

ADVISORY PANEL
Motions and Rationale
February 1-5, 2021 - Anchorage, AK

E Staff Tasking

AP Motion 1

The AP recommends that the Council request the Secretary:

1. Promulgate emergency regulations under the authority of Section 305(c) of the Magnuson-Stevens Act to allow the temporary transfer of halibut and sablefish IFQ for all quota shareholders for the 2021 fishing season; and

Use of this emergency regulation in 2021 to transfer QS will not be counted as one of the eligible years to utilize the IFQ medical transfer provision.

2. Promulgate emergency regulations to remove vessel use cap regulations under 50 CFR Section 679.42(h)(1) for IFQ halibut harvested in IPHC Regulatory Areas 4A, 4B, 4C, and 4D for the 2021 IFQ fishing season.

These actions do not modify other aspects of the IFQ Program.

Motion Passed 18-2

Rationale in Favor:

- *The 2020 emergency rule has reached its 180-day expiration but Covid-19 continues to pose management and operational issues in the halibut/sablefish IFQ program.*
- *At the end of the 2020 sablefish/halibut season, it was assumed that the continued need for an emergency rule to address Covid-19 would not be warranted; however, industry issues have not recovered and in some instances are worse. Governor Dunleavy has declared a Public Health Disaster Emergency Declaration that was effective 12:00am, January 15, 2021.*
- *Currently, in Western Alaska three of the largest processing plants are temporarily closed or severely limited in processing capacity due to Covid-19 outbreaks. As a result, fisheries that may take priority (e.g., pollock, cod and crab) will likely be delayed, which will in turn cause delays in the buying of halibut/sablefish IFQ species.*
- *Although vaccination has begun in earnest throughout the nation, we are still months away from a fully vaccinated fleet and processing sector. There is still a high risk of exposure and contraction of the virus. Travel to and from vessels still requires quarantine, which can cost vessel owners time and money in operational costs.*
- *A baseline for reference for lifting vessel use caps in Area 4 can be found in the May 15, 2020 Council motion during the May 2020 Special Council Meeting.*
- *The three criteria as specified by NMFS for emergency action have been met.*

- *There is broad industry support through written and public comment for these actions. Industry needs maximum flexibility in execution of harvest strategies under the current Covid environment.*

Rationale in Opposition:

- *Prior to any recommendation being made for support of an Emergency Rule request, information and details on how the three emergency rule criteria have been met is needed to best inform such a recommendation.*

AP Motion 2

The AP recommends that the Council task staff to explore the possibility of having a member of the SSC report out to the AP on issues where the scientific assessment of the SSC would assist AP understanding of the issues and deliberations.

Motions passed 19-1

Rationale in Favor:

- *Due to overlapping schedules and delayed availability of SSC minutes, the AP often doesn't get the benefit of SSC discussion and input on key agenda items. For these agenda items, there is often a general desire by AP Members to get feedback and input from the SSC.*
- *Relying on interpretation from non-SSC members creates challenges and may lead to misinterpretation of SSC conversation and/or recommendations.*
- *There was recognition by some members that per its handbook, the SSC does not report directly to the AP. However, the intent to explore options that would allow for increased access to and benefit of the SSC discussion to the AP on specific issues was supported.*

AP Motion 3

The AP recommends NMFS suspends the residency requirements applicable to the Adak CQE program for 2021.

Motion passed 20-0

Rationale:

- *Adak's CQE program had significant challenges during the 2020 season that resulted in only 7% of their quota being harvested. This was in large part due to vessel operators' unwillingness to carry Adak resident walk-on crew during the COVID 19 pandemic along with the logistical challenges of meeting quarantine guidelines and travel arrangements between Adak and the nearest processing plant in Dutch Harbor. An emergency exemption from the CQE resident requirements will likely be necessary to ensure the continued safety of the community while maintaining important economic benefits of the CQE program.*

Advisory Panel
E Motion
February 2021

Motion 4

The AP approves the minutes from the December 2020 meeting.

Motion passed 18-0