

North Pacific Fishery Management Council

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Certified by

John Bruce

Date

2/5/97

ADVISORY PANEL MINUTES DECEMBER 9 - 12, 1996 ANCHORAGE, 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 September 1996 meeting minutes unanimously.

C-1 Seabird Protection

The AP recommends the Council adopt Alternative 2, Option 2 for final action at this meeting. With respect to the alternative, we recommend:

1. The offal discharge provision be clarified as applying only during retrieval.
2. These measures be required at all times when baited hooks are being set.
3. Any birds brought aboard alive would be released alive.

Further, the AP recommends this regulatory amendment be expedited so as to be in effect by March 15, 1997 or sooner, and a letter be sent to the IPHC requesting implementation of similar regulations in the halibut fishery. Motion carries unanimously.

The AP recommends the Council request the appropriate agencies review the number of takes allowed considering the following information and the sources of all information:

1. state water or state managed fisheries including salmon and crab
2. halibut fishery
3. increased awareness and reporting
4. switch to extrapolated data
5. impact of foreign fisheries

Motion carries unanimously.

C-2 Observer Program

The AP, without opposition, reiterates their September 1996 motion. The AP recommends the Council request the Observer Advisory Committee to 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.

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

C-4 BSAI Opilio PSC Caps

The AP recommends the Council adopt the crab negotiating committee's recommendation effective January 1, 1998. For 1997, the same agreement will be in effect with the following changes:

1. all of areas 514, 521 and 523 bycatch will be included in the total PSC count, and
2. floating bycatch percentage of abundance cap will be increased by 10% for 1997 only.

The AP further recommends the Council retain the ability to apportion the opilio PSC cap among the same fisheries as in the other crab PSCs for 1998. The cap would not be apportioned among fisheries in 1997.

For the record, the following members of the negotiating committee were not present in the AP when this action was taken (12/9/96): Vince Curry and Gordon Blue.

Motion carries 12/1/4 abstentions.

C-5 Improved Retention/Improved Utilization (IR/IU)

The AP recommends the Council endorse the "Integrated" Gulf of Alaska IR/IU Problem Statement as stated below:

The objective of the Council in undertaking improved retention and utilization regulations for Gulf of Alaska groundfish fisheries centers on the same basic concern that motivated an IR/IU program in the BSAI groundfish fisheries - that is, economic discards of groundfish catch at unacceptably high levels. AN IR/IU program for the GOA would be expected to "provide incentives for fishermen to avoid unwanted catch, increase utilization of fish that are taken, and reduce overall discards of whole fish," consistent with current Magnuson-Stevens Act provisions.

In addition, the Council recognizes the potential risk of preemption of certain existing GOA groundfish fisheries which could occur in response to economic incentives displacing capacity and effort from BSAI IR/IU fisheries. This risk can be minimized if substantially equivalent IR/IU regulations are simultaneously implemented for the GOA.

The motion carries unanimously.

The AP further recommends the Gulf of Alaska program should substantially mirror the Bering Sea program. Motion carries unanimously.

Limited Processing

The AP did not have sufficient time to resolve some issues, but encourages the Council to identify species to be included and create a problem statement for Limited Processing for the purpose of moving ahead with an EA/RIR.

The AP further recommends the problem statement not be exclusively tied to IR/IU. Finally, the AP recommends no option should allow exemption from IR/IU.

Motion carries 12/1.

D-1(a) Review Alaska Board of Fisheries (BOF) Action to Initiate State Pacific cod fishery in GOA

The AP recommends removals in the state Pacific cod fisheries for 1997 be counted against the federal groundfish ABCs.

The AP further recommends the Council respectfully petition the BOF to revisit the decision of a state managed Pacific cod fishery in order to discuss the possibility of addressing the BOF needs through the federal process. To foster cooperative management of groundfish resources, we further recommend the Council request the BOF establish a groundfish committee to work on joint management concerns including, but not limited to, the following:

1. crab rebuilding efforts/bycatch and handling mortality in the cod pot fishery,
2. efforts to reduce overcapitalization
3. localized depletion
4. impacts on sea lions
5. lack of at-sea monitoring/observer coverage
6. enforcement difficulties

7. unaccounted mortality of halibut bycatch in the jig fisheries
8. displacement of historical users of a fully exploited species
9. inability to achieve OY if the state cod quota is not fully harvested, and
10. concern of small boat operators to allow an entry level P. cod fishery.

The AP further recommends the Council request NMFS evaluate and release the portion of uncaught TAC by October 1 that is not likely to be taken by the state managed fishery.

Finally, the AP recommends the Council request the State of Alaska consider adopting similar bycatch controls in state groundfish fisheries as they are developed by the Council for federal fisheries. Motion carries 16-5.

MINORITY REPORT D-1(a) BOF ACTION TO INITIATE STATE P. COD FISHERY

We strongly object to the Alaska Board of Fisheries (BOF) action regarding Pacific cod in the Gulf of Alaska. The last twenty years has seen the State of Alaska relinquish management control of groundfish to the NPFMC and NMFS. The federal government has borne the cost of the surveys, management, enforcement and development of these fisheries. The BOF action constitutes a serious erosion in the ability of NPFMC to effectively manage this resource. The NPFMC and NMFS have established management experience, science, enforcement, and observer coverage that the State is lacking. We feel this could lead to increased overcapitalization and an allocation shift of a fully utilized fishery that does not have the Council safeguards of social and economic impact statements. We ask the Council to request NMFS to preempt the BOF action.

Signed: David Benson
Lyle Yeck
Craig Cross
Bruce Cotton

D-1(b) GOA Pelagic Shelf Rockfish - Amendment 46

The AP recommends the Council adopt Alternative 4. Motion carries 12/5.

D-1 (c) GOA SAFE

The AP recommends the Council approve, for public review, the 1997 Stock Assessment and Fishery Evaluation (SAFE) report for the Gulf of Alaska groundfish fisheries. Motion carries unanimously.

D-1(d) GOA 1997 Specifications

TACs

The AP recommends the Council adopt the SSC's ABCs and set the TACs at those ABC levels except for:

Pacific cod: The AP recommends the TAC be set at ABC less 15% in the western and central Gulf. In the eastern Gulf, the TAC would be ABC less 25%.

Flathead sole: The AP recommends the TAC be set at the 1996 TAC for the western and central Gulf.

Shallow flats: The AP recommends the TAC be set at the 1996 TAC for the western, central and eastern Gulf.

Arrowtooth: The AP recommends the TAC be set at the 1996 TAC for western, central and eastern Gulf.

Other slope rockfish: The AP recommends the TAC be set at 1,500 mt for the eastern Gulf.

Main motion passed 17/2.

PSC Limits for Halibut

The AP recommends the Council adopt hook and line, trawl gear season apportionments and the trawl shallow and deep water apportions as presented on page 2.

Trawl gear		Hook and Line	
1st quarter	600 mt (30%)	1st trimester	250 mt (86%)
2nd quarter	400 mt (20%)	2nd trimester	15 mt (5%)
3rd quarter	600 mt (30%)	3rd trimester	25 mt (9%)
4th quarter	400 mt (20%)	DSR	10 mt
2,000 mt		300 mt	

Quarter	Shallow water	Deep water	Total
	<u>Complex</u>	<u>Complex</u>	
1	500 mt	100 mt	600 mt
2	100 mt	300 mt	400 mt
3	200 mt	400 mt	600 mt
4	No apportionment		400 mt

The AP recommends the Council ask NMFS and ADF&G review the halibut bycatch in the DSR fishery for accuracy.

Motion carries 18/0/1 abstention.

Halibut Discard Mortality Rates

The AP recommends the Council adopt Table 5 of the IPHC report as presented for 1997. Motion carries 16/0.

D-1(e-f) BSAI SAFE and Specifications

The AP recommends the Council approve, for public review, the 1997 Stock Assessment and Fishery Evaluation (SAFE) report for the Bering Sea/Aleutian Islands (BSAI). Motion carries unanimously.

TACs

The AP recommends the Council approve the SSC's ABCs and set TACs at the ABC levels except for:

Pollock: The AP recommends Bogoslof pollock TAC be set at 1,000 mt - bycatch only. The AP also recommends the pollock A/B season remain 45/55.

Pacific cod: The AP recommends the TAC be set at 270,000 mt.

Yellowfin sole: The AP recommends the TAC be set at 230,000 mt.

Greenland turbot: The AP recommends the TAC be set at 9,000 mt.

Arrowtooth: The AP recommends the TAC be set at 20,760 mt.

Rocksole: The AP recommends the TAC be set at 97,185 mt.

Flathead sole: The AP recommends the TAC be set at 43,500 mt.

Other flatfish: The AP recommends the TAC be set at 50,750 mt.

Sablefish: The AP recommends the TAC be set at last years TAC: BS at 1,100 mt and AI at 1,200 mt.

The AP recommends the Council request the cooperation of trawl companies who fish in the Russian zone (western Bering Sea) pollock fishery to share their catch information and biological data to NMFS and the Alaska Fishery Science Center. Motion carries unanimously.

MINORITY REPORT D-1 (f) BSAI SPECIFICATIONS - Pollock TAC

We, the undersigned, support a pollock TAC in 1997 of 1 million metric tons. While we acknowledge the work of NMFS and the Plan Team in setting an ABC, it is the job of the Council (and the AP as its advisors) to use our own caution, instincts, and experience to set catch limits. A more conservative catch level may be warranted to take into account Russian harvest of the eastern Bering Sea stock in the Navarin Basin (reported and unreported), the pollock fisheries increasing reliance on a single year class, the poor recruitment information we currently have, and the increased concentration of pollock catch in the eastern Bering Sea.

Signed: Scott Highleyman
 Dave Fraser
 Dan Falvey
 Kris Fanning
 John Lewis

1997 Seasonal Apportionments

Fixed Gear TAC and PSC

The AP recommends the Council adopt the following seasonal apportionment for the fixed gear Pacific cod TAC:

1st	85,000 mt	73%
2nd	26,500 mt	23%
3rd	5,545 mt	4%

Reserves: Reserves of 20,655 mt to be apportioned as above, 77 % to first and third trimesters, 23% to second trimester.

Rollovers: Excess cod TAC rolls from first to third trimester.

The AP further recommends the following Longline 1997 Halibut PSC apportionment:

<u>BSAI Halibut PSC</u>		<u>Seasonal Apportionment BSAI Cod Halibut PSC</u>	
Cod	840 mt	1st	495 mt
Turbot	60 mt	2nd	40 mt
Total	900 mt	3rd	305 mt
		Total	840 mt

Rollover: Excess halibut PSC rolls from the first to the third trimester.

Trawl 1997 PSC Apportionments

The AP recommends the Council adopt the industry proposed PSC apportionment chart, with the following changes:

1. Herring: will be set at 1,579 mt and apportioned among fisheries the same as in 1996.
2. Rocksole: king crab PSC split:

Inside 56° - 56° 10'	26,250 animals
Outside	48,750 animals
3. Previous action requested no apportionment for opilio cap for 1997.

The AP additionally recommends the Council request NMFS to prepare to use hot spot authority for the cod trawl fishery during the April/May period for halibut in the Horseshoe area.

Motion carries unanimously.

D-2(a) Slime and Ice

The AP recommends the Council adopt a modified Alternative 2 — 0% or 2% standard deduction for slime and ice — for both IFQ halibut and IFQ sablefish. Motion carries 16/1/2 abstentions.

D-2(b) Electronic Reporting

The AP strongly supports the development of an electronic reporting system and recommends the Council move forward at this time with approval of a framework to require electronic reporting. Electronic reporting of weekly processor and check-in reports would be required of processors in 1998. The AP further recommends the Council form an Implementation Committee comprised of industry representatives, NMFS, and other agencies including technical experts, to work out the implementation details that remain unresolved between the industry and NMFS. Such implementation details include: software and electronic communication requirements, transfer medium technologies, access to data by home offices, encryption, and file access requirements. Motion carries unanimously.