

North Pacific Fishery Management Council

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Certified by John Bruce
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ADVISORY PANEL MINUTES SEPTEMBER 25-28, 1995 SEATTLE, WASHINGTON

Advisory Panel members in attendance:

Bruce, John (Chair)	Maloney, Pete
Alstron, Ragnar	Nelson, Hazel
Benson, Dave	Paddock, Dean
Burch, Alvin	Roos, John
Cotton, Bruce	Sevier, John
Falvey, Dan	Stevens, Michael
Fraser, David	Stewart, Beth (Vice-Chair)
Fuglvog, Arne	Wurm, Robert
Jones, Spike	Westman, Gary
Madsen, Stephanie	Yeck, Lyle

Absent are Scott Highleyman and Doug Ogden. The minutes for the June 1995 meeting were approved unanimously.

C-2 Sablefish/Halibut IFQs

The AP recommends that the Council adopt the Implementation Team's recommendation regarding the Aleutian Island Sablefish season opening. The AP believes that it would be better to take final action on this issue when there is more information (i.e., will IPHC allow retention of halibut? what information will be available from RAM?). The AP requests the Council ask IPHC to resolve the issue of halibut retention in the Aleutian Island sablefish fisheries at its January meeting. Motion carries unanimously (20/0).

The AP recommends that the Council request that IPHC retain the historical allocation in Area 4 for the 1996 season while alternatives 1 and 2 are developed into an EA/RIR and a permanent allocation is established. Motion carries 18/1.

The AP further recommends that the Council include an alternative to separate the CDQ portion of Areas 4C, D and E halibut TAC from the overall area TAC formula and allow the distribution of the CDQ halibut to be done through the State of Alaska. Motion carries unanimously.

The AP requests the Council initiate action at the December meeting on the following issues and that the IFQ Implementation Team review and comment:

With respect to the IFQ Program in general:

- (1) Establish a working overage plan for small IFQ landings (i.e., 400 lbs or 10% of the trip, which ever is greater,
- (2) Establish provisions allowing IFQ deliveries to tenders,
- (3) Allowing quota share to be used on vessels in the same size class or smaller,
- (4) Adjusting the 12-hour unloading period annually to meet the needs of different regions,
- (5) Allowing immediate transfer of IFQ to a surviving spouse, with leasing provisions, for a period of three years,
- (6) Examine and consider the emergency transfer provisions contained in the Commercial Fisheries Entry Commission's statutes and regulations,
- (7) Eliminating the requirements for QS holders to remain on board when waiting to unload, and
- (8) Consider higher BSAI ownership caps for the Bering Sea.

With respect to the Block Plan:

- (1) Increasing the sweep-up provisions as follows: Halibut 3,000 - 20,000 lbs
Sablefish 5,000 - 20,000 lbs
- (2) Applying the 10% leasing provisions to blocks, and
- (3) Deleting the block provisions in all or some areas.

Motion carries unanimously.

C-3 CRP

License Limitation

For issues that needed clarification, the AP reaffirmed its June recommendations to the Council for issues where the Council's actions differed from the APs. The AP also makes the following additional recommendations:

The AP recommends that the Council use June 17, 1995 to define "current owners." (Transfers of rights are recognized.) Motion carries 16/1/1.

The AP recommends that no additional special exceptions be made for "lost vessels." Motion carries 16/1/1.

The AP understands that a problem of equity may have been created in the attempt to provide for crossovers. This problem can be addressed by the AP's June action, as excepted below:

The AP also recognized that moratorium crossovers on or before December 11, 1994 were allowed for all legal gears and that crossovers using "pot gear only" may continue through the moratorium period. The 6/15/95 date prevents vessels from crossing into groundfish or crab and receiving a license after this date. The AP also extended the EQP to 6/15/95 to allow vessels which receive a general license to qualify for endorsements and to recognize current participation.

Motion carries unanimously.

The AP recommends that a federal permit requirement be added to the license limitation eligibility requirements for the Endorsement Qualifying Period (EQP). The motion carries 14/2/2.

The AP recommends the Council allow an additional comment period on the License Limitation package before a package is sent back to the Secretary. Motion failed 5/12 (Minority Report).

The AP recommends that the Council set up an industry implementation work group for the License Limitation program. The motion carries 17/1.

Pollock ITQ Program

The AP recommends that the Council direct staff to analyze both a pollock only and an all groundfish BSAI program. Motion failed 6/13 (Minority Report).

The AP recommends that the Council include analysis of 1-pie which would include allocation to both harvesters and processors, and a 1-pie system which incorporates inshore/offshore allocation with the pollock ITQ analysis. Motion carries 13/4.

The AP recommends that the Pollock IFQ analysis includes a discussion of a mechanism for a scheduled reduction in PSC bycatch. This motion was amended to state that the Pollock IFQ analysis include a built-in bycatch reduction plan for all current and proposed IFQ fisheries (amendment carries 17/2). Motion is further amended to apply bycatch reduction plan to all CDQ fisheries as well and carries 17/0. The main motion then failed 9/9.

MINORITY REPORT C-3 CRP - LICENSE LIMITATION

Having put together the vast array of elements into an integrated License Limitation Program, it is time to look at the program as a whole and judge it against the objectives. This should be done at the Council level before it is submitted to the Secretary where it is subject to an all or nothing decision on approval.

Particular concerns exist with the completed License Limitation Program with regard to equity and efficacy. The Western GOA/BSAI qualification criteria of only one landing of any amount rewards speculative entry and contrasts with Central and Eastern GOA multi-year, multi-landing requirements leaving this area as a dumping ground for excess effort. This departure from the AP recommendation which included a threshold poundage requirement and consistent number of landings requirement amongst areas takes away any attempt to consider dependency and to treat vessels equitably in different areas.

Signed: Beth Stewart David Fraser
 Dave Benson Mick Stevens

MINORITY REPORT C-3 CRP - POLLOCK ITQ

Initial overview of a pollock only ITQ reveals a number of serious issues that will arise from a single species ITQ with regard to bycatch of other groundfish and impacts on other groundfish and crab fisheries. Dealing with these problems may be as complex as administering a full ITQ system for BSAI groundfish fisheries.

Consideration of a pollock only ITQ should be compared to an all species system so that an informed choice can be made between alternatives. The argument that it is premature to consider all groundfish species is not valid in light of the Council decision to proceed with an all species CDQ program which will involve all the same monitoring and enforcement issues.

Signed: David Fraser Beth Stewart
 Dave Benson Mick Stevens

C-5 Full Utilization and Discard Reduction

The AP recommends that the Council continue to move forward with **Improved Utilization and Improved Retention** as a means for reducing bycatch and discards. The analysis should include a species by species approach to improving utilization. The analysis should first focus on the following discarded species in three fisheries:

- (1) pollock and cod in the midwater BSAI/GOA pollock fishery,
- (2) rock sole, pollock and cod in BSAI/GOA rock sole fishery, and
- (3) pollock, rock sole and P. cod in the BSAI/GOA P. cod fishery.

Note: The AP prefers the term improved utilization to full utilization because it is more accurate. The AP also believes that the analysis should include a range for full utilization and full retention. Further, the AP remains concerned about NMFS's ability to implement any of the proposals to date that may reduce bycatch and discard. The AP recommends the Council establish an industry work group to begin to develop methods to address those issues. Motion carried 13/4.

D-3 (a, b) BSAI SAFE/'96 Specifications

TACs

The AP recommends that the Council rollover the 1995 BSAI TAC with the following changes and notes: Atka mackerel should be reapportioned consistent with the Plan Team findings as follows:

Western	51.9%	=	41,520
Central	14.0%	=	11,200
Eastern	34.1%	=	27,280

The AP would also like to flag the following concerns:

The AP recommendation to rollover 1995 TACs for initial 1996 is convenient because it does not address any potential adjustments of individual species TACs that might be appropriate (recognizing the need to stay within the 2 million mt cap). The most recent scientific data indicates a significant increase in the area 518 pollock biomass for which an ABC has been recommended by the Plan Team. A substantial increase in the area 518 pollock TAC for 1996 and the initial TAC for management purposes at the beginning of 1996 will have to be addressed at the December meeting.

Concerns exist relative to the pollock ABC related to the higher exploitation rate used in the BSAI in the 1990s relative to the GOA and 1980s in the BSAI. A further concern relates to uncertainty about the strength of the 1992 year-class as a component of the ABC based on the chart which shows a strong 1992 year-class in the 1994 hydro acoustic survey which does not appear in the 1995 trawl survey. Motion carries unanimously.

Crab PSC

The AP recommends that the Council rollover 1995 Crab PSC limits, but the AP flags any zone closures in the rock sole fishery that may cause redistribution of crab bycatch at the December meeting, will probably result in changes. Motion carries 18/1.

Halibut PSC

Rollover the Halibut PSC amounts from 1995, except for halibut in the sablefish/turbot/arrowtooth category. The AP recommends a zero (0) halibut allocation. The 120 mt to be distributed evenly between other flats and yellowfin sole. An amendment was made that would take the entire 120 mt and move it to P. cod, but the amendment failed 2/10. The motion was further amended to evenly distribute the 120 mt as follows: 40 to P. cod, 40 to O. flats and 40 to yellowfin sole. The amendment carried 12/3. The main motion carries 14/1.

D-3 (c, d) GOA SAFE/'96 Specifications

The AP recommends that the Council:

TACs

Set the 1996 TACs equal to the 1996 ABCs as recommended by the SSC except for POP where the AP recommends the proposed 1996 TAC (which is determined by the rebuilding plan) and that the deep water flatfish, rex sole, flathead sole, shallow water flat and arrowtooth be set at 1995 TAC. Motion carries unanimously.

Halibut

Rollover the 1995 halibut apportionment (without seasonal apportionment). Motion carries unanimously.

VIP GOA/BSAI

The AP was quite concerned that over half the fleet appeared to be exceeding the current 4% VIP rate. Given the changes made two years ago (not allowing vessels to use arrowtooth to dilute the rate and separating the deep and shallow water flat fisheries), the AP recommends that the Council raise the GOA VIP rate to 5%. The AP further recommends that the Council ask staff to begin developing an analysis of an amendment to shift to a VIP rate based on retention and an analysis of appropriate VIP rates under such a program. Motion carries unanimously.

Halibut Mortality GOA/BSAI

The AP recommends that the Council send the IPHC 1996 recommendations for halibut mortality rates out with the package for the December meeting for both BSAI and GOA.

The AP notes that the sablefish numbers are based on the fishery before implementation of the ITQ program. IPHC may have new data at the December meeting which would help reassess that rate.

D-4 Crab Bycatch Management

The AP recommends that the Council establish a closure to bottom trawling in area bounded by 56°00' to 57°00' and 162°00'W and 164°00' for the period January 1 - March 31 annually. The area bounded by 56°00' to 56°10' will be removed from the closure parameters during the years in which a GHL for Bristol Bay red king crab is

established. The motion carries 15/4. The AP considered a separate king crab cap for the March 31 - December 31 period.