



E Staff Tasking

February 2023 Council Meeting

Action Memo

Council Staff: David Witherell, Diana Evans

Action Required:

1. Review Committees and Plan Teams
2. Provide direction on tasking priorities and scheduling
3. Consider whether to rescind CSP revised allocations motion from February 2022

BACKGROUND

Committees and Plan Teams

Membership

Attached is the updated Council committee list reflecting changes since December 2022. As reflected in the ED report, the Council has received nominations for the Council's newly created Tribal representative seat on the Advisory Panel. The Council also called for nominations for a new member of the Charter Halibut Management Committee, for an additional Area 2C member who would represent participants from south of Sitka. The Council will decide about these appointments during this agenda item.

Meeting status

The following Committee and Plan Team meetings are currently anticipated:

- **BS FEP Climate Change Taskforce (CCTF)** – March 1-2, 2023, hybrid/AFSC, Seattle, WA
- **BS FEP Local Knowledge, Traditional Knowledge, and Subsistence Taskforce (LKTKS)** – March 2-3, 2023, hybrid/NPFMC office, Anchorage, AK
- **Scallop Plan Team meeting** – March 6, 2023, Kodiak, AK
- **Salmon Bycatch Committee** – March 20-21, hybrid/NPFMC office, Anchorage, AK
- **Ecosystem Committee** – March 2023, virtual (dates TBD)
- **Enforcement Committee** – April 4, 2023, hybrid/NPFMC office, Anchorage, AK
- **BSAI Crab Plan Team meeting** – May 15-19, 2023, TBD
- **Fishery Monitoring Advisory Committee (FMAC)** – May 2023 (dates/location TBD)

Also, the AFSC is hosting a **Center for Independent Experts (CIE) review of the Ecosystem Status Reports (ESRs) from Feb 28 - Mar 2 at the AFSC in Seattle WA/online**, which is open to the public. Contact stephani.zador@noaa.gov at least two days prior for AFSC access if you are attending in person; see agenda and online links at https://apps-afsc.fisheries.noaa.gov/Plan_Team/2023_ESR_CIE/. The AFSC produces three ESRs annually to provide ecosystem information for the Council, tailored toward supporting the Council's annual process to set groundfish harvest specifications. The development and application of the ESRs has evolved over time, thus, the Center for Independent Experts will conduct a review of the goals of the ESR effort and how best to achieve them.

Ecosystem Committee report

The Council will already have heard the report from the Ecosystem Committee on issues that were on the agenda for this meeting, namely the EFH 5-year review (agenda item C4) and the PSEIS roadmap (agenda item D2). The Committee also received their annual report on northern fur seal conservation and made recommendations to the Council, and heard a brief update from the BS FEP LKTKS Taskforce and a staff report on scoping for a potential future GOA Fishery Ecosystem Plan. Staff are available to provide an oral briefing.

PCFMAC report

The Partial Coverage Fishery Monitoring Advisory Committee (PCFMAC) met on January 31 to receive an update on the Partial Observer Coverage Cost Efficiencies Integrated Analysis for the Draft 2024 Annual Deployment Plan (ADP). This meeting provided an additional opportunity for the PCFMAC to provide input to the NMFS analytical team. The full report will be posted to the eAgenda once approved, and staff are available to provide an oral briefing.

Other committees

Two other Council advisory groups have met since December, as described below. Meeting materials and reports from the meetings (when available) are accessible from the links below. Staff are not intending to provide oral briefings at this meeting as the advisory groups' work is still underway, and the Council is scheduled to hear final reports from both advisory groups at the April Council meeting.

Salmon Bycatch Committee (SBC): The Council's (SBC) met [January 25, 2023](#) in the Council office with hybrid access. The SBC received presentations on the State of Alaska Bycatch Task Force Recommendations, the process for amending Council FMPs and regulations, the 2012 Chum bycatch management measures analysis including the purpose and need statement and recent modifications by the pollock fleet under their incentive plan agreements for addressing chum bycatch avoidance in 2022. The report is under review and will be posted to the January eAgenda once approved. The next SBC meeting will be [March 20-21, 2023](#) (in Anchorage; location TBD). In preparation for March, individual committee members will submit suggested modifications to the 2012 purpose and need statement as well as suggested conceptual alternatives to staff prior to the meeting. Staff will synthesize all input received and post to the March meeting eAgenda by March 10th.

Bering Sea FEP's Local Knowledge (LK), Traditional Knowledge (TK), and Subsistence Taskforce
The Taskforce has had two recent meetings, one in [December 2022](#) and a follow-up teleconference in [January 2023](#). At its December 2022 meeting, the Taskforce reviewed a revised draft LKTKS Protocol and draft onramp recommendations for where LK, TK, and subsistence information could be incorporated into the Council's process. At that meeting, the Taskforce also discussed its timeline for future work. The January 2023 teleconference provided the Taskforce and members of the public an additional opportunity to revisit the outcomes and major points of dialogue from the December 2022 meeting to provide additional opportunities for consensus building. No new substantive materials were produced for the January meeting. The Council is scheduled to receive a report from the Taskforce that includes a finalized protocol and onramp recommendations at its April 2023 meeting in Anchorage, AK.

Tasking and Scheduling

Posted on the eAgenda are updated versions of tasking documents for background material: the 3-meeting outlook, Council staff responsibilities, and the groundfish workplan.

Draft April 2023 agenda

A preliminary April 2023 agenda is posted to the eAgenda for your review. Please note that this preliminary draft is for the purpose of discussion and feedback, and it will be revised after this meeting.

Council tasking priorities

As reported in October and December, staff continues to work closely with NMFS to appropriately schedule the timing of projects that require NMFS input. Additionally, the completion of several program reviews as required under MSA will need to be a priority in 2023 (Amendment 80, IFQ, Crab rationalization program) and 2024 (AFA, CGOA rockfish). We are currently discussing staffing needs, scheduling, and opportunities for partnership with AFSC, and will report back at a future meeting.

Halibut Catch Share Plan/RQE Revised Allocations Motion

In February 2022, after completing an allocation review of the Halibut 2C/3A Catch Sharing Plan (CSP), the Council took action to initiate analysis of revising the CSP sector allocations, and adopted a Purpose and Need and set of alternatives for Initial Review. As part of the motion, the Council noted that **“The preferred mechanism for dealing with allocations in this Catch Sharing Plan is compensated reallocation via the Recreational Quota Entity. Without an operational RQE funding mechanism, the Council intends to review the catch sharing plan allocations as a possible way to alleviate this problem, while balancing impacts to the commercial sector and dependent communities. Should the RQE fee funding mechanism become law and the Council take final action on the RQE funding mechanism, the Council intends to table or refine this action.”**

The Council took final action to recommend a Charter Halibut Stamp mechanism for charter vessel operators to fund the RQE in April 2022. On December 29, President Biden signed the FY 2023 Consolidated Appropriations Act (Public Law No: 117-328; H.R. 2617 of the 117th Congress). The law (pages 802-803) includes language authorizing the RQE funding mechanism.

SEC. 106. FEES.

(a) IN GENERAL.—The North Pacific Fishery Management Council may recommend, and the Secretary of Commerce may approve, regulations necessary for the collection of fees from charter vessel operators who guide recreational anglers who harvest Pacific halibut in International Pacific Halibut Commission regulatory areas 2C and 3A as those terms are defined in part 300 of title 50, Code of Federal Regulations (or any successor regulations).

(b) USE OF FEES.—Any fees collected under this section shall be available for the purposes of—

- (1) financing administrative costs of the Recreational Quota Entity program;
- (2) the purchase of halibut quota shares in International Pacific Halibut Commission regulatory areas 2C and 3A by the recreational quota entity authorized in part 679 of title 50, Code of Federal Regulations (or any successor regulations);
- (3) halibut conservation and research; and
- (4) promotion of the halibut resource by the recreational quota entity authorized in part 679 of title 50, Code of Federal Regulations (or any successor regulations).

(c) LIMITATION ON COLLECTION AND AVAILABILITY.—Fees shall be collected and available pursuant to this section only to the extent and in such amounts as provided in advance in appropriations Acts, subject to subsection (d).

(d) FEE COLLECTED DURING START-UP PERIOD.—Notwithstanding subsection (c), fees may be collected through the date of enactment of an Act making appropriations for the activities authorized under this Act through September 30, 2023, and shall be available for obligation and remain available until expended.

As a result, the Council may wish to make a motion at this meeting to rescind the original action (i.e., formally wipe out the original action from February), pursuant to the Council’s previously stated intent. The procedure under Robert’s Rules of Order would be to make a motion to rescind the previous action, which will take a 2/3 majority vote to pass.

Should the Council wish to retain some portion of the original action, we would need to notice that as a separate agenda item and schedule action for a future meeting. Taking this course of action would eventually require a motion to amend the motion previously adopted, which would also require a 2/3 majority vote to pass.

Public Comment

Written public comments that have been submitted to the Council are available on the eAgenda.