

North Pacific Fishery Management Council

David Benton, Chairman
Clarence Pautzke, Executive Director



605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Telephone: (907) 271-2809

Fax: (907) 271-2817

Visit our website: <http://www.fakr.noaa.gov/npfmc>

Certified _____
David Benton, Chairman

Date _____

DRAFT MINUTES

152nd Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
September 7-8, 2001
Sitka, Alaska

The North Pacific Fishery Management Council met September 7-8, 2001 at the Harrigan Centennial Hall in Sitka, Alaska. The Scientific and Statistical Committee met September 5-6, and the Advisory Panel met September 6-7, also in Sitka. The purpose of this meeting was to review the draft Supplemental Environmental Impact Statement (DSEIS) on Steller sea lion protection measures, together with a draft Biological Opinion. The following members of the Council, staff, SSC and AP attended the meetings.

Council

David Benton, Chairman
Stosh Anderson
Jim Balsiger
John Bundy
Anthony DeGange for David Allen
Kevin Duffy for Frank Rue

Dave Hanson
David Fluharty
Stephanie Madsen
Robert Penney
CAPT Richard Preston for RADM Tom Barrett
H. Robin Samuelsen, Jr.

Council member Dennis Austin was absent due to a family emergency. Representatives of Oregon and the State Department were not present at this meeting.

NPFMC Staff

Clarence Pautzke, Executive Director
Chris Oliver, Deputy Director
Cathy Coon
Mark Fina

David Witherell
Helen Allen
Gail Bendixen
Maria Shawback

**MINUTES
NPFMC MEETING
SEPTEMBER 2001**

Support Staff

Lauren Smoker, NOAA-GCAK
Sue Salvesson, NMFS-AKR
Earl Krygier, ADFG
Jeff Passer, NMFS-Enforcement
Tamra Faris, NMFS-AKR
Doug Demaster, NMFS-NMML

Tom Loughlin, NMFS-NMML
Michael Payne, NMFS-PRD
Shane Capron, NMFS-PRD
Galen Tromble, NMFS-AKR
Ben Muse, NMFS-AKR
Lew Queirolo, NMFS-AFSC

Also contractors Mike Downs (EDAW) and Mike Taylor (Northwest Economic Assoc.) participated in the report provided by Lew Queirolo.

Scientific and Statistical Committee

Richard Marasco, Chair
Steve Berkeley
Keith Criddle
Doug Eggers
Steve Hare
Mark Herrmann

Jack Tagart, Vice Chair
Sue Hills
George Hunt, Jr.
Dan Kimura
Terry Quinn

Advisory Panel

John Bruce, Chairman
Dave Benson
Dave Boisseau
Al Burch
Craig Cross
Ben Ellis
Tom Enlow

Dan Falvey
Dave Fraser
Spike Jones
Teresa Kandianis
Tracey Mayhew
Hazel Nelson
Kris Norosz

Michelle Ridgway
Jeff Steele
Jeff Stephan
Robert Ward
Lyle Yeck

Other Attendees

The following people signed the attendance register:

Al Burch
Captain Vice O'Shea, USCG
Robert Cranston
Jed Whittaker
John Henderschedt

Robert Mikol
John Iani
Gerry Merrigan
Thorn Smith
Joe Childers

Jeff Stephan
Marcus Alden
Brent Paine
Steve Hughes

A. CALL TO ORDER/OATH OF OFFICE/ELECTIONS

Chairman David Benton called the meeting to order at approximately 8:05 a.m. on Friday, September 7, 2001. Mr. Benton announced that Dennis Austin had to leave the meeting because of a family emergency. At the beginning of the meeting, Bob Penney and Anthony DeGange were absent. Both arrived later in the morning.

**MINUTES
NPFMC MEETING
SEPTEMBER 2001**

Oath of Office. Jim Balsiger administered the Oath of Office to new Council members Stosh Anderson and Stephanie Madsen.

Elections. By unanimous vote, David Benton and Dennis Austin were elected Chair and Vice Chair, respectively, for the next year.

Guests. Dr. Bill Hogarth, Assistant Administrator for Fisheries, and Don Knowles, Director of the Office of Protected Resources, were in attendance for the entire meeting.

STELLER SEA LIONS

ACTION REQUIRED

- (a) Receive staff reports on the draft SEIS and the draft Biological Opinion.
- (b) Receive report from the RPA Committee.
- (c) Receive report from the Alaska SSL Restoration Team.
- (d) Comment on the draft SEIS, biological opinion, and modify, as necessary, measures contained in the alternatives for final action in October.

BACKGROUND

SEIS and BiOp4

A draft Supplemental Environmental Impact Statement (SEIS) on Steller sea lion protection measures was distributed for public review on August 20, 2001. A draft biological opinion (BiOp) was included as Appendix A to the SEIS. Both documents can be viewed on the NMFS Alaska region website. Staff will provide a summary of the SEIS and BiOp.

RPA Committee

In January, the Council established an RPA Committee to make recommendations on sea lion protection measures for the second half of 2001 and develop an alternative RPA for the 2002 plan amendment analysis. The RPA Committee is composed of 21 members from the fishing community, the conservation community, NMFS, SSC, and State agencies. The RPA Committee met on August 23-24 in Juneau to review the SEIS and BiOp and make recommendations. Minutes from the meeting are attached. Committee Chairman Larry Cotter will report to the Council on their recommendations.

Alaska Steller Sea Lion Restoration Team (ASSLRT)

In September 2000, Governor Knowles formed the ASSLRT to identify means to promote the recovery of Steller sea lions while sustaining viable commercial fisheries in Alaska. ASSLRT recently released their report, which is available on the ADF&G website. Earl Krygier will be on hand to provide a summary of their findings.

At this meeting, the Council may provide comments on the draft biological opinion and SEIS. Deadlines for comments on these documents are October 15 and September 21, respectively. The Council may also wish to modify the management measures contained in the alternatives. Note that the RPA Committee has made recommendations to that effect.

**MINUTES
NPFMC MEETING
SEPTEMBER 2001**

Public Comment

The following persons provided public comment during the meeting:

Jed Whittaker, Sitka
Vern Jackson, F/V Constitution, Dutch Harbor
Terry Leitzell, Icicle Seafoods
Thorn Smith, North Pacific Longline Assn.
Clem Tillion, Aleut Corporation
Beth Stewart, Aleutians East Borough
Donna Parker, F/V Arctic Storm
John Gauvin, Groundfish Forum
Frank Kelty, City of Unalaska
Gerry Merrigan, Prowler Fisheries
Mike Szymanski, Fishing Company of Alaska
Dorothy Childers/Alan Parks, Alaska Marine Conservation Council
Joe Childers, Western Alaska Fisheries Assn.
Dave Fraser, HiSeas Cooperative
Paul MacGregor, At-sea Processors Assn.

Report of the Scientific and Statistical Committee

The SSC noted that members have not had time for a thorough review of all aspects of BiOp4 or the DSEIS and that lack of comment on any particular portion of the documents does not necessarily imply the SSC's agreement with the information supplied. The SSC did, however, state that many concerns expressed by the SSC on previous biological opinions were addressed. The full minutes of the SSC (Appendix I to these minutes) provide more detailed concerns and comments on the current documents.

Report of the Advisory Panel

The AP recommends that the Council reaffirm its selection of Alternative 4 as the preferred alternative with the following modifications:

- A** Incorporate all of the additional recommendations of the RPA committee included in the minutes of the Aug. meeting:
- 1 W/C-GOA pollock C season start date of Aug. 25
 - 2 Revised platooning for the Atka Mackerel fleet
 - 3 Additional restrictions for the Bering Sea cod and pollock fishery
 - a) Closure of Area 8 haulouts (at Reef, Lava, Bishop Pt) to 10 miles for longliners >60'
 - b) Implement a 3 season split of trawl cod at 60/20/20 (50/30/20 for CP and 70/10/20 for CV) with rollover provisions.
 - c) Limit A season SCA pollock harvest to 28% of annual TAC prior to April 1st
- B** Incorporate the following recommendations on issues identified by staff, and presented by Chairman Cotter:
- 1 The 19 additional "RPA" haulouts should be treated consistently with CH haulouts.
 - 2 The 5 northern BS 20 mile haulout closures should apply to the Atka Mackerel, pollock, and P.cod fisheries only.

**MINUTES
NPFMC MEETING
SEPTEMBER 2001**

- 3 Assignment to mackerel platoons should be random (so switching of assignments between vessels is not allowed) and apply to a specific vessel (not a permit).
- 4 Seasonal splits of P. cod do not apply to longliners <60 (catch fixed gear vessels <60 between the open access seasons accrues to the <60 reserve quota).
- 5 Maintain the <99' safety exemption in the SCA. NMFS should set aside such A season pollock quota in the SCA as needed for vessels <99' to harvest their full A season pollock quota in the SCA during the period from Jan. 20th – Mar. 31st.
- 6 The SCA pollock limit in the A season should be allocated amongst the sectors proportionally (each sector would be limited to 28% of its annual pollock allocation.)
- 7 300,000lb trip limits in the GOA and tender restrictions east of 157 degrees W in the GOA, as well as stand-down provisions and exclusive registration provisions would be retained.
- 8 Cod rollovers within the trawl sector should occur within a season prior to allocating to other gear types. Rollovers will continue into subsequent seasons but may be reapportioned if one sector is unable to reach its TAC.
- 9 Jig gear is exempt from haulout closures except in Area 9 and in the Seguam Foraging Area.

The AP requests that the Council request the BOF to seriously consider adopting parallel restrictions in the parallel cod, pollock and mackerel fisheries in state waters in a timely manner.

Additionally, the AP recommends adding an option to Alt. 4 or some other remedy, which would create an exemption for longline cod CVs >60 in Area 8 to operate between 3-10 miles.

Further, the AP requests the Council to send the SEIS and draft BiOp out for public review for final action at the October meeting and include the following:

- A Review the use of the CS+/- methodology for consistency (are effects evaluated primary, secondary, or tertiary effects – do secondary or tertiary effects rely on assumptions or documented causal relationships). Clarify that there is no weighting assigned to these findings (one CS+ for species “A” doesn’t necessarily cancel one CS- for species “B”), and that these ratings are only relative comparisons of the alternatives (option 1 may be negative relative to option 2, but the underlying condition may be negative, positive, or trivial in both options.)
- B Include a table (as presented by Chairman Cotter) of the rookery/haulout closures by gear type listing each site (as per table 21 for 2001 RPAs) and clarify that table 3.6 does not reflect the Alt. 4 closure specifications.
- C Review using 1998 TAC as the reference point for “question 2” (prey availability) is the SSL CS+/- analysis
- D A more extensive discussion of the importance of AFA in the gathering of data, monitoring of the fishery, enforcement and management.
- E Amplify the discussion on VMS issues, including:
 - 1) implementation schedule
 - 2) reliability
 - 3) consequences of failures
 - 4) fisheries and sectors where VMS monitoring may not be needed to achieve quota monitoring goals.
- F Clarify that application of Alt. 4 Global Control Rule reduces TAC to the amount necessary for bycatch and puts that species on MRB only status.

**MINUTES
NPFMC MEETING
SEPTEMBER 2001**

- G Analysis of the economic impacts to industry of management and enforcement measures as proposed in each alternative, including compliance costs for vessels to carry observers, observer costs, increased transit costs, impact of lost crew space on production.

Finally, for ongoing SSL issues, the AP recommends:

- 1- An ongoing analysis of the telemetry data that integrates both location and dive behavior from individual at sea trips, to directly estimate spatial and temporal foraging patterns.
- 2- An ongoing study to outline the statistically significant and biologically important differences in SSL demographics and population trends in the 1970's and 1980's compared to the 1990's.
- 3 - Reassessment of the listing status of the western and eastern SSL stocks.

COUNCIL DISCUSSION/ACTION

The Council received the draft SEIS and the draft biological opinion to review in advance of the meeting. Oral and written reports or presentations were provided by NMFS and Council staff. Larry Cotter gave the report of the SSL RPA Committee, and Earl Krygier provided an overview of the State's SSL Restoration Team report. Copies of all presentations made available to the Council are appended to these minutes.

Robin Samuelsen moved to approve the recommendations of the Advisory Panel. The motion was seconded by Stephanie Madsen.

John Bundy moved to amend the motion to delete the recommendation that would create an exemption for longline cod catcher vessels under 60 ft in Area 8 to operate between 3-10 miles. The motion was seconded by Stephanie Madsen and failed, 6 to 3, with Bundy, Madsen, and Samuelsen voting in favor. Austin and the Oregon representative were not present.

The maker of the main motion clarified that the suboptions under Alternative 4 were not part of the motion. After some discussion, it was made clear that while the suboptions are not part of the Council's preliminary preferred alternative, they are addressed in the analysis and the Council could choose to adopt one or more of them during final action, if it chose to do so. Council members suggested that at this time analysts are not prepared to make determinations based on telemetry data, and also that it is important to maintain the integrity of the areas while experimental issues are being addressed by the Council's independent panel of scientists. Regarding suboption 3, some members felt that it is not a Steller sea lion-related issue and could be taken up at a later meeting if necessary.

The main motion carried unanimously (Austin and Oregon representative not present).

Stephanie Madsen moved to request the analysts to address as many of the concerns raised by the SSC as possible within the time available. The motion was seconded and carried without objection. The final motion is appended to these minutes as Appendix II.

Regarding coordination between the Council and the Alaska Board of Fisheries, Mr. Duffy stressed that the Board will need, in a timely manner a detailed description of the closures anticipated so the Board will have adequate information to take action on closures in State waters.

The meeting was adjourned at approximately 2:50 p.m. on Saturday, September 8.

Appendices

- I. Minutes of the Scientific and Statistical Committee.

**MINUTES
NPFMC MEETING
SEPTEMBER 2001**

- II. Council action, as approved.
- III. Replacement Table 2.5-8 from the SSL Protection Measures Draft SEIS.
- IV. Table dated 9/6/2001, "Alternative 4 Steller Sea Lion Sites for Pollock, Atka Mackerel, P. Cod, and Groundfish Fisheries.
- V. Copy of Powerpoint presentations on the DSEIS, RIR, and Biological Opinion.
- VI. Presentation of Northwest Economic Associates, "Market Analysis of Alaska Groundfish Fisheries: Alaska Pollock, Pacific Cod, and Atka Mackerel."
- VII. Copy of Powerpoint presentation of the SSL RPA Committee.
- VIII. Copy of Powerpoint presentation from the Alaska Steller Sea Lion Restoration Team.
- IX. Written public comments received.