the AI FEP. The preferable timing for this meeting will be early in the calendar year. The AIET chairperson may call other meetings as necessary. A draft agenda will be prepared in advance of each meeting by the Council staff in consultation with the chairperson, and may be revised by the AIET during the meeting. Minutes of each meeting will be prepared by the Council staff, and reported to the Council's Ecosystem Committee, the SSC, and the Council by the chairperson (or designee).
 - (c) **Selection of officers.** The AIET Chair will be selected at the meeting preceding the annual AIET meeting or as vacancies arise.
4. **Functions.** The AIET's primary function is to provide the Council with the best available scientific information about the AI ecosystem, to provide a context for management actions affecting the Aleutian Islands.
 - (a) **AI FEP.** The AIET is responsible for updates and new analysis for the AI FEP. The AI FEP provides the Council with a synthesis of available information on the Aleutian Islands. The FEP also identifies key ecosystem interactions in the Aleutians, and a framework of indicators for

¹ For the purposes of the AI FEP, the Aleutian Islands ecosystem is defined as the portion of the archipelago ranging from Samalga Pass (169° W. longitude) to the western boundary of the exclusive economic zone, at 170° E. longitude.

monitoring these interactions. A risk assessment is also included, to provide general guidance to the Council on priority areas and issues for management attention and further research and analysis. For each ecosystem interaction, the FEP identifies how risk associated with the interaction is currently addressed by the Council, and what other actions the Council might consider to mitigate risk. The AIET will review the FEP on an annual basis, decide whether new information should be incorporated in the FEP, and update and expand the analysis in the FEP as appropriate.

- (b) Facilitate the use of the AI FEP in Council management. The AIET may also play a role in facilitating the use of the FEP as a management tool for actions related to the Aleutian Islands. The AIET may identify a framework for using the information in the FEP, which can be made available at all levels of the Council process (Council, SSC, Plan Teams, analytical and stock assessment authors). In particular, the AIET should reinforce the primary conclusion of the FEP, that the Aleutian Islands is a separate ecosystem from the Bering Sea. Especially within the joint management framework that exists for groundfish, analyses and Council management should distinguish between the ecosystems when discussing the impacts of fishery management.

It is not the AIET's role to provide specific recommendations to the Council on each Council issue that affects the Aleutian Islands. Rather, the AIET's information and any recommendations should continue to flow through the Ecosystem Committee, *and provide scientific advice to the Plan Teams, the SSC, and the Council.*

- (i) Council BSAI Crab and Groundfish Plan Teams. The AIET will interface with the Crab and Groundfish Plan Teams both by members who participate on both Teams, and also through targeted presentations and input as appropriate. Any recommendations from the AIET that overlap with the responsibilities of the Plan Teams should be made directly to the Plan Teams, and not only to the SSC or the Council.
- (ii) Ecosystem Assessment and Ecosystem Considerations report. The AI FEP identifies key interactions and associated ecosystem indicators for the Aleutian Islands, which are tracked through the AFSC's Ecosystem Considerations report and Ecosystem Assessment. To the extent that it is useful, the AIET may be able to provide strategic assistance in focusing the Ecosystem Assessment on key issues for the Aleutian Islands.
- (iii) Every attempt should be made to provide AI FEP information to ground level analysts and assessment authors, so that it can be incorporated early in the management process, and not only at the Plan Team, SSC, or Council level.

Enforcement Committee Minutes

April 7, 2010

Hilton Hotel

Anchorage, Alaska

Committee present: Roy Hyder (Chair), CAPT Mike Cerne, Martin Loefflad, Sue Salvesson, Ken Hansen, Garland Walker, Stefanie Moreland, Nick Sagalkn, Jonathan Streifel, and Jon McCracken (Staff)

Others present: Sally Bibb, Diana Evans, John Olson, Susan Auer, Karl Haflinger, Stephanie Madson, Chris Oliver, Ken Lawrenson, Rachel Brown, Stephen Taufen, Ray Reichl,

D-3(a) GOA Tanner Crab Bycatch

Sally Bibb presented an overview of the analysis that proposes additional protection to Gulf of Alaska (GOA) Tanner crab from the adverse effects of groundfish fisheries in order to facilitate rebuilding of GOA Tanner crab stocks.

After a lengthy discussion on the enforcement and monitoring surrounding the different alternatives, the Committee noted that Alternative 3 does not appear to be responsive to the problem statement, in that it only calls for increased observer coverage and no restrictions on any bottom contact gear in the high crab bycatch proposed areas. Therefore, if the Council intends Alternative 3 to be other than an information gathering approach to assess the stated problem, the Committee recommends that any increase in observer coverage considered by the Council be incorporated into the options and suboptions in Alternative 2.

The Committee also discussed general precepts with respect to closed area enforcement and noted that the more exceptions there are to closed areas, the more problematic for enforcement. This is especially true when an exception allows pelagic trawling (or trawling with modified gear) while prohibiting non pelagic trawling, such as those being contemplated in Suboptions 4 and 5 in Options 1 and 2 of Alternative 2. Although VMS is a tool available to enforce area closures, this type of exemption is not effectively monitored from a Coast Guard aircraft. Under current Coast Guard resource constraints, there are minimal at-sea assets available to monitor the proposed closed areas, but ample aircraft to ensure compliance. An aircraft can easily differentiate between a trawl, pot, and longline vessel, but cannot differentiate between vessels operating pelagic, non pelagic, or modified trawl gear. This requires an at-sea boarding.

With this in mind, the Committee notes that Suboptions 1, 2 and 3, under both Options 1 and 2 are very manageable from an enforcement perspective, as opposed to Suboptions 4 and 5 which are problematic. The Committee recognizes that while straightforward gear closures in the proposed areas are easiest to enforce, this may displace a small percentage of CVs mainly targeting pollock with pelagic trawl gear who are not contributing to the crab bycatch noted in the problem statement. Therefore, if the Council were to adopt Suboption 5, the Committee discussed measures which could be added for consideration under Suboption 5 that would facilitate the enforcement of this action. These include:

- (1) Limiting the exception to pelagic fisheries which have traditionally taken place in these areas, e.g., mainly pollock; and
- (2) Requiring 100% observer coverage for vessels electing to fish in the proposed areas.

In addition, the Committee noted the modified gear option under Suboption 4 would likely need further analysis to determine the applicability for GOA fishing grounds, given these gear modifications were extensively tested on a portion of the catcher processor fleet while operating in the Bering Sea to minimize impact on bottom habitat and may not be effective in reducing crab bycatch in the trawl fleet operating in the proposed closure areas of the GOA.

The Committee noted there are two different definitions for non pelagic trawling in existing regulations. The definition as applied to pollock fishing is based on a performance standard of no more than 20 crab with a carapace length greater than 1.5 inches, aboard at any time, while a gear based definition generally is applied to all fisheries. This is further complicated by the fact that part of State statistical area 525702 being proposed under this action also encompasses existing non-pelagic trawl (NPT) prohibition areas already in place under existing regulations, meaning a vessel trawling in the overlapping area could conceivably be subject to two varying definitions of NPT. Complicating matters, the State has yet another standard for NPT in State waters. The Committee noted the current performance standard, used for enforcing unlawful bottom trawling in a pollock fishery, applies only to the pollock fishery and this type of approach may not necessarily be directly applicable for other pelagic GOA target fisheries. Finally, the Committee noted that given the current performance standard, pelagic trawl gear could be used in a non-pelagic fashion and still meet that standard.

Staff tasking

Motion on the Groundfish Retention Standard Program

The Council requests NMFS report to the Council at its June 2010 meeting on the status of monitoring, enforcing, and prosecuting the GRS program. The Council requests information from NMFS reviewing the enforcement and prosecution concerns raised during the development of the GRS Program, Amendment 80, and Amendment 93; any new concerns about monitoring and enforcing the GRS program that have been identified by the agency or industry participants, and potential concepts for refinement of the GRS Program to address these concerns.

PUBLIC TESTIMONY SIGN-UP SHEET

Agenda Item: D-S Staff Tasking

NAME (PLEASE PRINT)		TESTIFYING ON BEHALF OF:
1	REX MURPHY	ALASKA OUTDOOR COUNCIL
2	GREG SUTTER	ALASKA CHARTER ASSN
3	Tim Greene ETTING	Wanwalek IRA Council
4	LORI SWANSON	GROUND FISH FORUM
5	Mike Symonski	FCIT
6	Stephen Taufen	Groundswell Fisheries + related
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NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person " to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.

North Pacific Fishery Management Council
197th Plenary Session – April 8-13, 2010; Hilton Hotel, Anchorage, AK

Re: D-5 Staff Tasking

Public Comment of the Crewman's Association, by Shawn Dochtermann

Mr. Secretary, Chairman Olson, Council members,
and Honorable Citizens of the United States,

I'm Shawn Dochtermann, representing the Crewman's Association as its executive director.

We specifically request that the crewmen concerns regarding the 5-year plan review for the BSAI Crab Rationalization regime be given adequate time on the agenda at the December 2010 session. ADF&G Commissioner Lloyd stressed that the Council needs to expand the crew reporting data and table presentations that, but the October meeting would (once again) be poor timing for crab crewmembers to attend and get full public consideration of their concerns.

Full historical participation rights for the Skippers & Crewmen were left out when ex-Senator Ted Stevens bypassed Due Process by using the Consolidated Appropriations Act for 2004.

The FMP must take into account the historical participation rights of skippers and crews. Analysis must honestly and satisfactorily demonstrate the harms to the crew segment.

NOAA GC has not taken adhered to the Federal Lay Share statute (46 U.S.C. §10601, crew trip settlement contract law) backing the historical compensation rights of participants. Lay Share law was not taken into account by the NPFMC (Dutch Harbor in 2002) when the Council sent a preferred alternative for BSAI CR to the U.S. Congress.

This violated NS#4 requirements on both excessive shares and fair and equitable standards – as stated:

Sec. 600.325 National Standard 4 — Allocations. (a) Standard 4. Conservation and management measures shall not discriminate between residents of different states. If it becomes necessary to allocate or assign fishing privileges among various U.S. fishermen, such allocation shall be:

- (1) Fair and equitable to all such fishermen.
- (2) Reasonably calculated to promote conservation.
- (3) Carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.

We expect the Council to make increased contact with skippers and crewmembers about how their interests will be protected for 'fair and equitable' historical compensation ratios, their ability to negotiate their contacts, keep jobs for more on-deck fishermen, and ensure fishing privileges are re-allocated so that harms to crewmen be corrected as part of further action.

Thank you.

Shawn C. Dochtermann, F/V Isanotski
Crewman's Association - Executive Director
Kodiak, Alaska 99615 — Tel: (907) 486-8777

PUBLIC TESTIMONY SIGN-UP SHEET

Agenda Item: D-4 (d) Rural Outreach

	NAME (PLEASE PRINT)	TESTIFYING ON BEHALF OF:
1	Bubba Cook	WWF
2	Michael Sloan	Kawerak
3	Stephen Taufen	Groundswell Fisheries Movement
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DRAFT

MOTION

HAPC

This motion is a combination of the recommendations from the Advisor Panel, the Ecosystem Committee, and the SSC. I will work from the AP motion.

MOTION

Mr. Chairman, I move the AP motion with the following changes:

D-4(b) HAPC Criteria & Priorities. Accept the recommendations of the AP with the following changes:

- 1) Modify the language for "rarity" as recommended by the Ecosystem Committee by replacing the word "unique" with "uncommon" and include revised text to clarify that a "region" is defined as one of the Alaska regions: Gulf of Alaska, Bering Sea, Aleutian Islands, and Arctic. ~~Retain the recommendation~~ by the AP and Ecosystem Committee that a proposal must meet a score of "3". *Must be either 2 or 3*
- 2) Defer a decision on the Bristol Bay RKC spawning habitat as a HAPC priority, pending completion of the crab EFH discussion paper.
- 3) Accept the AP recommendation for skate nurseries to be identified as a HAPC priority.
- 4) Delete the AP recommendation that sablefish pre-recruit sites be identified as HAPC at this time, and instead request that NMFS prepare a discussion paper on all factors that may be affecting sablefish recruitment.

PUBLIC TESTIMONY SIGN-UP SHEET

Agenda Item: D-4(b) HAPC Criteria + Priorities

	NAME (PLEASE PRINT)	TESTIFYING ON BEHALF OF:
1	Dave Benton	MCHA
2	JOHN GAUVIN	Best Use Coop.
3	Bubba Cook	WWF
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Comments to Alaska Charter Associations comments on Charter moratorium and Catch Sharing Plan

1) The action before the council is to fix an error in the final rule which is counter to council intent--not to re-open the whole allocation battle again or to side track the CSP while working on a long-term fix involving a controversial, and complex issue like the common pool concept.

2) ACA's figures are incorrect in their claim that the CSP allocation is less than the GHL. The GHL is based on total CEY while the CSP is based on a combined catch limit which includes policy factors such as SUFD and commissioner input. These are independent metrics making projections of both on the same graph inaccurate. For example, in 2010, the Total CEY in 2C was 5.02 mlbs, yet the Commission approved total removals is over 6 mlbs and the combined charter/commercial catch limit would have been 5.188 (4.4 commercial catch limit + GHL of .788) The resultant allocation under the CSP would be 15.1% or .783 million lbs compared to the GHL of .788 (only 5,000 lbs different). Yet ACA's chart shows a big discrepancy at a combined catch limit of 5 million lbs.

A retrospective look is more informative as we know what the total CEY was and what a combined catch limit was after policy considerations. When this is plotted, the CSP allocation would have been higher than the GHL in most years since the GHL was implemented in 2003.

Also, the CSP sets an allowable range, not a point limit. Under the CSP, the actual charter catch is allowed to vary from the allocation percentage by up to 3.5% in either direction. Thus in 2010, the allowable charter catch in 2C under the CSP would have been expressed as a range from .600 to .960 with no management action needed.

When the CSP vs. GHL is plotted as a range, and hind cast based on what the combined catch limit actually would have been (not the total CEY's), the graph shows a very different story (see attached). The CSP levels bracket the GHL and in most years, the allocation would have been higher than the GHL. This is true for both 2C and 3A. Keep in mind that over the past seven years we have seen big declines and the CSP works. Future projections are for increases which should ease the margins even further.

The Council should not re-open the allocation battle

3) Leasing-- The Council expressly decided to allow only leasing of IFQ, not permanent transfers during this interim period when they approved the CSP (the charter sector did not want permanent transfers). The complexity and controversy associated with long-term solutions such as a common pool were noted when the CSP was approved and deferred until after the CSP was approved. A common pool would require legislation from the State and possibly the Federal Gov. The commercial sector also opposed a broad based tax to fund the pool because of market distortions and the creation of a situation where moratorium qualified charter operators are using a public tax to buy themselves more and more quota to their benefit. There was also the controversial issue of keeping a large amount of commercial quota off limits to charter purchase to preserve commercial markets and entry levels opportunities.

Fast-tracking a controversial common pool alternative is inappropriate at this meeting

3) Matrix fix. The ACA has a point about what happens if the minnow limit is not enough in 3A. However, They are still under the upper limit of the CSP and abundance is projected to increase in coming years so this is likely not a problem needing an immediate solution. It should NOT be moved at this time, but can be considered if needed as the long term solution emerges.

4) Moratorium fixes.

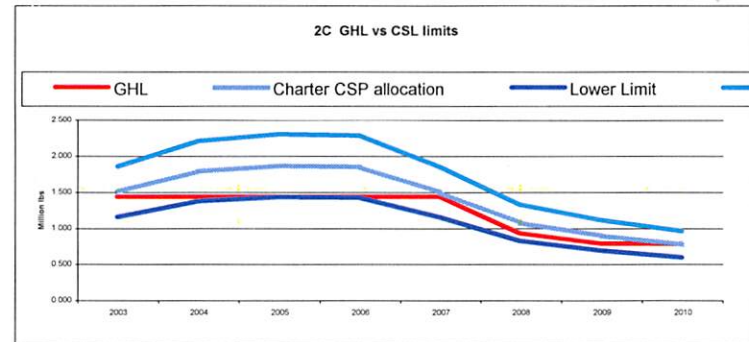
Issue 1--Excessive angler endorsements. ACA is building their law-suit by trying to get the council to adopt a problem statement saying that "invalid data" was used to allocate endorsements.

Bevragen
H2

CSP and Moratorium Clarifications

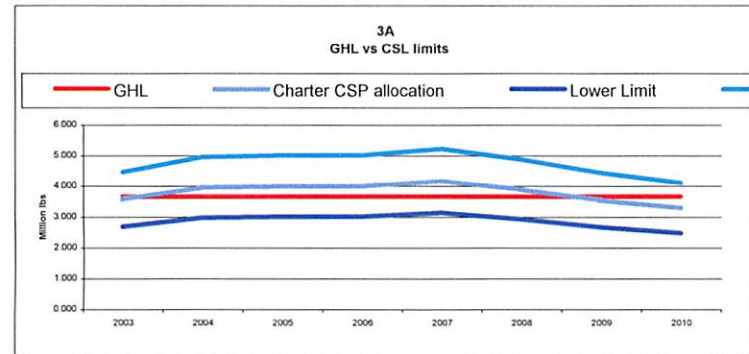
2C CSP Data

Year	Commercial Limit	Charter deduction	Combined Catch limit	GHL	CSP rule	Charter CSP allocation	Lower Range	Upper Range	Lower Limit	Upper Limit
2003	8.500	1.501	10.001	1.432	15.1%	1.51	11.6%	18.6%	1.16	1.86
2004	10.530	1.333	11.863	1.432	15.1%	1.79	11.6%	18.6%	1.38	2.21
2005	10.930	1.437	12.367	1.432	15.1%	1.87	11.6%	18.6%	1.43	2.30
2006	10.630	1.639	12.269	1.432	15.1%	1.85	11.6%	18.6%	1.42	2.28
2007	8.513	1.432	9.945	1.432	15.1%	1.50	11.6%	18.6%	1.15	1.85
2008	6.210	0.931	7.141	0.931	15.1%	1.08	11.6%	18.6%	0.83	1.33
2009	5.200	0.788	5.988	0.788	15.1%	0.90	11.6%	18.6%	0.69	1.11
2010	4.400	0.788	5.188	0.788	15.1%	0.78	11.6%	18.6%	0.60	0.96



3A CSP Data

Year	Commercial Limit	Charter deduction	Combined Catch limit	GHL	CSP rule	Charter CSP allocation	Lower Range	Upper Range	Lower Number	Upper Number
2003	22.630	2.943	25.573	3.650	14.0%	3.58	10.5%	17.5%	2.69	4.48
2004	25.060	3.279	28.339	3.650	14.0%	3.97	10.5%	17.5%	2.98	4.96
2005	25.470	3.161	28.631	3.650	14.0%	4.01	10.5%	17.5%	3.01	5.01
2006	25.200	3.414	28.614	3.650	14.0%	4.01	10.5%	17.5%	3.00	5.01
2007	26.200	3.650	29.850	3.650	14.0%	4.18	10.5%	17.5%	3.13	5.22
2008	24.200	3.650	27.850	3.650	14.0%	3.90	10.5%	17.5%	2.92	4.87
2009	21.700	3.650	25.350	3.650	14.0%	3.55	10.5%	17.5%	2.66	4.44
2010	19.900	3.650	23.550	3.650	14.0%	3.30	10.5%	17.5%	2.47	4.12



CSP and Moratorium Clarifications

