

North Pacific Fishery Management Council

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ADVISORY PANEL MINUTES JUNE 20-23, 1993 KODIAK, ALASKA

The Advisory Panel for the North Pacific Fishery Management Council met on June 20-23, 1993, at the Fishing Industrial Technology Center, Kodiak, Alaska. Members in attendance were:

John Bruce, Chair
Al Burch
Phil Chitwood
Phil Drage
Dan Falvey
Dave Fraser

Stephanie Madsen
Pete Maloney
Penny Pagels
Bryon Pfundt
John Roos

Perfenia Pletnikoff
John Sevier
Harold Sparck
Michael Stevens
Robert Wurm

Minutes for the April 1993 meeting were approved.

C-1 SCALLOP MANAGEMENT

The AP **unanimously** voted to recommend the Council send this document out for public review. The AP also recommends the Council set the control date to be the time in which action is taken at this meeting (June 1993).

C-2 SABLEFISH & HALIBUT IFQ PLAN

The AP heard reports from Ben Muse and Kurt Schelle on the Block Proposals and 1,000 lb. minimum.

With regard to the Block Proposals, the AP voted **unanimously** to recommend the Council send this document out for public review.

The AP recommends that the Council not release the 1,000 lb. minimum proposal out for public review. The rationale behind this suggestion is that the measures needed to fairly distribute the costs associated with a 1,000 lb. minimum allocation are extremely complex and dissipate the benefits of this proposal.
(This motion **passed** 8-1 with 2 abstentions).

C-3 COMPREHENSIVE PLANNING

The AP received a staff presentation outlining the planned scope of CRP analysis. The AP supports the staff's approach but specifically request the Council ask the staff to analyze the following areas of concern.

1. Include in the social analysis:
 - a) the sources of local government income and the dependance of local governments on these sources,
 - b) estimates of the "value" of a job in different communities.
2. Development of "fishery profiles." These profiles would be similar to the community profiles and include a description of major sectors of the industry prosecuting the fishery; the relationship between crew, skippers, vessel owners, processors, and markets; the education and experience of participants; opportunities for re-training labor or finding alternative work; dependance on the target fishery; contributions to communities; size of vessels; and the future development plans of participants in the fishery.
3. Develop a concise table which summarizes the accuracy of catch history data that can be used in allocation decisions and explore proxies for catch history in missing sector.
4. Clearly establish minimizing waste and developing incentives to minimize unacceptable bycatch as a priority goal of CRP. Components of the CRP should be evaluated on their effectiveness in achieving this goal.

During the AP's discussion of the "Potential Elements and Options for Comprehensive IFQ Program," the AP requests Council instruct staff to develop further analysis as follows:

PROVISIONS	RECOMMENDED OPTIONS
Species	"(A)" to include "(B)" (This motion passed 11-0, with 2 abstentions)
Initial Assignment of Quota Share	"(A)" To vessels or vessel owners " <u>collectively</u> " at the time IFQ is issued. (This motion passed unanimously)
Criteria for Initial QS Allocation	"(A)" (This motion passed unanimously) "(E)" (This motion passed 8-2)

The AP is also in support of:

- (a) The "two-pie" processors allocation introduced be further analysed under criteria for intial allocation.
(This motion passed 9-0, with 1 abstention)
- (b) That staff further analyze the crew licensing concept.
(This motion passed 7-3)

The AP requests the Council ask staff to further analyze all other recommended options of the remaining provisions (pages 3 & 4) of the Comprehensive IFQ Program.

MINORITY REPORT

C-3

We, the undersigned AP members strongly disagree with the AP's recommendation to delete "dependance on [the] fishery" as a consideration in the initial allocation of quota shares.

Sec 303(b)(6)(B) of the Magnuson Act clearly states that when establishing a system for limited access, the Council must take into account "historical fishing practices in, and dependence on, the fishery."

Signed: John Bruce
 Dan Falvey
 Penny Pagels

C-4 OTHER BUSINESS - EXCLUSIVE REGISTRATION PROPOSALS

The AP recommends the Council rescind their previous action and expand the analysis to include flatfish for exclusive registration in the Central and Eastern Gulf (areas 62 & 63) with the understanding that the document would be available in September and final action could be scheduled for December.

(This motion passed 11-3, with 1 abstention).

D-2(A) PACIFIC COD ALLOCATION

The AP heard considerable public testimony from both trawl and fixed gear groups which indicated that if a fair and equitable allocation could be achieved, both users would benefit. Some members of the AP agreed but the AP as a whole could not agree on a specific allocation.

Motions were considered for a 60% trawl/40% fixed gear allocation, 60% fixed gear/40% trawl allocation, a 50/50 allocation, a 39% fixed gear/61% trawl allocation, and a 55% fixed gear/45% trawl allocation. All propose allocations failed on a 7-7 vote.

The AP did agree that if separate allocations for trawl and fixed gear in the P. cod fisheries are approved then:

- A) framework ability for the Council to seasonally apportion the fixed gear allocation between trimesters during the fishing year. Provide authority for the Regional Director to reallocate cod from fixed gear to trawl, or vice versa, during the year in the event that one group or the other will not be able to harvest their allocation.
(This motion passed 9-3, with 1 abstention).
- B) Prohibit the discard of cod in all BSAI groundfish fisheries including cod taken in the directed cod fisheries and cod taken as bycatch in other cod fisheries. Prohibit the discard of all groundfish species harvested by any gear type in the directed BSAI cod fisheries, excepting arrowtooth flounder, squid, and species in the "other species" category.
(This motion passed 9-3).
- C) Initiated action to require that all trawl, longline, and pot vessels carry an observer at all times while participating in the BS/AI cod fisheries.
(This motion passed 8-6).

D-2(B) SALMON BYCATCH MANAGEMENT

The AP recommends the Council not proceed to send out Amendment 21b out for public review. The AP is concerned that there is significant potential negative ramifications of caps and closures on the fisheries.

The AP also recommends the Council adopt the industry "salmon foundation" proposal including final action by NMFS to regulate mandatory salmon retention, posting of bycatch by vessel and skipper in bulletin board, and data collection and logbook program to collect necessary data.

The AP further recommends the Council defer final action on a proposed salmon bycatch VIP until the September meeting to determine the level of preparedness and commitment by the industry to the voluntary measures and development of "salmon foundation."

(This motion passed unanimously, with 1 abstention).

The AP also expressed its broader concerns with the need for publication of vessel specific bycatch data relative to VIP programs in general with the following motion:

Given the lack of resources on the part of NMFS to implement effective individualized bycatch control programs, the best tool for the industry to organize self-policy programs is the posting of vessel bycatch information on a publicly accessible BBS. With regard to salmon, we insist that the agency post the vessel name and absolute numbers (of salmon) per week on a timely basis.

With regard to other PSCs, we continue to request that bycatch rates be posted weekly by PIN number, and that debriefed bycatch rates be posted by vessel name for prior years (91, 92, 93).

It is the belief of the AP that this is currently allowed under the MFCMA and does not create a "competitive disadvantage" condition.

To the extent that NOAA-GC doesn't concur, we urge the Council to undertake a lobbying effort to amend the MFCMA to provide for the release of bycatch information in the North Pacific EEZ fisheries during this reauthorization cycle.

(This motion passed unanimously).

**Industry Initiative
Concerning
Bering Sea Chinook Bycatch Management**

The industry initiative is composed of the following elements:

- A. Adoption of regulations requiring:
 - 1. retention of all chinook bycatch,
 - 2. posting on the NMFS bulletin board of chinook bycatch numbers on a vessel-by-vessel basis, and
 - 3. implementation of more specific data gathering and/or logbook procedures as appropriate to develop bycatch pattern analysis.
- B. Sampling retained chinook as appropriate to conduct bycatch pattern and stream-of-origin analysis.
- C. Following sampling, preserving retained chinook in a "food grade" state, and turning them over at point of landing for distribution to food banks or related public use, provided that such fish are not placed in commerce.
- D. A critical mass of vessel owners paying an assessment of \$20 per chinook to a private research foundation to support development of data concerning marine chinook bycatch patterns and avoidance, and stream-of-origin identification. The Foundation board is to be composed of marine fishery and terminal fishery representatives, and others as appropriate. The Foundation is to recommend appropriate conservation-oriented bycatch management measures based on data developed within the scope of its research program.

D-2(C) ATKA MACKEREL AS SEPARATE TARGET SPECIES IN GOA

The AP recommends the Council adopt alternative 2 and asks the Council not to advocate a target fishery until the status of Atka mackerel in the GOA is known, based on the upcoming survey.

(This motion passed unanimously).

D-2(D) EXPAND 20 NM CLOSURE ZONES

The AP recommends the Council adopt alternative 2.

(This motion passed unanimously).

In a separate motion, the AP requests the Council allow this to be the final activity by NMFS for at least one year so that the current system has an opportunity to work.

The AP also requests information from NMFS to the following:

NMFS provide information on sea lion foraging needs such as:

1. How much fish is needed for the Steller sea lion population?
2. What types of fish are required for which animals?
3. Where in the water column are key prey found versus where do commercial vessels harvest?
4. Where are key prey stocks needed to meet the feeding requirements of targeted elements of the Steller sea lion stocks?
5. Where geographically are juvenile Stellers most likely to be found at different seasons of the year?
6. Do commercial fisheries occur in these areas during the season of the year which harvest stocks needed for forage?

(This motion passed 12-3)

D-3(A) TOTAL WEIGHT MEASUREMENT

The AP recommends the Council adopt alternative 3 with the modification to allow option of certified scales with 1 observer or certified bins with 2 observers.

(This motion passed 10-4).

D-3(B) ATKA MACKEREL TAC

The AP recommends the Council consider 32,000 mt of Atka mackerel be released from the unspecified reserve in the Central and Western Aleutian combined.

(This motion passed 10-2).

D-3(C) BSAI 'A' SEASON START DATE

The AP recommends the Council adopt alternative 1 with shoreside start date to remain on January 20.

(This motion passed 12-1, with 1 abstention).

The feelings of some AP members is that analysis doesn't appear to account to potential decrease in value of roe if the season was pushed beyond the peak roe value time. It also doesn't account for a decrease in product quality and value of the primary product as more fish reach the spawned-out- state.

Offshore has concerns that inshore can't start before offshore due to market considerations. Inshore can't afford to loss of value of a later start on an annual basis.

Inshore feels their roe quality drops rapidly after maturity peak more close to mid-February.

The fixed formula doesn't allow real flexibility to set each sectors (inshore/offshore) start date given oceanographic/biological information to best guess each year's optimum season. And status quo is a default position because of the above concerns.