

# North Pacific Fishery Management Council

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Certified by John Baudé  
Date 2/5/97

## ADVISORY PANEL MINUTES SEPTEMBER 16-19, 1996 SITKA, ALASKA

Advisory Panel members in attendance:

|                     |                                |
|---------------------|--------------------------------|
| Alstrom, Ragnar     | Highleyman, Scott              |
| Bruce, John (Chair) | Jones, Spike                   |
| Benson, Dave        | Lewis, John                    |
| Burch, Alvin        | Madsen, Stephanie (Vice-Chair) |
| Cotton, Bruce       | Nelson, Hazel                  |
| Cross, Craig        | Paddock, Dean                  |
| Falvey, Dan         | Roos, John                     |
| Fanning, Kris       | Sevier, John                   |
| Fraser, Dave        | Wurm, Robert                   |
| Fuglvog, Arne       | Yeck, Lyle                     |
| Gundersen, Justine  | Yutzenka, Grant                |

The AP approved their June 1996 meeting minutes unanimously.

### C-1 BSAI Bairdi & Opilio Bycatch Caps

The AP recommends that the Council reconvene the Crab Negotiating Committee to recommend an opilio PSC cap for final action at the December meeting. It is the AP's intent to have all bycaught opilio crab count against the negotiated level implemented in 1997. Motion carries 12/7.

The AP recommends that the Council adopt the Crab Negotiating Committee's recommendation for the bairdi cap with the Alternative 3 adjustment aligning the caps for Zone 1 and 2 with abundance. Motion carries 18/1.

The AP also recommends that opilio and bairdi be added to the species for which a VIP rate can be set for all Bering Sea trawl fisheries. Motion carries 15/2.

Further, the AP recommends that the Council request the Observer Program put emphasis on gathering data, past and present, to examine the opilio bycatch in all fisheries in the Bering Sea. Motion carries unanimously.

## **C-2 Improved Retention/Improved Utilization**

The AP recommends that the Council adopt retention Option 2 (species based) requiring 100% retention of BSAI pollock, Pacific cod, rocksole and yellowfin sole. The AP recommends that retention of pollock and Pacific cod be implemented as soon as practical and implementation of retention of rocksole and yellowfin sole be delayed for 5 years with step-wise targets and monitoring of progress during that time. With respect to utilization, the AP endorses the IR/IU Committee's recommendation of a 15% minimum PRR, and additionally recommends no more than 10% round fish by weight be used for meal. This would be applied to species under Improved Retention - Pacific cod and pollock now, yellowfin sole and rocksole when implemented.

Additionally, the AP wishes to acknowledge the contribution the IR/IU Committee has made in creating this program. We request the Council continue to convene the committee and task them with working through implementation details and developing an IR/IU program for the Gulf of Alaska (GOA). Implementation will be dependent on adoption of parallel regulations for shore side and GOA. The AP acknowledges the need to reconcile the accounting of mealed fish as discards for the GOA shore side processors.

The AP further requests that the Council direct NMFS to incorporate into the IR/IU program a mechanism for measuring success of avoiding bycatch and, in conjunction with the committee, to annually review the IR/IU program and report back to the Council on achievement of the stated goals and on changes that have occurred in the BSAI/GOA fisheries as a result of IR/IU.

Further, the AP recommends the VIP standards should be based on retained weight. Motion carries 11/4.

## **C-3 Observer Program**

The AP recommends that the Council request that the Observer Advisory Committee revisit the fee-based observer program. The AP believes we need to re-examine the intent of the observer program versus duties as assigned today, i.e., data collection versus compliance and enforcement. The audit results should provide recommendations on sampling design of the observer program as well as observer coverage levels. Motion carries 16/3.

The AP took no action on the regulatory amendment to require additional observer coverage on shore plants and motherships during pollock 'A' season. The AP understood the intent of this amendment was a refinement of the chinook salmon estimate. The document had not been reviewed by the AP prior to this meeting.

### **MINORITY REPORT C-3 OBSERVER PROGRAM**

We, the undersigned members of the Advisory Panel, are concerned about the narrow action taken by the AP. The language in the motion leaves the fee-based system as the only system to address the observer program. We feel that the AP and Council should have the full set of options to use in developing an effectuating observer program, these options should include fee-based, pay-as-you-go, modified pay-as-you-go, or combinations of these.

Signed            Craig Cross  
                      Kris Fanning  
                      Grant Yutzenka

#### **D-1(a-c) BSAI Groundfish Specifications and SAFE**

The AP recommends that the draft SAFE document be sent out for public review. Motion carries unanimously.

##### TACs

The AP recommends that the Council set the TACs equal to the lesser of either last year's TACs or SSC's recommended 1997 ABCs. Motion carries 19/0,

The AP recommends that the Council adopt the 1996 A season/B season split for use in 1997. Motion carries unanimously.

The AP recommends that the Council adopt the 1996 fixed gear Pacific cod apportionment. Motion carries unanimously.

##### PSC Caps

The AP recommends that the Council rollover the 1996 BSAI Trawl Fisheries PSC cap. The AP will approve seasonal apportionment (see Agenda item D-1(b)(2) Table 1, top table) at the December meeting. Motion carries unanimously.

The AP recommends that the Council rollover the 1996 BSAI Non-Trawl Fisheries PSC bycatch allowances. The AP will approve seasonal apportionment (see Agenda item D-1(b)(2) Table 1, bottom table) at the December meeting. Motion carries unanimously.

##### VIP Standards

The AP recommends that the Council adopt the VIP Standards for quarters 1 and 2 as laid out in the table provided by the region dated 9/11/96, Motion carries unanimously.

The AP would like to express concern over problems in accounting of the Aleutian Islands sablefish between the IFQ fishery and the state waters fishery. We request that the SSC, NMFS and ADF&G meet or conference and resolve these enforcement and accounting problems. Motion carries unanimously.

#### **D-1(d) PSR Amendment 46**

The AP recommends that the Council send the EA/RIR for Amendment 46 (separating pelagic black and blue rockfish) out for public review with the following additions:

1. a description of affected fisheries and areas if overfishing is realized,
2. a description of the states goals in managing this fishery including the process of setting TACs, and
3. an explanation of the differences between Alternative 3 and 4 relative to federal jurisdiction on effort limitations.

Motion carries 18/0.

#### **D-1(e-f) GOA Groundfish Specifications and SAFE**

##### TACs

The AP recommends that the Draft SAFE be sent out for public review and that the Council adopt the SSC's ABCs as initial 1997 TACs for all species except POP, deep water flats, flathead sole, shallow water flats and arrowtooth. With respect to POP, the AP recommends that the TAC set by the rebuilding plan be sent out as the initial 1997 TAC. Further, the AP recommends that deep water flats, flathead sole, shallow water flats and arrowtooth be set at 1996 TAC levels. Motion carries unanimously.

PSC Limits for Halibut

The AP recommends that the 1996 Halibut PSC limits and apportionments (includes both tables on page 3 of action memo) be used in 1997 and sent out for public review. Motion carries unanimously.

**D-2(a) Electronic Reporting**

The AP recommends that the Council adopt Alternative 2 with the clarification that modem to modem and Standard C equipment would be allowed. The AP would like to reiterate the need for a Development Committee working with NMFS and the Observer Program to continue to work on the programming details. To address concerns on transmission costs, the AP would like the Council to limit the transmission reporting requirements to no more than 800 characters per day. Additionally, the AP requests that the Council require NMFS to make reports available electronically to authorized agents of the sending party on a same day basis.

Motion carries unanimously.

**D-2(c) Directed Fishing Standards**

The AP recommends that the Council take final action and adopt the GOA portion of Alternative 2 with the following change:

MRB for Northern Rockfish to remain at 15% for aggregated rockfish (status quo). The AP requests that the Council ask NMFS to examine the background bycatch rate for shortraker/rougheye in all GOA fisheries. We further request this information be brought back to the Council as soon as possible for final action and implementation in 1997. Additionally, NMFS should examine the background bycatch of rockfish against other rockfish species in all GOA fisheries.

The AP recommends that the Council release the BSAI portion of Alternative 2 and schedule final action on the BSAI and GOA rockfish portions until after public comment has been received.

Motion carries unanimously 20/0.

The AP recommends that the Council request NMFS begin work on an amendment to framework directed fishing standards in the GOA. As stock biomass change, directed fishing standards will need to be adjusted to prevent discards. Motion carries unanimously.

**D-3(a) Ban on Night Trawling**

The AP recommends that the Council not move forward with any further analysis with ban on night trawling. Motion carries 7/6.

MINORITY REPORT  
D-3(a) Ban on Night Trawling

We, the undersigned members of the AP, believe that the EA/RIR banning night trawling in the Pacific cod fishery should go forward. Information from the analysis highlighted possible areas the ban could be effective, i.e., Unimak Pass. At a minimum, we believe that the present document should go out for public comment.

Signed: Stephanie Madsen  
Grant Yutrzenka

John Roos  
Arne Fuglvog

### **D-3(b) Ice and Slime**

The AP wishes to reaffirm it's intent that the IFQ overages greater than the allowed 10% be subject to **both** a fine and subsequent deduction in the following year. We recommend provisions for a step-wise fine to be added to Alternative 2 and the EA/RIR be sent out to the public and the IFQ Implementation Committee for review. Motion carries unanimously.

### **D-3 Forage Fish Amendment**

The AP recommends the Council release the EA/RIR for public review and especially solicit comments from the Board of Fisheries and Alaska Department of Fish & Game. Additionally, the AP recommends adding the following paragraph as Option 4 to Alternative 2:

The sale, barter, trade and other commercial commerce of forage fish as defined in this amendment is prohibited. Also, the processing forage, fish, as defined in this amendment, in a commercial processing facility is also prohibited.

The AP recommends the Council adopt the SSC's recommendation of labeling on family levels and adding the following families: (1) gunnels, (2) pricklebacks, (3) bristlemouths, and (4) euphasids.

The AP recognizes some forage fish are harvested in subsistence activities and it is not our intent to negatively impact or prohibit subsistence take of the forage fish in traditional barter and trade.

The motion carries unanimously.