



# North Pacific Fishery Management Council

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## Meeting Summary

244th Plenary Session  
North Pacific Fishery Management Council  
April 1 - 8, 2019  
Hilton Hotel, Anchorage, Alaska

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### Attachments

1) Time Log

2) Newsletter

The North Pacific Fishery Management Council met Wednesday, April 3, 2019 through Monday, April 8, 2019, at the Hilton Hotel, Anchorage, Alaska. The following Council, Council staff, SSC, and AP members attended the meetings.

### Council Members

Balsiger, Jim	Gerken, Jon	Martin, Aaron
Baker, Rachel (alt for Vincent-Lang)	Hanson, Dave	Mezirow, Andy
Bush, Karla (alt for Vincent-Lang)	Jensen, John	Peterson, Theresa
Caputo, Allison CAPT	Laukitis, Buck	Tweit, Bill (Vice Chair)
Cross, Craig	Kinneen, Simon (Chair)	Yang, Yvonne , LCDR (alt for Caputo)
Down, Kenny	Steve	
	Merrill, Glenn (alt for Balsiger)	

### Council Staff

Armstrong, Jim	Figus, Elizabeth	Marrinan, Sarah
Cleaver, Sara	Gleason, Shannon	McCracken, Jon
Cunningham, Sam	Henry, Anna	Schmidt, Nicole
Davis, Maria	Kircher, Peggy	Stram, Diana
Evans, Diana (DD)	La Belle, Sarah	Witherell, Dave (ED)
Fey, Mike (PSMFC)	MacLean, Steve	

### Scientific and Statistical Committee

The SSC met from April 1 - 3, 2019 at the Hilton Hotel, Anchorage, Alaska. The following members were present for all or part of the meetings (absent members are show in ~~strikeout~~)

Anderson, Chris	Harris, Brad	Mueter, Franz
Bishop, Amy	Hollowed, Anne (Co-Chair)	<del>Quinn, Terry</del>
Down, Mike	<del>Hunt, George</del>	Reedy, Kate
<del>Dressel, Sherri (Vice Chair)</del>	Kruse, Gordon (Co-Chair)	Renner, Heather
Felthoven, Ron	Lowry, Dayv	Stewart, Ian
Gasper, Jason	Munro, Andrew	Whitman, Alison
Hanselman, Dana		

### Advisory Panel

The AP met Tuesday, April 2, through Friday, April 5, 2019 at the Hilton Hotel, Anchorage, Alaska. The following members were present for all or part of the meetings (absent members are show in ~~strikeout~~):

Christiansen, Ruth	Kauffman, Jeff	Stevens, Ben
Cochran, Kurt	Kwachka, Alexis	Upton, Matt (Co-Vice Chair)
Donich, Daniel	Lowenberg, Craig	Vanderhoeven, Anne
Drobnica, Angel (Co-Vice Chair)	Nichols, Carina	Velsko, Erik
Gruver, John	O'Connor, Jamie	Weiss, Ernie (Chair)
Gudmundsson, Gretar	O'Donnell, Paddy	Wilt, Sinclair
Hayden, Natasha	Peterson, Joel	Velsko, Erik
Johnson, Jim	<del>Scoblic, John</del>	

## B REPORTS

The following reports were given and discussed. Actions were deferred to staff tasking.

**B1 Executive Director’s Report** – David Witherell

- GOA Amendment Summary Presentation – Council staff, Sara Cleaver
- Alaska Ocean Acidification Network Presentation – Dr. Bob Foy

**B2 NMFS Management Report** – Glenn Merrill

- Annual Overview of EFH Consultation, including Pebble Mine DEIS Presentation – Gretchen Harrington & Shane McCoy
- In-Season Management Report – Josh Keaton
- Alaska Seabird Working Group Presentation – Dr. Anne Marie Eich and Liz Labunski

**B3 AFSC Report** – Dr. Bob Foy

**B4 NOAA GC Report** – Josh Fortenbery

**B5 ADF&G Report** – Jocelyn Runnebaum

**B6 USCG Report** – LCDR Yvonne Yang

**B7 USFWS Report** – Jon Gerken

**B8 NIOSH Report** – Samantha Case

**B9 US Navy Report on Northern Edge** – Lt Col Vaughn Brazil & John Mosher

## C1 IFQ MEDICAL BENEFICIARY LEASE PROVISION

**Staff:** Sam Cunningham (NPFMC) & Stephanie Warpinski (NMFS)

**Presenter:** Stephanie Warpinski (NMFS)

**Action Required:** Take Final Action on Preliminary Final Determination Made at the February 2019 Council Meeting.

**Background:** The Council is considering a management measure change to alter the medical beneficiary transfer provision in the Pacific Halibut and Sablefish IFQ Program. The Council made a preliminary final determination on its preferred alternative for the medical beneficiary transfer provisions. The analysis was updated to include a qualitative discussion of increased costs associated with implementing the option that would allow a medical transfer for any medical condition for 4 of the 7 most recent years.

The following actions were taken:

**Dr. Balsiger made the following motion which was seconded by Mr. Laukitis:**

The Council adopts the following suite of alternatives for the proposed action to modify the IFQ medical and beneficiary transfer provisions. **Adopted alternatives are in bold.**

Alternative 1: Status Quo

**Alternative 2: Modify the medical transfer provision.**

**Element 1: Define “Certified Medical Professional”**

**Option 1: Replace the current definition with a single, broader definition of certified medical professional, such as “Health care provider.” Health care provider could be defined as:**

**An eligible health care provider is an individual authorized to provide health care services by the State where he or she practices and performs within the scope of their specialty to diagnose and treat medical conditions as defined by applicable Federal, state, or local laws and regulations. A health care provider outside the U.S. and its territories licensed to practice medicine is included in this definition.**

Option 2: Define a Certified Medical Professional as all or a sub-set of those individuals defined in the Social Security Act Sections 1861(r) and 1861(s).

Suboption: Option 1 and Option 2 would be limited to U.S. medical professionals.

Option 3: The Council directs staff to review definitions of “immediate family member” that could be used for the medical transfer provision which are more restrictive than those used for designated beneficiary provision regulations.

**Element 2: Revise federal regulations to allow the medical transfer provision to be used for any medical reason for:**

Option 1: 2 of 5 most recent years

**Option 2: 3 of 7 most recent years**

Note: Only transfers after implementation of new rule would count towards the limit.

Suboptions apply to either Option 1 or 2:

Suboption 1: Establish a limit on the number of times (based on two options to define years) the medical transfer provision may be used (range of 5 to 10 times).

Suboption 2: Define most recent year as one year (365 days) from the date the medical transfer application was approved by NMFS.

Option 3: To allow QS holders to transfer 100% of IFQ associated with QS held under eligible medical transfer to designee for two years; in the third time a medical transfer is used out of 7 years, the QS holder can transfer 80% of IFQ (by area by species) to designee; in the fourth time, the QS holder can transfer 60% of IFQ; after the fourth transfer, medical transfers would not be allowed during that 7 year period.

**Alternative 3: Modify the beneficiary transfer provision.**

**Element 1: At 50 CFR 679.41(k) modify all references to surviving spouse and immediate family member by adding “estate.”**

**Element 2: Define “immediate family member” in regulations at 50 CFR 679 as follows:**

**Option 1: US Office of Personnel Management definition**

## Option 2: Federal Family Medical Leave Act definition

**Mr. Tweit made the following amendment which was seconded by Mr. Down:**

The Council deems proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with section 303(c). The Council authorizes the Executive Director and the Chairman to review the draft proposed regulations when provided by NMFS to ensure that the proposed regulations to be submitted to the Secretary under section 303(c) are consistent with these instructions.

**VOTE ON AMENDMENT:** Amendment passed with no objection April 4, 2019, at 8:18 a.m.

**VOTE ON MOTION:** Motion passed unanimously April 4, 2019, at 8:26 a.m.

## **C2 FIXED GEAR CV ROCKFISH RETENTION**

**Staff:** Jon McCracken (NPFMC)

**Other Presenters:** Josh Keaton (NMFS)

**Action Required:** 1) Public Review Draft 2) Identify preferred alternative; adopt a final recommendation

**Background:** The purpose of this action is to achieve benefits of full retention of rockfish by fixed gear catcher vessels to improve identification of species catch composition when subject to electronic monitoring, improve data collection by providing more accurate estimate of total catch, reduce incentives to discard rockfish, and reduce waste.

The following actions were taken:

**Dr. Balsiger made the following motion which was seconded by Mr. Laukitis:**

The Council adopts Alternative 2 as its preferred alternative, with the following elements and options as its preferred alternative. The preferred alternative is shown in bold; new language is underlined.

Alternative 1: No Action (status quo)

**Alternative 2: Require full retention of rockfish species by all fixed gear CVs (hook-and-line, pot, and jig) in the BSAI and GOA.**

Alternative 3: Require full retention of rockfish species by hook-and-line CVs in the GOA.

**Option 1: Require full retention of rockfish even if the species is on prohibited species status but prohibit these retained rockfish from entering commerce.**

**Option 2: Establish a maximum commerce allowance (MCA) of 15%.**

**In all areas except Southeast Outside District, the MCA for yelloweye rockfish is 5% (within the 15% overall MCA).**

**Suboption: Rockfish landed above the MCA cannot enter commerce, with the exception of meal.**

**Current regulations for demersal shelf rockfish retention in Southeast Outside District of the GOA remain unchanged by this action.**

**Mr. Tweit made the following amendment which was seconded by Ms. Peterson:**

The Council deems proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with section 303(c). The Council authorizes the Executive Director and the Chairman to review the draft proposed regulations when provided by NMFS to ensure that the proposed regulations to be submitted to the Secretary under section 303(c) are consistent with these instructions.

**VOTE ON AMENDMENT:** Amendment passed with no objection April 4, 2019, at 11:00 a.m.

**VOTE ON MOTION:** Motion passed unanimously April 4, 2019, at 11:15 a.m.

### **C3 BSAI TRAWL CV PACIFIC COD MOTHERSHIP ADJUSTMENTS**

**Staff:** Jon McCracken (NPFMC)

**Other Presenters:** Darrell Brannan (Brannan & Associates) and Mike Downs (Wislow Research)

**Action Required:** 1) Final Action Draft of RIR and SIA 2) Select preferred alternatives

**Background:** This action focuses on limiting certain catcher/processors acting as motherships in the BSAI non-community development quota (CDQ) Pacific cod trawl catcher vessel fishery.

The following actions were taken:

**Ms. Baker made the following motion which was seconded by Mr. Jensen:**

The Council adopts the following alternatives for the proposed action to establish catcher processor mothership restrictions in the Bering Sea and Aleutian Islands and the Gulf of Alaska when taking directed non-CDQ Pacific cod deliveries from trawl catcher vessels. **Adopted alternatives are in bold.**  
Alternative 1. No action

**Alternative 2. A catcher/processor may take directed fishery deliveries of Pacific cod from catcher vessels participating in the Bering Sea Aleutian Islands (BSAI) non-CDQ Pacific cod trawl fishery if the catcher processor acted as a mothership and received targeted Pacific cod deliveries as follows:**

**Option 1: Amendment 80 catcher/processors acting as motherships during 2015-2017**

Sub-option 1.1: in any year

Sub-option 1.2: in two of the three years

**Sub-option 1.3: in all three years**

**Option 2: Non Amendment 80 vessels acting as motherships during 2015-2017**

Alternative 3. The total amount of Bering Sea subarea non-CDQ Pacific cod catcher vessel trawl sector A-season (Option: A and B-season) allocation that can be delivered to catcher/processors limited by this action acting as a mothership is equal to the percentage of trawl catcher vessel sector's Bering Sea subarea Pacific cod delivered to catcher/processors acting as motherships relative to the total Bering Sea subarea catcher vessels trawl catch between:

Option 1: 2015-2017

Option 2: 2016-2017

Option 3: 2008-2017

Option 4: 2008-2014

Only the catch of vessels delivering to qualified catcher/processors during the selected Alternative 3 qualifying period would be used as the numerator to determine the catcher/processor's mothership sideboard percentage.

Sub-option 1: A catcher processor that received deliveries from the BSAI non-CDQ Pacific cod trawl catcher vessel sector allocation in 7 or more years during 2008-2017 is not subject to the limitations on receiving deliveries under Alternative 3. Any history of vessels that qualify for this suboption will not count toward any limitation created under Alternative 3.

**Alternative 4: All Amendment 80 vessels not designated on:**

- (1) An Amendment 80 QS permit and an Amendment 80 LLP license; or**
- (2) An Amendment 80 LLP/QS license**

**Will be prohibited from receiving Pacific cod harvested in the Pacific cod directed fishery in the BSAI and GOA.**

**Mr. Tweit made the following amendment which was seconded by Mr. Cross:**

(Move to incorporate Option 3 under Alternative 2)

Option 3: A80 catcher/processors that don't qualify under Option 1 can continue to mothership in the AI if they have taken directed cod deliveries from catcher vessels participating in the AI non-CDQ Pacific cod trawl fishery between 2008 – 2014 in at least three years.

**VOTE ON AMENDMENT:** Amendment failed 4/7 (Ms. Baker, Mr. Down, Mr. Jensen, Mr. Laukitis, Mr. Mezirow, Ms. Peterson, and Mr. Kinneen voting in opposition) on April 4, 2019, at 4:04 p.m.

**Mr. Tweit made the following amendment which was seconded by Mr. Mezirow:**

The Council deems proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with section 303(c). The Council authorizes the Executive Director and the Chairman to review the draft proposed regulations when provided by NMFS to ensure that the proposed regulations to be submitted to the Secretary under section 303(c) are consistent with these instructions.

**VOTE ON AMENDMENT:** Amendment passed with no objection April 4, 2019, at 4:05 p.m.

**VOTE ON MOTION:** Motion passed unanimously April 4, 2019, at 4:24 p.m.

## C4 SCALLOP SAFE REPORT

**Staff:** Jim Armstrong (NPFMC)

**Other Presenters:** Quinn Smith (ADF&G)

**Action Required:** 1) Specify OFL/ABC 2) Scallop Plan Team Report

**Background:** The SAFE report provides an overview of scallop management, scallop harvest and the status of the regional weathervane scallop stocks. Scallop stocks are neither overfished nor approaching an overfished condition.

The following action was taken:

**Ms. Bush made the following motion which was seconded by Mr. Jensen:**

The Council adopts the 2019 Scallop SAFE report and sets the OFL for the 2019/20 season equal to 1.29 million pounds ( 585 t) of shucked meats and the ABC equal to 1.161 million pounds (527 t) of shucked meats as recommended by the Scallop Plan Team and SSC.

**VOTE ON MOTION:** Motion passed unanimously April 4, 2019, at 5:09 p.m.

## C5 BERING SEA SNOW CRAB BYCATCH

**Staff:** Steve MacLean (NPFMC)

**Action Required:** 1) Data Report

**Background:** This report provides additional information requested by the Council on the distribution of snow crab bycatch throughout the BSAI by gear and fishery, gaps in bycatch data, regulatory provisions, and a description of potential impacts of avoiding snow crab bycatch on fishery participants.

The following action was taken:

**Mr. Cross made the following motion which was seconded by Mr. Marx:**

The Council directs staff to further develop the data requests and any comments of the Council's SSC, AP, and Crab Plan Team and the comment letter of the Alaska Bering Sea Crabbers on this agenda item. The Council also encourages industry to form an informal stakeholder group (including representatives of directed users, pot, and trawl and HAL groundfish fisheries) to review this new data and help develop recommendations for further consideration of this matter by the Council, which may include refining the purpose and need and alternatives for analysis or other alternatives for analysis as those stakeholders deem appropriate.

**VOTE ON MOTION:** Motion passed unanimously April 5, 2019, at 10:02 a.m.

## C6 CQE FISH-UP IN 3A

**Staff:** Sara Cleaver (NPFMC)

**Other Presenters:** Stephanie Warpinski & Doug Duncan (NMFS)

**Action Required:** 1) Initial Review 2) Review IFQ & Enforcement Committee minutes 3) Identify preliminary preferred alternative

**Background:** The initial review draft analyzed alternatives which would allow Community Quota Entities in Area 3A to fish D class halibut quota on C class vessels. The intent of this action is to allow the fish up measure to be used as a fallback mechanism if a situation arises in which the CQE cannot harvest all its D class IFQ fished on D class vessels as planned.

The following actions were taken:

**Ms. Peterson made the following motion which was seconded by Mr. Down:**

The Council adopts the following replacement purpose and need statement and alternatives for analysis. The Council recommends the analysis be released for public review. New language is underlined; deleted language is in ~~strike through~~.

### **Purpose and Need Statement:**

The ability of fishermen in a remote coastal community to purchase QS or maintain existing QS may be limited by a variety of factors both shared among and unique to each community. Although the specific causes for decreasing QS holdings in a specific community may vary, the net effect is a disincentive to participation by residents of these communities in the halibut and sablefish IFQ fisheries. The substantial decline in the number of resident QS holders and the total amount of QS held by residents of remote coastal communities may have aggravated unemployment and related social and economic conditions in those communities. To remedy these barriers to participation in remote coastal communities, the Council developed the CQE Program to provide these communities with long-term opportunities to access the halibut and sablefish resources. Program regulations that restrict CQE ability to fish "D" class quota on "C" class vessels has, in some circumstances, limited the CQE community's ability to access to fish CQE halibut, particularly in Area 3A. In these remote communities, public testimony has indicated that fishermen leasing CQE held "D" class quota do not always have "D" class vessels available to harvest the quota. Therefore the Council would like to provide more flexibility to CQE community participants to harvest "D" class quota in Area 3A. Modifying the program to allow CQEs to fish "D" class quota on "C" class vessels in Area 3A will further the Council's intent of encouraging CQE communities to secure long-term opportunities to access halibut.

Alternative 1: No action (status quo)

Alternative 2: Allow CQEs to transfer "D" class IFQ to eligible participants who may fish the quota on "C" class or "D" class vessels:~~beginning after:~~

Option 1: beginning on August 15.

Option 2: beginning on September 1.

Option 3: for the duration of the annual IFQ season.

Alternative 3: Allow CQEs to transfer “D” class IFQ to eligible participants who may fish the quota on “C” class vessels only in a limited number of years:

Option 1: 2 out of 3 years

Option 2: 3 out of 5 years

Option 3: 3 out of 7 years

*Note: Alternatives 2 and 3 can be combined.*

**Mr. Laukitis made the following amendment which was seconded by Mr. Down:**

(Delete the following language in ~~strikethrough~~)

**Purpose and Need Statement:**

In these remote communities, public testimony has indicated that fishermen leasing CQE held “D” class quota do not always have “D” class vessels available to harvest the quota. Therefore, the Council would like to provide more ~~economic~~ flexibility to CQE community participants to harvest “D” class quota in Area 3A

**VOTE ON AMENDMENT:** Amendment passed with no objection April 5, 2019, at 3:04 p.m.

**VOTE ON MOTION:** Motion passed unanimously April 5, 2019, at 3:10 p.m.

## **C7 OBSERVER PROGRAM FEES**

**Staff:** Elizabeth Figus and Sam Cunningham (NPFMC) Alicia Miller (NMFS-AKR)

**Other Presenters:** Jason Gasper (NMFS-AKR), Cathy Tide (NMFS-AKR), Geoff Mayhew (PSMFC), Jennifer Ferdinand (NMFS-AFSC)

**Action Required:** 1) Initial Review Draft of EA/RIR 2) Select preferred alternatives

**Background:** The measures under consideration include adjusting the observer fee that supports deployment of observers and electronic monitoring in the commercial groundfish and Pacific halibut fisheries that are subject to partial coverage monitoring, throughout the GOA and BSAI. To allow for Council consideration of funding needs, the analysis focuses on two action alternatives for raising the observer fee in addition to the no-action alternative.

The following actions were taken:

**Mr. Merrill made the following motion which was seconded by Mr. Jensen:**

The Council adopts the following revised alternatives for analysis with deletions shown in ~~strikethrough~~ and new language is underlined.

Alternative 1: Status Quo. The observer fee of percentage at 50 CFR 679.55(f) is 1.25 percent applies equally to all landings in the partial coverage category.

Alternative 2: Increase the observer fee up to 2 percent ~~(analyze a range), to apply equally to all landings in the partial coverage category.~~

Option 1: Set the observer fee percentage at 1.5 percent.

Option 2: Set the observer fee percentage at 1.75 percent.

Option 3: Set the observer fee percentage at 2 percent.

Alternative 3: ~~Maintain the 1.25 percent observer fee applying equally to all landings in the partial coverage category, and additionally, raise the fee up to 2 percent (analyze a range) by fishery sector (longline, pot, jig, trawl).~~

Increase the observer fee percentage by fishery sector (hook-and-line, pot, jig, and trawl) up to 2 percent.

Option 1: Set the observer fee percentage for the hook-and-line, pot, and jig fisheries at 1.5 percent and set the observer fee percentage for the trawl fishery at 1.75 percent.

Option 2: Set the observer fee percentage for the hook-and-line, pot, and jig fisheries at 1.5 percent and set the observer fee percentage for the trawl fishery at 2 percent.

Option 3: Set the observer fee percentage for the hook-and-line, pot, and jig fisheries at 1.75 percent and set the observer fee percentage for the trawl fishery at 2 percent.

The Council recommends releasing the analysis for public review after the following revisions and additions:

- Include 2018 data in the tables and figures that describe possible fee revenues and resulting gap analysis.
- Additional discussion of the impacts and benefits of increasing the observer fee for each of the alternatives and options.

Staff should consider and incorporate comments from the SSC, AP, and FMAC to the extent practicable.

**VOTE ON MOTION:** Motion passed 9/2 (Mr. Laukitis and Ms. Peterson voting in opposition) April 6, 2019, at 2:26 p.m.

**Mr. Tweit made the following motion which was seconded by Mr. Down:**

The Council tasks the Fishery Monitoring Advisory Committee partial coverage subgroup to continue to flesh out ideas related to how to best integrate the different monitoring tools, such as dockside monitoring, EM, and monitoring cooperatives to meet overall monitoring objectives as recommended by the FMAC in their April 2019 report.

The Council requests that ongoing subgroup work be reported to the FMAC and subsequently to the Council during its standard meeting schedule (prior to the June and October meetings).

The Council also notes a strong appreciation for the additional analytical staff at FMA made possible in the past few years through additional funding from the NOAA Fisheries National Observer Program. The Council wishes to highlight the importance of this support and requests that the Chair send a letter to the National Observer Program requesting continued support for FMA analytical staff.

**VOTE ON MOTION:** Motion passed with no objection April 6, 2019, at 2:33 p.m.

## **D1 COOPERATIVE REPORTS**

**Staff:** Jon McCracken and Sarah Marrinan (NPFMC)

**Other Presenters:** Austin Estabrooks (PCC & HSCC), Gretar Gudmundsson (ACE), Jake Jacobsen & Joe Sullivan (ICE)

**Action Required:** 1) Annual review of cooperative report; no action required

**Background:** The Council has developed several cooperative programs as components of larger catch share programs. These cooperative programs include American Fisheries Act Program, Amendment 80 Program, Central Gulf of Alaska Rockfish Program, and BSAI Crab Rationalization Program. As part of these programs, cooperatives have been required or requested to provide an annual written report detailing the use of the cooperative quota or addressing other specific areas of Council interest. The written reports and the voluntary presentations are a resource for the Council to track the effectiveness of the cooperatives and whether the cooperative programs are meeting their intended goals. The reports and presentations also facilitate feedback from cooperative managers to the Council on successes of the program and areas of the program that may need adjustment.

No action was taken.

## **D2 COOK INLET SALMON COMMITTEE REPORT**

**Staff:** James Armstrong (NPFMC)

**Action Required:** 1) Review committee minutes from two recent meetings

**Background:** Two committee reports (minutes) provided stakeholder perspectives on harvest and bycatch recordkeeping and reporting methodologies, development of an economic and community impact analysis, and delegation of some management measures to the State of Alaska. The reports also addressed a proposal on status determination criteria (SDC) that was put forward by stakeholders as an alternative to SDC options proposed by staff in an ongoing discussion paper. The Council received a report from the SSC on the consistency of staff-developed SDC options and overcompensation analyses provided in the discussion paper.

The following action was taken:

**Mr. Merrill made the following motion which was seconded by Mr. Jensen:**

The Council appreciates the work of the Cook Inlet Salmon Committee (Committee) over three meetings. The Committee should meet again before the October 2019 Council meeting. The Council requests that the Committee focus its efforts on developing recommendations for an FMP amendment for the Cook Inlet drift gillnet fishery in the EEZ adjacent to Cook Inlet, focusing on procedures for FMP implementation and identifying appropriate fishery monitoring to meet the Magnuson-Stevens Act requirements.

The SSC reviewed the proposed status determination criteria in the discussion paper and the use of escapement-based data and established escapement goals for the status determination criteria for consistency with National Standard 1 and the use of best scientific information available under the Magnuson-Stevens Act. Based on this review, the Council requests that staff move forward with an analysis of the proposed status determination criteria as the most scientifically appropriate approach to

meeting the Magnuson-Stevens Act and National Standard 1 guidelines. Staff should incorporate the SSC comments to the extent practicable. The Council requests that the Committee defer development of status determination criteria until this analysis is available for review.

The Committee meeting schedule will be determined by the Committee Chair in collaboration with Committee members and Council staff.

**VOTE ON MOTION:** Motion passed with no objection April 7, 2019, at 11:16 a.m.

## **D3 SCULPINS TO ECOSYSTEM COMPONENT**

**Staff:** Steve MacLean (NPFMC)

**Other Presenters:** Megan Mackey (NMFS)

**Action Required:** 1) Discussion paper 2) Determine whether further action is warranted

**Background:** Previously, Council directed staff to develop a discussion paper to evaluate the level of conservation and management required for sculpins in the BSAI and GOA, and whether sculpins could be managed as non-target ecosystem component species. Sculpins are currently taken only as bycatch in fisheries directed at other target species in the BSAI and GOA. Sculpins do not appear to require conservation and management and could be considered an ecosystem component species.

The following action was taken:

**Mr. Merrill made the following motion which was seconded by Mr. Cross:**

The Council adopts the following purpose and need statement and suite of alternatives for analysis. The Preliminary Preferred Alternative is indicated in **bold**.

### **Purpose and Need**

Sculpins are benthic predators distributed throughout the BSAI and GOA where they occupy all benthic habitats along continental shelf and slope areas. No conservation concerns exist for sculpins in the BSAI and GOA. Sculpins are currently managed as target species despite being caught only incidentally, and an annual OFL, ABC, and TAC for the sculpin complex is specified separately for the BSAI and GOA. Incidental catch of sculpins has been substantially below ABC, OFL. There are no directed fisheries for sculpins in either the BSAI or GOA, and sculpin bycatch is rarely retained. If the total TAC of sculpins is caught, retention is prohibited for the remainder of the year.

The purposes of this action are to identify the appropriate level of conservation and management required for sculpins and to accurately classify the sculpin complex in the BSAI and GOA groundfish FMPs based on the best available scientific information. The revised General Section of the National Standard guidelines includes options for classification and management of target and non-target species in FMPs. Options for classification and management of non-target stocks include identification of the species as “non-target ecosystem component species, not in need of conservation and management.”

**Alternative 1:** Status quo. Continue to manage sculpins as a target species in both the BSAI and GOA groundfish FMPs. OFL, ABC, and TAC will continue to be set for sculpins in both areas.

**Alternative 2: Designate sculpins in both BSAI and GOA FMPs as non-target ecosystem component species. Establishment of OFL, ABC, and TAC will no longer be required.**

**Remove regulations referring to sculpins as target species and implement regulations for the groundfish fishery that:**

- **Prohibit directed fishing for sculpins,**
- **Establish a sculpin maximum retainable amount (MRA) when directed fishing for other fisheries at a level to discourage retention while allowing flexibility to prosecute other fisheries:**
  - Option 1 MRA = 2%
  - Option 2 MRA = 10%
  - **Option 3 MRA = 20%**
- **Require recordkeeping and reporting to monitor and report catch and discards of sculpin species annually.**

Encourage the Alaska Fisheries Science Center to continue to explore methods to estimate sculpin abundance and assess the sculpin stocks.

**VOTE ON MOTION:** Motion passed with no objection April 7, 2019, at 12:02 p.m.

## **D5 ECONOMIC DATA REPORTING DISCUSSION PAPER**

**Staff:** Sarah Marrinan (NPFMC)

**Other Presenters:** Stephen Kasperski (AFSC) and Brian Garber-Yonts (AFSC)

**Action Required:** 1) Review discussion paper 2) Consider potential changes including recommendations from NMFS, public testimony, SSC and AP 3) Determine recommendations and next steps

**Background:** The purpose of the EDR requirements is to gather information to improve the Council's ability to analyze the economic effects of the catch share or rationalization programs, to understand the economic performance of participants in these programs, and to help identify the impact of future issues, problems, or proposed revisions to the programs covered by the EDRs.

The following action was taken:

**Mr. Merrill made the following motion which was seconded by Mr. Laukitis:**

*Issue 1 – FMP and Regulatory Amendment Analysis*

The Council requests staff initiate an analysis of alternatives to revise EDR requirements and adopts the following purpose and need statement and alternatives for this analysis. Additions to the alternatives recommended by the AP are underlined.

*Purpose and Need*

The current economic data reports (EDRs) provide valuable information for program evaluation and analysis of proposed conservation and management measures. However, after over ten years of operating the EDR programs, some revisions are needed to improve the usability, efficiency, and consistency of the data collection programs and to minimize cost to industry and the Federal government. Several revisions could be made to EDRs, specifically on the use of third-party audits and "blind-data" protocols that could reduce the cost of the data collection program to the industry and government while still maintaining the integrity and confidentiality of the data collection program. Several provisions were implemented to provide a higher standard of confidentiality for proprietary

business information reported in EDRs, above those that apply to all other confidential fisheries information. In practice, these provisions have proven to reduce the usability of the data for analysis and increase the cost of the data collection programs without providing additional practical protections. In addition, confidentiality requirements that apply to all data collections provide sufficient protections for the EDR data.

The GOA trawl EDR program implemented in 2015 was designed to collect baseline information to assess the impacts of a future catch share program. Data has been collected under this program for 3 years and another year of data will be submitted in June 2019. The Council should re-evaluate the purpose and need for the GOA trawl EDR, and make adjustments as necessary in either the purpose and need for the program or in the data collection program itself.

### *Alternatives*

Alternative 1: Status Quo

Alternative 2: Make revisions, where needed, in the EDR sections of the crab or groundfish FMPs and in the EDR regulations.

Component 1: Remove any requirements for third party data verification audits under the existing programs and reduce burdens associated with this process.

Component 2: Revise requirements for aggregation of data across submitters and blind formatting in the crab data collection program to make those data aggregation and confidentiality protections comparable to the requirements under other data collection programs.

Component 3: Revise or remove the GOA trawl EDR requirements.

While the analysis is in preparation, the Council also requests that NMFS reduce the burden associated with data verification audits as much as possible under existing regulations until the Council can consider alternatives to revise the FMPs and regulations.

### *Issue 2 – Review Current EDR Programs*

Additions to the AP motion are underlined and deletions are shown in ~~strikeout~~.

The Council recommends that staff undertake a process to propose revisions to the current Economic Data Reporting (EDR) data collection programs, including the GOA trawl EDR. Recommended revisions should consider:

- 1) The Council's previously stated needs for economic and social science information and the utility of data for analysis of impacts of Council actions and for research that provides a better understanding of the impacts of future actions;
- 2) Data that are also collected in other data collection programs (such as the Commercial Operators Annual Reports) which may be duplicative and unnecessary to collect as a part of the Economic Data Reports EDRs;
- 3) Alternatives for creating more consistency across EDRs to increase the utility of economic and social information in analyses of Council actions and management program reviews and to support research that provides a better understanding of the impacts of future actions; and
- 4) Tradeoffs between aggregation of elements used to reduce reporting burden by streamlining collection and the effects of the loss of detail from that aggregation on the accuracy of resulting analyses.

Staff should consult the Social Science Planning Team, (SSPT) submitters, and data users of the various EDR programs in developing these recommendations. The recommendations should be developed to reduce burden and improve the practical utility of data collected through the elimination of duplicative data elements and elements of little analytical utility and the modification of specific data elements to achieve greater consistency across EDR programs. The recommendations should also consider the benefits and costs of implementing more standardized EDRs with appropriate variations to address different operation and gear types.

~~(5) Consider removing the requirement for EDR's in the GOA Trawl fishery until such a time as there is a Rationalized Fishery in the GOA.~~

Staff should address the SSC's April 2019 comments on the EDR discussion paper to the extent practicable.

In addition, the Council requests the SSPT review the EDR discussion paper and provide recommendations to the Council at its June 2019 meeting about which aspects of review of the current EDRs are within the scope and capability of the SSPT to undertake. The Council requests the SSPT develop a plan for conducting this review. This plan should include opportunities for public input during the review, the work products that would be needed from staff to conduct the review, and a projected timeline for the review.

**VOTE ON MOTION:** Motion passed with no objection April 7, 2019, at 4:05 p.m.

## **D6 IFQ ELIGIBILITY CRITERIA**

**Staff:** Anna Henry (NPFMC)

**Action Required:** 1) Review Discussion Paper 2) Review IFQ committee minutes 3) Determine whether further action is warranted

**Background:** The Council is considering IFQ eligibility criteria after receiving information in the 20-year IFQ Program Review which identifies arrangements that do not reflect the original program objective of maintaining an owner-operated fleet.

The following action was taken:

**Mr. Laukitis made the following motion which was seconded by Mr. Jensen:**

The Council moves to take no further action.

**VOTE ON MOTION:** Motion passed with no objection April 7, 2019, at 5:40 p.m.

## D7 IFQ COMMITTEE REPORT

**Staff:** Sam Cunningham (NPFMC)

**Action Required:** 1) Review committee minutes; action as necessary

**Background:** The Committee reviewed a staff report on the June 2018 IFQ outreach session and an overview of the two IFQ motions that the Council approved at that meeting. The Committee reviewed three analytical documents, provided input to the Council on its planned three-year review of the GOA sablefish longline pot gear fishery, and other IFQ issues.

No action was taken under this agenda item. Information from the IFQ Committee Report was also provided to the Council under the C6, D6, and D8 agenda items.

## D8 SABLEFISH DISCARDS

**Staff:** Jim Armstrong (NPFMC)

**Other Presenters:** Joe Krieger (NMFS-AKR)

**Action Required:** 1) Review discussion paper

**Background:** A previous discussion paper evaluated a range of biological, economic, and management considerations related to a discarding allowance, and pointed out that growth of fish from the 2014-year class into typical market categories would outpace the timing of the proposed management change. In response to the previous discussion paper, the Council instructed staff to gather more information on implications of sablefish discarding, which was provided in a second discussion paper for review at this meeting.

The following action was taken:

**Mr. Laukitis made the following motion which was seconded by Mr. Down:**

The Council moves to initiate an expanded discussion paper to gather more information on the possible implications of modifying the requirement to retain small sized sablefish in the Alaska IFQ longline and pot fisheries (GOA and BSAI).

The discussion paper should include an evaluation of the following:

- Voluntary versus mandatory release of sablefish
- Single size limits versus area specific size limits
  - Areas to be explored:
    - GOA, BSAI
    - EGOA, CGOA, WGOA, BSAI
- Options for discard accounting relative to ABC and TAC
- The use of proxy DMR options at the initiation of sablefish discarding
  - 12% (Stachura et al)
  - 16% (State of Alaska)
  - 20% (PFMC)
- Use of gear specific DMRs for IFQ fisheries
- Address concerns related to monitoring and enforcement options from:
  - Discards estimated from the survey
  - Discards estimated based on observer and EM data
  - Discards estimated based on logbook reporting

This discussion paper should also explore the implications of these changes on overall stock abundance and allocations to trawl and IFQ fisheries.

**VOTE ON MOTION:** Motion passed with no objection April 8, 2019, at 11:07 a.m.

## E1 STAFF TASKING

**Staff:** David Witherell and Diana Evans (NPFMC)

**Other Presenters:** Steve MacLean and Jon McCracken (NPFMC)

**Action Required:** 1) Review committees; 2) Receive reports on the meetings of the a) Enforcement Committee, b) Ecosystem Committee, C) Community Engagement Committee, and d) sablefish depredation workshop; 3) Consider schedule changes; 4) Provide direction on tasking and scheduling

The following actions were taken:

**Mr. Down made the following motion which was seconded by Mr. Laukitis:**

The Council requests staff to initiate a draft initial review document based on the following purpose and need and alternatives

Purpose and Need

*Currently, there are no limits on entry into the parallel waters groundfish fisheries, and no limits on the proportion of the Bering Sea/Aleutian Islands (BSAI) Pacific cod TAC that may be harvested in parallel waters. There is concern that harvests of Pacific cod in the parallel waters fishery by vessels that do not hold LLP licenses may continue to increase. The Council, in consideration of options and recommendations for the parallel fishery, will need to balance the objectives of providing stability to the long-term participants in the sectors, while recognizing that new entrants who do not hold Federal permits or licenses may participate in the parallel fishery.*

Alternative 1: Status quo

Alternative 2: Limit access to the parallel fishery for Federal fishery participants

Fixed gear vessels: Require any pot or longline vessel designated on an LLP or FFP to have the appropriate Pacific cod endorsement and area endorsement on the LLP; and the Bering Sea (BS) or Aleutian Islands (AI) area designation and the appropriate gear and operation type designations on the FFP in order to participate in the BS or AI Pacific cod parallel waters fishery.

Trawl gear vessels: Require any trawl vessel with an LLP or an FFP to have the appropriate gear and area endorsements on the LLP; and the BS or AI area designation and the appropriate gear and operation type designations on the FFP in order to participate in the BS or AI Pacific cod parallel waters fishery.

In addition, require the above Federally-permitted or licensed vessels that fish in the parallel waters to adhere to Federal seasonal closures of the BSAI sector allocations corresponding to the sector in which the vessel operates.

Vessels with a BS or AI area, gear, and operation type designations specified in this alternative cannot remove these designations from the FFP and can only surrender or reactivate the FFP once every three years.

**VOTE ON MOTION:** Motion passed with no objection April 8, 2019, at 3:45 p.m.

**Mr. Tweit made the following motion which was seconded by Mr. Cross:**

Council request the agency and staff to initiate action to amend the BSAI crab FMP to affirm the 7-year review cycle as determined in June 2017.

**VOTE ON MOTION:** Motion passed with no objection April 8, 2019, at 3:47 p.m.

**Ms. Baker made the following motion which was seconded by Mr. Tweit:**

The Council requests a discussion paper that includes a status report on Court's opinion regarding litigation on Amendment 113, the Council's December 2018 revision to Amendment 113 including the purpose and need and alternatives considered, and a brief summary of conditions in the Aleutian Islands Pacific cod fishery that have occurred since Amendment 113 was implemented.

The discussion paper should identify potential regulatory approaches that could be used to provide opportunities for trawl catcher vessels harvesting Pacific cod in the Aleutian Islands delivering to Aleutian Island shoreplants.

**VOTE ON MOTION:** Motion passed with no objection April 8, 2019, at 4:06 p.m.

**Mr. Cross made the following motion which was seconded by Mr. Tweit:**

I move that the Council request the Chair and Executive Director review the deck sorting proposed rule, and comment on behalf of the Council as they deem necessary to ensure that the proposed rules are consistent with the Council's objectives for the program. The primary objective is reduction of halibut mortality. The Council intends to review any proposed changes to oversight, observer requirements, and catch accounting protocols to ensure that adaptive management of the deck sorting program remains consistent with the primary objective.

**VOTE ON MOTION:** Motion passed with no objection April 8, 2019, at 4:16 p.m.

**Mr. Mezirow made the following motion which was seconded by Mr. Tweit:**

The Council directs staff to initiate a discussion paper to develop a mechanism for the Recreational Quota Entity (RQE) to fund the purchase of halibut quota share by selling halibut stamps to charter operators. The discussion paper should examine requiring all charter operators to purchase an RQE halibut stamp from the RQE for each guided angler, each day, that they plan to harvest halibut on a charter vessel operating in IPHC regulatory areas 2C and 3A. The discussion paper should:

- Include examples of the design specifications and implementation of numbered stamps used to harvest animals or fish – King Salmon, Duck or Deer tags for example.
- Inform the Council on the amount of revenue that could be generated by the sale of the stamps for guided halibut trips in regulatory areas 2C and 3A based on past participation. Consider 10, 15, and 20 dollars per stamp. One day and three-day stamps should be considered.

- Describe the amount of potential fees collected by the RQE from charter operators, and how fees would be used to purchase halibut QS and would also be used to fund administrative costs of the RQE program, and all other purposes as dictated by federal law
- Describe a NMFS approval process for the design specifications of the stamps, and an annual financial review of the Stamps sold and other related RQE expenses.
- Monitoring and enforcement provisions if all guided halibut fishermen are required to be in possession of a valid RQE Halibut Stamp when harvesting charter halibut.

**VOTE ON MOTION:** Motion passed with no objection April 8, 2019, at 4:45 p.m.

**Mr. Cross made the following motion which was seconded by Mr. Marx:**

The Council requests that NMFS review reporting time limits for trawl catcher/processors as the current regulations found at 50 C.F.R. 679.5(c)(4)(ii)(B) are unclear. The Council recommends that regulations clarify that trawl catcher/processors must designate management program and/or CDQ group within 2 hours after completion of weighing all catch in the haul.

**VOTE ON MOTION:** Motion passed with no objection April 8, 2019, at 4:55 p.m.

## **Appointments**

### **Committees and Plan Teams**

- The Council appointed Noelle Rucinski and Abby Snedeker to share the active observer seat on the Fishery Monitoring Advisory Committee
- The Council appointed Dr. Jie Zheng to the Crab Plan Team

**THE COUNCIL ADJOURNED ON MONDAY APRIL 8, 2019 AT 5:00 P.M.**



# North Pacific Fishery Management Council

Simon Kinneen, Chair | David Witherell, Executive Director  
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## TIME LOG Meeting held in Anchorage, Alaska Hilton Hotel April 3 – 9, 2019

### Wednesday April 3, 2019

4/3/2019 8:06 AM Call to Order  
4/3/2019 8:07 AM Approval of Minutes and Agenda

#### **B1 REPORTS**

4/3/2019 8:08 AM **B1 Executive Director's Report** – David Witherell  
4/3/2019 8:08 AM Aaron Martin Farewell  
4/3/2019 8:10 AM Peggy Kircher Farewell  
4/3/2019 8:31 AM B1 Executive Report continued  
4/3/2019 8:39 AM GOA FMP Amendment Summaries - Council Staff, Sara Cleaver  
4/3/2019 8:49 AM AK Ocean Acidification Network – Dr. Robert Foy  
2/6/2019 9:38 AM **B2 NMFS Management Report** – Glenn Merrill  
4/3/2019 9:23 AM B2 Annual Overview of EFH Consultation – NMFS, Gretchen Harrington & U.S. Army Corps Shane McCoy  
  
4/3/2019 10:15 AM Break  
4/3/2019 10:31 AM B2 NMFS Management Report Continued  
4/3/2019 10:48 AM B2 In-Season Management Report – Josh Keaton  
4/3/2019 11:04 AM B2 AK Seabird Working Group – NMFS staff, Anne Marie Eich and Liz Labunski (sp)  
  
4/3/2019 11:36 AM **B3 AFSC Report** – Dr. Robert Foy  
4/3/2019 12:01 PM Lunch Break  
4/3/2019 1:14 PM **B9 Northern Edge Report** – Lt Col Vaughn Brazil and John Mosher  
4/3/2019 1:45 PM **B4 NOAA GC Report** – Josh Fortenbery  
4/3/2019 1:59 PM **B5 ADF&G Report** – Jocelyn Runnebaum  
4/3/2019 2:15 PM **B6 USCG Report** – LCDR Yvonne Yang  
4/3/2019 2:20 PM **B7 USFWS Report** – Jon Gerken  
4/3/2019 2:25 PM **B8 NIOSH Report** – Samantha Case  
4/3/2019 3:08 PM Break  
4/3/2019 3:25 PM **B Public Testimony**  
4/3/2019 3:36 PM Georgie Heaverley  
4/3/2019 3:40 PM Steve Minor  
4/3/2019 3:44 PM Emily Anderson  
4/3/2019 3:53 PM Peter Van Tuyn  
4/3/2019 4:03 PM Kay Larson-Blair and Layton Lockett  
4/3/2019 4:05 PM Alexis Kwachka  
4/3/2019 4:13 PM Jon Warrenchuk

4/3/2019 4:18 PM John Gauvin  
4/3/2019 4:31 PM Dave Fraser

**C1 IFQ MEDICAL, BENEFICIARY LEASE PROVISION**

4/3/2019 4:41 PM **C1 Presentation** – NMFS Staff, Stephanie Warpsinki  
4/3/2019 5:03 PM **C1 Public Testimony**  
4/3/2019 5:04 PM Linda Behnken  
4/3/2019 5:11 PM Recess

**Thursday April 4, 2019**

4/4/2019 8:06 AM Call to Order  
4/4/2019 8:07 AM **C1 Public Testimony**  
4/4/2019 8:07 AM Gary Evens  
4/4/2019 8:11 AM **C1 Dr. Balsiger Motion**

**C2 FIXED GEAR CV ROCKFISH RETENTION**

4/4/2019 8:29 AM **C2 Presentation** – Council Staff, Jon McCracken and NMFS staff,  
Josh Keaton  
4/4/2019 9:44 AM AP Report – Matt Upton  
4/4/2019 9:50 AM **C2 Public Testimony**  
4/4/2019 9:50 AM Bernie Burkholder  
4/4/2019 9:57 AM Julie Bonney  
4/4/2019 10:09 AM Craig Evens  
4/4/2019 10:15 AM Linda Behnken  
4/4/2019 10:30 AM Break  
4/4/2019 10:50 AM **C2 Dr. Balsiger Motion**

**C3 BSAI TRAWL CV PACIFIC COD MOTHERSHIP ADJUSTMENTS**

4/4/2019 11:19 AM **C3 Presentation** – Darrell Brannan, Brannan & Associates and Mike  
Downs, Wislow Research Associates  
4/4/2019 12:00 PM Lunch Break  
4/4/2019 1:06 PM C3 Presentation Continued  
4/4/2019 1:19 PM AP Report – Angel Drobnica  
4/4/2019 1:28 PM **C3 Public Testimony**  
4/4/2019 1:30 PM Frank Kelty  
4/4/2019 1:39 PM Brent Paine and Jerry ??  
4/4/2019 1:50 PM Steve Minor  
4/4/2019 1:54 PM Dave Fraser  
4/4/2019 1:59 PM Dave Wood  
4/4/2019 2:05 PM Nicole Kimball and Enlow ???  
4/4/2019 2:22 PM Michael Farris and Todd Loomis  
4/4/2019 2:39 PM Annika Saltman  
4/4/2019 2:50 PM Joe Plesha

4/4/2019 2:56 PM Julianne Curry  
4/4/2019 2:59 PM Mike Hyde  
4/4/2019 3:15 PM Break  
4/4/2019 3:26 PM **C3 Ms. Baker Motion**

#### **C4 SCALLOP SAFE REPORT**

4/4/2019 4:18 PM **C4 Presentation** – Council staff, Jim Armstrong  
4/4/2019 5:00 PM SSC Report – Anne Hollowed  
4/4/2019 5:06 PM AP Report – Ernie Weiss  
4/4/2019 5:08 PM **C4 Ms. Bush Motion**  
4/4/2019 5:11 PM Recess

#### **Friday April 5, 2019**

4/5/2019 8:33 AM Call to Order  
4/5/2019 8:33 AM C7 Public Testimony out of order - Abigail Turner

#### **C5 BERING SEA SNOW CRAB BYCATCH**

4/5/2019 8:57 AM **C5 Presentation** – Council staff, Steve MacLean  
4/5/2019 9:15 AM AP Report – Matt Upton  
4/5/2019 9:21 AM **C5 Public Testimony**  
4/5/2019 9:21 AM Christopher Oliver  
4/5/2019 9:28 AM Craig Lowenberg and Gretar Gudmundsson  
4/5/2019 9:51 AM **C5 Mr. Cross Motion**  
4/5/2019 10:03 AM Break

#### **C6 CQE FISH-UP IN 3A**

4/5/2019 10:19 AM **C6 Presentation** – Council staff, Sara Cleaver and NMFS staff, Stephanie Warpinski  
4/5/2019 11:06 AM CQE Enforcement Committee Report – Jon McCracken  
4/5/2019 11:20 AM SSC Report – Anne Hollowed  
4/5/2019 11:25 AM AP Report – Angel Drobica  
4/5/2019 11:31 AM **C6 Public Testimony**  
4/5/2019 11:31 AM Joseph Delgato and Darren Mallen  
4/5/2019 11:48 AM Alexis Kwachka  
4/5/2019 12:00 PM Lunch Break  
4/5/2019 1:10 PM Remainder of SSC Report  
4/5/2019 1:58 PM **C6 Public Testimony Continued**  
4/5/2019 1:59 PM Linda Behnken  
4/5/2019 2:07 PM Duncan Fields  
4/5/2019 2:44 PM **C6 Ms. Peterson Motion**  
4/5/2019 3:03 PM Break

## **C7 OBSERVER PROGRAM FEES**

4/5/2019 3:30 PM C7 Fee Analysis Presentation – Council Staff, Elizabeth Figus  
4/5/2019 4:04 PM C7 Observer Presentation – NMFS Alicia Miller and Cathy Tide,  
PSMFC, Geoff Mayhew  
4/5/2019 5:10 PM Recess

### **Saturday April 6, 2019**

4/6/2019 8:00 AM Call to Order  
4/6/2019 8:04 AM **C7 Presentation Continued** - Alicia Miller  
4/6/2019 8:40 AM C7 – Council staff, Sam Cunningham  
4/6/2019 10:00 AM Break  
4/6/2019 10:20 AM FMAC Report – Elizabeth Figus  
4/6/2019 10:54 AM AP Report – Ernie Weiss  
4/6/2019 11:00 AM **C7 Public Testimony**  
4/6/2019 11:01 AM Robert Alverson  
4/6/2019 11:15 AM Alexis Kwachka  
4/6/2019 11:19 AM Dan Falvey  
4/6/2019 11:37 AM Molly Zaleski  
4/6/2019 11:47 AM Nicole Kimball  
4/6/2019 12:03 PM Lunch Break  
4/6/2019 1:07 PM Rhonda Hubbard  
4/6/2019 1:15 PM Natasha Hayden  
4/6/2019 1:20 PM Julie Bonney  
4/6/2019 1:31 PM Kurt Cochran  
4/6/2019 1:42 PM Break  
4/6/2019 1:50 PM **C7 Mr. Merrill Motion**  
4/6/2019 2:30 PM **C7 Mr. Tweit Motion**

## **D1 COOPERATIVE REPORTS**

4/6/2019 2:35 PM **D1 Cooperative Reports**  
4/6/2019 2:36 PM PCC & HSCC Cooperative Report – Austin Estabrooks  
4/6/2019 2:46 PM ACE Cooperative Report – Gretar Gudmundsson  
4/6/2019 2:53 PM ICE Cooperative Report – Jake Jacobsen & Joe Sullivan  
4/6/2019 3:10 PM Recess

### **Sunday April 7, 2019**

4/7/2019 8:03 AM Call to Order  
4/7/2019 8:04 AM **D1 Staff Introduction on Cooperative Reports** – Council staff, Jon  
McCracken & Sarah Marrinan  
4/7/2019 8:12 AM Cather Vessel Intercooperative Report - John Gruver  
4/7/2019 8:35 AM AK Seafood Cooperative – Beth Concepcion  
4/7/2019 8:43 AM Central GOA Rockfish Coop Reports – Julie Bonney

4/7/2019 9:10 AM Best Use Cooperative – Christopher Oliver  
4/7/2019 9:23 AM Council Discussion on Coop Reports  
4/7/2019 9:45 AM Break

## **D2 COOK INLET SALMON – COMMITTEE REPORT**

4/7/2019 10:10 AM **D2 Cook Inlet Salmon Cmte Report** – Council staff, Jim Armstrong  
4/7/2019 10:52 AM AP Report – Ernie Weiss  
4/7/2019 10:54 AM D2 Public Testimony  
4/7/2019 10:54 AM Hannah Heimbuch  
4/7/2019 11:05 AM **Mr. Merrill Motion**  
4/7/2019 11:15 AM Break

## **D3 SCULPINS TO ECOSYSTEM COMPONENT**

4/7/2019 11:26 AM D3 Presentation – NMFS staff, Meghan Mackey  
4/7/2019 11:45 AM AP Report – Ernie Weiss  
4/7/2019 11:48 AM **D3 Public Testimony**  
4/7/2019 11:48 AM Christopher Oliver  
4/7/2019 11:53 AM **D3 Mr. Merrill Motion**  
4/7/2019 12:00 PM Lunch Break

## **D5 ECONOMIC DATA REPORTS**

4/7/2019 1:20 PM D5 Presentation – Dr. Brian Garbor-Yonts and Dr. Steve Kasperski  
4/7/2019 3:05 PM AP Report – Ernie Weiss  
4/7/2019 3:15 PM Break  
4/7/2019 3:30 PM **D5 Public Testimony**  
4/7/2019 3:31 PM Chris Woodley  
4/7/2019 3:34 PM Julie Bonney  
4/7/2019 3:43 PM Rebecca Skinner  
4/7/2019 3:46 PM Alexis Kwachka  
4/7/2019 3:49 PM **D5 Mr. Merrill Motion**

## **D6 IFQ ELIGIBILITY CRITERIA**

4/7/2019 4:07 PM **D6 Presentation** – Council staff, Anna Henry  
4/7/2019 4:24 PM IFQ Committee Report – Council staff, Sam Cunningham  
4/7/2019 4:36 PM AP Report – Ernie Weiss  
4/7/2019 4:37 PM **D6 Public Testimony**  
4/7/2019 4:38 PM Linda Kozak  
4/7/2019 4:42 PM Hannah Heimbuch  
4/7/2019 4:48 PM Alexis Kwachka  
4/7/2019 5:00 PM Bob Alverson  
4/7/2019 5:11 PM Craig Evens  
4/7/2019 5:20 PM Megan O’Neil  
4/7/2019 5:25 PM **D6 Mr. Laukitis Motion**

4/7/2019 5:45 PM                      Recess

**April Monday 8, 2019**

**D7 IFQ COMMITTEE REPORT**

4/8/2019 8:06 AM                      **D7 IFQ Report** – Sam Cunningham  
4/8/2019 8:27 AM                      D7 AP Report – Matt Upton  
4/8/2019 8:28 AM                      **D7 Public Testimony**  
4/8/2019 8:28 AM                      Linda Behnken

**D8 SABLEFISH DISCARDS**

4/8/2019 8:41 AM                      **D8 Presentation** – Council staff, Jim Armstrong and NMFS staff,  
Dr. Joe Krieger  
4/8/2019 10:16 AM                      Enforcement Report – Jon McCracken  
4/8/2019 10:19 AM                      D8 AP Report – Matt Upton  
**4/8/2019 10:25 AM                      D8 Public Testimony**  
4/8/2019 10:25 AM                      Linda Behnken  
4/8/2019 10:34 AM                      Bob Alverson  
4/8/2019 10:38 AM                      Jim Hubbord  
4/8/2019 10:43 AM                      Megan O’Neil  
4/8/2019 10:47 AM                      Nicole Kimball  
4/8/2019 10:53 AM                      **D8 Mr. Laukitis Motion**  
4/8/2019 11:10 AM                      Break

**E1 STAFF TASKING**

4/8/2019 11:17 AM                      Community Engagement Report – Council staff, Steve MacLean  
4/8/2019 11:25 AM                      Ecosystem Committee Report – Council staff, Steve MacLean  
4/8/2019 11:42 AM                      Sablefish Workshop Report – Council staff, Steve MacLean  
4/8/2019 11:51 AM                      Enforcement Committee Report – Council staff, Jon McCracken  
4/8/2019 12:01 PM                      ABM Update – Council staff, Dr. Diana Stram  
4/8/2019 12:20 PM                      Lunch Break  
4/8/2019 1:39 PM                      AP Report – Matt Upton  
4/8/2019 1:47 PM                      **E1 Public Testimony**  
4/8/2019 1:47 PM                      Craig Lowenberg  
4/8/2019 1:50 PM                      Steve Minor  
4/8/2019 1:58 PM                      Matt Robinson  
4/8/2019 2:05 PM                      Dustan Dickerson  
4/8/2019 2:12 PM                      Dave Fraser  
4/8/2019 2:19 PM                      Ron Kawanaugh  
4/8/2019 2:23 PM                      Kiley Thompson  
4/8/2019 2:30 PM                      Beth Stewart  
4/8/2019 2:36 PM                      Hannah Heimbuch  
4/8/2019 2:40 PM                      Ernie Weiss  
4/8/2019 2:42 PM                      Linda Behnken

4/8/2019 2:50 PM	Heather McCarty
4/8/2019 2:58 PM	Julie Bonney
4/8/2019 3:05 PM	Dan Veerhusen
4/8/2019 3:05 PM	Break
4/8/2019 3:30 PM	<b>E1 Mr. Down Motion</b> – BS Parallel Fishery
4/8/2019 3:45 PM	<b>E1 Mr. Tweit Motion</b> – Crab Program Review Cycle
4/8/2019 3:55 PM	<b>E1 Ms. Baker Motion</b> – AM 113
4/8/2019 4:08 PM	<b>E1 Mr. Cross Motion</b> – Deck Sorting
4/8/2019 4:30 PM	<b>E1 Mr. Mezirow Motion</b> – RQE Funding
4/8/2019 4:45 PM	<b>E1 Mr. Cross Motion</b> – Trawl CDQ Non-CDQ Haul Clarification
4/8/2019 5:00 PM	Meeting Adjourned

# April 2019 Newsletter

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## Council Changes

At this meeting, the Council recognized Mr. Aaron Martin, who has served as the US Fish & Wildlife Service Council member representative for several years, as the alternate for USFWS Regional Director Greg Siekaniec. He will be replaced by Mr. Jon Gerken, the USFWS Fisheries Branch Chief in the Anchorage Field Office. Jon has spent many years conducting fisheries management, population assessment, and habitat restoration efforts throughout much of the state. Thank you, Aaron, for your service on the Council, and welcome aboard Jon!

The Council also said goodbye to the Council's long-time senior Administrative Assistant Peggy Kircher, who is retiring at the end of April. Peggy originally started working for the Council as a Secretary in September 1980 and stayed through May 1991. After a stint working in the private sector and raising three boys, she returned to work for the Council as an Administrative Assistant in 2004 and served as the secretary for the Advisory Panel through 2018. Peggy has been an integral part of keeping the office and the meetings running smoothly, and she will be sorely missed. Best wishes on your retirement, Peggy!



Peggy Kircher with Simon Kinneen

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## Call for Nominations for the Fishery Monitoring Advisory Committee

The **Fishery Monitoring Advisory Committee** (FMAC; formerly the Observer Advisory Committee) convenes industry members, agency representatives, observers, and observer/EM coverage providers to advise the Council on issues related to all types of monitoring in Alaskan fisheries. **There is currently one vacant seat on the FMAC, for an industry representative of the pot catcher vessel sector.** A nominations period to fill this vacancy is open until noon on May 31st. New membership will be announced at the June 2019 Council meeting, in Sitka. The new member is expected to begin attending FMAC meetings starting in September 2019, in Seattle.

Please submit a letter of interest and a resume to Council staff member Elizabeth Figus by noon on May 31st ([elizabeth.figus@noaa.gov](mailto:elizabeth.figus@noaa.gov); 907-271-2801).

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## GOA Groundfish FMP Amendment Summaries Now Available

Council staff has completed [summaries of the Gulf of Alaska Groundfish FMP amendments](#). These summaries have been compiled into a comprehensive reference document to illustrate the evolution of the GOA Groundfish FMP. This volume is meant to serve as a research tool for anyone interested in understanding the development of the North Pacific's federal fishery management program, and it illustrates how fisheries management in the Gulf of Alaska has adapted and changed over time. Each summary provides an overview of the purpose and need, analysis, regulation, and results of each action. This is a companion volume to a similar volume of [amendment summaries that was prepared for the Bering Sea and Aleutian Islands Groundfish FMP](#) in May 2016. Both volumes (BSAI and GOA) can be found on the Council website under Publications > Summary Reports. If you are interested in obtaining a paper copy, please contact the Council office.



Staff contact is Sara Cleaver.

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## IFQ Medical Transfer and Beneficiary Designation

The Council took final action to modify the medical transfer and designated beneficiary transfer provisions of the halibut and sablefish IFQ program.

The recommended regulatory changes to IFQ transfer provisions are identical to those selected as a preliminary final determination of the preferred alternative at the Council's February 2019 meeting. Proposed changes to the medical transfer provision included redefining a certified medical professional that may sign a medical transfer form. The proposed definition is broader than what is currently in regulation and includes health care providers that are authorized to practice medicine within their specialty by the state or country in which he or she practices. The new definition also allows a health care provider outside of the U.S. to sign a medical transfer form if he or she is operating within the medical specialty the provider is licensed to perform by their country. A second change would limit the number of times a QS holder could use the medical transfer provision to 3 of the 7 most recent years for *any* medical condition that prevents the QS holder from fishing that calendar year. This differs from the current regulations that limit use of the medical transfer to 2 of the 5 most recent years for the *same* medical condition.



The two changes to the designated beneficiary transfer provision that were selected as a preferred alternative were also part of the Council's February 2019 preliminary final determination. The first would add "estate" to the list of persons who could hold QS for up to three years after the death of the QS holder. The

second would define an immediate family member at 50 CFR 679 using the U.S. Office of Personnel Management definition.

Staff contact is Sam Cunningham.

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## Rockfish Fixed Retention for Fixed Gear CVs

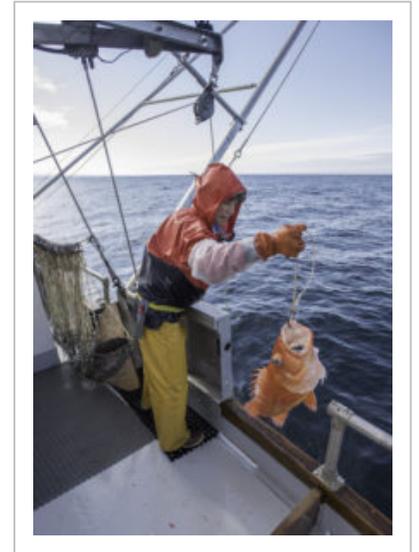
At the April 2019 meeting, the Council took final action to require full retention of all rockfish species for fixed gear catcher vessels (CVs) in the Bering Sea/Aleutian Islands (BSAI) and Gulf of Alaska (GOA). The Council's purpose in requiring full retention of rockfish was to improve identification of species catch composition when CVs are subject to electronic monitoring, improve data collection by providing more accurate estimates of total catch, reduce incentives to discard rockfish, may reduce waste, reduce overall enforcement burden, and provide more consistency in regulations.

The Council's preferred alternative would require full retention of rockfish species by all fixed gear CVs (hook-and-line, pot, and jig) in the BSAI and GOA. Also included as part of the preferred alternative are two options. The first option would require full retention of rockfish even if the rockfish species is on prohibited species status but would prohibit these retained rockfish from entering commerce. The second option would establish a maximum commerce allowance (MCA) of 15% for all rockfish except yelloweye rockfish which would be set 5%. The yelloweye rockfish MCA would be calculated within the overall 15% MCA. The intent of the lower yelloweye rockfish MCA is to limit incentives to target this species.

Under the preferred alternative, rockfish landed above the MCA cannot enter commerce with the exception of rockfish processed into fish meal. The purpose of the MCA is to constrain vessels from increasing rockfish incidental catch under a full retention regulation, while allowing vessel operators to sell most of the rockfish catch that is truly incidental. The Council included the fish meal exception in its preferred alternative to provide relief for shore processors that are restricted from disposing of rockfish in excess of the MCA. The Council also clarified that the fishmeal exception also applies to rockfish that are on prohibited species status.

Finally, the Council also clarified that the current regulations for demersal shelf rockfish retention in the Southeast Outside District of the GOA will remain unchanged by this preferred action.

Staff contact is Jon McCracken.



CREDIT: ASMI

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## BSAI Trawl CV Pacific cod Mothership

The Council took final action on proposed changes that limit certain Amendment 80 and American Fisheries Act (AFA) catcher/processors from acting as motherships when receiving Bering Sea and Aleutian Islands (BSAI) non-community development quota (CDQ) Pacific cod deliveries from trawl catcher vessels. Based on the alternatives selected, two trawl catcher/processors will be allowed to act as a mothership for directed BSAI Pacific cod harvests by trawl catcher vessels. One of the trawl catcher/processors is a member of the Amendment 80 sector and the other is a member of the AFA catcher/processor sector. All other trawl catcher/processors in those two sectors will continue to be allowed to accept deliveries of Pacific cod harvested incidentally in other BSAI trawl catcher vessel target fisheries as long as it does not exceed the 20% maximum retainable amount (MRA).



The Council determined that because only two catcher/processors were allowed to participate in the directed BSAI Pacific cod fishery as a mothership, imposing a limit on the amount of directed Pacific cod they could accept was not necessary at this time. Representatives of both firms indicated in public testimony that they currently operate those vessels at close to capacity for catcher vessel deliveries of cod and they had limited ability to accept increased capacity. Not imposing a sideboard limit also reduced the complexity of the action.

Also included in the final motion was a provision that would prevent replaced Amendment 80 vessels from acting as a mothership in the BSAI or Gulf of Alaska Pacific cod fisheries. This provision was included to close a potential loop-hole that would allow replaced vessels from reentering the Pacific cod fisheries and increasing offshore processing capacity. The provision does not apply to AFA replaced vessels because they are currently prohibited from reentering the fishery as a mothership under the AFA vessel replacement regulations.

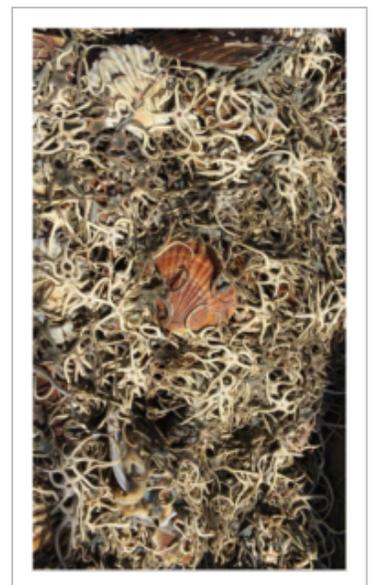
Staff contact is Jon McCracken.

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## Scallops

The Council reviewed the 2019 Alaska Weathervane Scallop SAFE report and specified scallop ABC for the 2019/2020 fishing year at 1.161 million pounds of shucked scallop meats, a level equivalent to 90% of the OFL (1.29 million pounds), based on the ABC control rule in the Scallop FMP. The specification of Scallop OFL and ABC applies to all waters off Alaska, and guideline harvest levels (GHLs) are established by the Alaska Department of Fish and Game for each of the State's scallop registration areas and districts.

According to the Scallop SAFE, total harvest off Alaska in the 2017/18 season was 238,740 lb (108.3 t) of shucked scallop meats, and preliminary harvest for the 2018/19 season is 238,088 lb (108.0 t). These very consistent harvest levels are both about 21% of ABC (1.161 million lb; 527 t). Guideline harvest levels were achieved in roughly half of the State's scallop districts, specifically Yakutat and District 16 in the Southeast Region, Prince William Sound in the Central Region, and Kodiak Shelikof, Kodiak Southwest, Unimak Bight, and Bering Sea Districts in the Westward Region. Some areas with low productivity were abandoned by the fleet



before the GHL was harvested, and these included the Kodiak Northeast and Dutch Harbor districts.

Although recent statewide scallop production levels of 240k lbs. annually are half of what was harvested in the mid-2000s, scallop harvest and revenue has been stable for four years. Additionally, fishery CPUE has been trending up since 2015 driven by increasing catch rates of small scallops in the Yakutat district and the Shelikof, Northeast, and Southwest Kodiak districts. The stock status of Alaska weathervane scallops is not viewed as a conservation concern since scallops are distributed in many areas that have been closed to fishing to protect crab populations.

Staff contact is Jim Armstrong.

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## Bering Sea Snow Crab PSC Data Report

In December 2018 the Council reviewed the Initial Review Draft of an EA/RIR/IRFA of an action to modify snow crab PSC calculations and limits in Bering Sea trawl groundfish fisheries, and requested additional information on the distribution of snow crab bycatch throughout the BSAI by gear and fishery, gaps in bycatch data, regulatory provisions that could hinder the ability to minimize bycatch to the extent practicable, and a qualitative description of potential impacts on fishery participants of avoiding snow crab bycatch. At this meeting, the Council reviewed a Data Report that provided the requested data, and encouraged stakeholders to provide the Council with recommendations for next steps on this issue.

The data report shows that snow crab bycatch in the Federal groundfish fisheries is distributed throughout the BSAI. Snow crab bycatch in the trawl fisheries tends to occur mostly within the *C. opilio* Bycatch Limitation Zone (COBLZ) while snow crab bycatch in the hook and line and pot fisheries tends to occur outside COBLZ. Snow crab bycatch in trawl fisheries is higher than in hook-and-line and pot fisheries, however bycatch in the Federal groundfish fisheries is much lower than discards in the directed snow crab fishery, even after the 30% discard mortality rate is applied. Recorded size and sex of groundfish snow crab bycatch are variable with respect to size, but highly skewed toward male crab. This suggests that snow crab bycatch in the Federal fisheries does not disproportionately affect mature female crab, so population-level impacts are not expected. Overall, data show that snow crab bycatch in the Federal trawl fisheries is a very low proportion of the overall snow crab biomass, primarily occurs within the COBLZ, and is not likely to have any population-level impacts on the Bering Sea snow crab stock. Additionally, the Council has already taken significant steps to reduce impact of the groundfish flatfish trawl fishery on benthic environments and mortality of benthic fauna, through gear modifications and area closures.

After reviewing the data report, the Council passed a motion that directs staff to further develop the data requests and comments from the Council's SSC, AP, and Crab Plan Team (CPT) and the comment letter of the Alaska Bering Sea Crabbers and provide those data to an informal stakeholder group that the Council encouraged industry to form. Some of the data from the CPT and SSC (bycatch by size and sex) have already been provided; other data requests include exploitation rate by proportion of the [snow crab] population, and maps of trawl fishing effort by area versus snow crab abundance. A data report will be posted on the Council's website for general availability, and the Council will be informed when those data are available. The informal industry stakeholder group is encouraged to review data and help develop recommendations for further

consideration of this matter by the Council, including refining the purpose and need and alternatives for analysis or other alternatives for analysis.

Staff contact is Steve MacLean

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## CQE Fish Up in Area 3A

The Council reviewed an initial analysis of a regulatory impact review (RIR) on whether to allow Community Quota Entities (CQEs) in Area 3A to fish D-class halibut IFQ on C-class vessels after a date specified or for a certain number of years. After reviewing the document, receiving reports from the Enforcement and IFQ committees, and considering public testimony, the Council edited the Purpose and Need statement and the alternatives to include an option to allow CQE communities to fish “D” class quota on “C” class vessels for the duration of the IFQ season in addition to the original alternatives, and released the document for public review.

Current Area 3A regulations that require “D” class IFQ to be fished on “C” class vessels have, in some circumstances, limited one CQE community’s ability to fully harvest their halibut IFQ. This action is intended as a fallback mechanism for CQEs that have unfished D-class quota late in the season to potentially avoid revenue loss, furthering the Council’s intent of encouraging CQE communities to secure long-term opportunities to access halibut. The analysis provided an overview of community participation in the CQE Program CQE in Area 3A, the potential impacts of the alternatives, and the anticipated magnitude of those impacts.

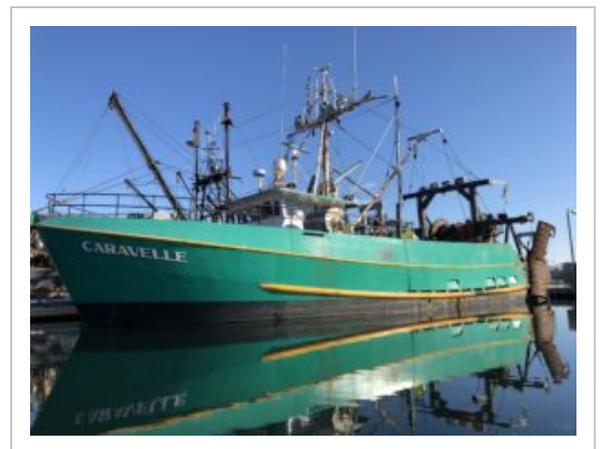
Staff contact is Sara Cleaver.

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## Observer Fee Analysis

At their April meeting, the Council reviewed an analysis to modify the partial coverage observer fee. The Council released the analysis for public review, after revisions and additions from the Council and its advisory bodies, including the SSC, AP, and the Fishery Monitoring Advisory Committee, are addressed by staff, to the extent practicable.

The Council adopted a revised set of alternatives for analysis. The revised alternatives are intended to provide clarity and focus, including a reasonable range of options for the analysts to address. New options under the revised Alternative 3 allow the Council to select one fee percentage that would apply to all fixed gear fisheries combined, and a different, higher fee percentage for trawl



fisheries. The rationale for this is the relative (higher) amount contributed in fees by fixed gear, as well as the PSC-limited nature and higher volume of trawl harvests.

During discussion about the fee analysis, costs of the Observer Program were highlighted as a key concern both by the public and by the Council. The Council noted that releasing the fee analysis for public review is not meant to suggest that the agency and the Council are not pursuing ways to reduce costs of the Observer Program. Rather, the fee analysis adds value in addition to the specific scope of assessing the partial coverage fee percentage, by allowing the Council to review and assess overall goals of the Observer Program.

It was noted that the Council has typically prioritized increased coverage and representative and random sampling in the Observer Program, and has not always been cost conscious in how sampling needs are achieved. This fee analysis provides an opportunity for the Council to discuss cost savings while working to maintain and enhance the Observer Program through consideration of whether and by how much to increase the observer fee.

Council members noted the importance of ongoing constructive communication and collaborative work among industry, agency, and the Council regarding all Observer Program work.

Staff contact is Elizabeth Figus

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## Cost Saving Strategies for the Observer Program

The Council received a report on continued work by the Fishery Monitoring Advisory Committee (FMAC) to develop new ideas to potentially lower costs in the partial coverage observer category, and requests that the group continue to develop new ideas.

A subgroup of industry volunteers on the FMAC was first convened in 2017, to explore ideas for how to increase coverage rates in the partial coverage category. In October 2018, the Council tasked the subgroup to *“develop additional recommendations for how to potentially lower costs and increase observer coverage rates in the partial coverage category.”*



The subgroup reported to the FMAC, and via the FMAC report, to the Council, at their April 2019 meeting, and the Council supported further work by the subgroup, including scoping the idea of developing shoreside monitoring for Fixed Gear Electronic Monitoring (EM) vessels. The idea for developing shoreside monitoring of Fixed Gear EM vessels would include brainstorming about how to obtain biological samples currently collected at sea and exploring how many vessels might enter the Fixed Gear EM pool without negatively impacting costs and biological sampling data quality.

The ultimate goal of this concept would be to layer monitoring tools to get maximum value from the existing Fixed Gear EM program. This idea would also leverage ongoing progress by the Trawl EM Committee to develop EM for compliance on pollock trawl catcher vessels with a shoreside monitoring component. The Council tasked the subgroup to continue fleshing out ideas related to integrating different monitoring tools, including shoreside monitoring and EM, to meet overall monitoring objectives. The Council also requested that ongoing subgroup work be reported back to the FMAC during the standard meeting schedule (in May and September), and through the FMAC to the Council.

Staff contact is Elizabeth Figus

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## Cooperative Reports

Every April, the Council reviews cooperative reports submitted by representatives from the American Fisheries Act Program, Amendment 80 Program, Central Gulf of Alaska Rockfish Program, and BSAI Crab Rationalization Program. As part of these programs, cooperatives have been required or requested to provide an annual written report detailing the use of the cooperative quota or addressing other specific areas of Council interest. The written reports and the voluntary presentations ([available under Agenda Item D1](#)) are a resource for the Council to track the effectiveness of the cooperatives and whether the cooperative programs are meeting their intended goals. The reports and presentations also facilitate feedback from cooperative managers to the Council on successes of the program and areas of the program that may need adjustment.



The Council appreciates the effort put into this process, including cooperative managers that voluntarily provide presentations and those that took the initiative to provide a more thorough and comprehensive report.

During Council discussion, it was clarified that even minor Council suggestions for voluntary modifications to the reports are subject to the Paperwork Reduction Act, requiring a Federal Register announcement, an opportunity for public comments, and clearance through the Office of Management and Budget. This prompted a discussion about opportunities for streamlining the cooperative report process at the Council. The Council asked staff and interested Council members to discuss and report back any ideas for improving the process before the next reporting cycle.

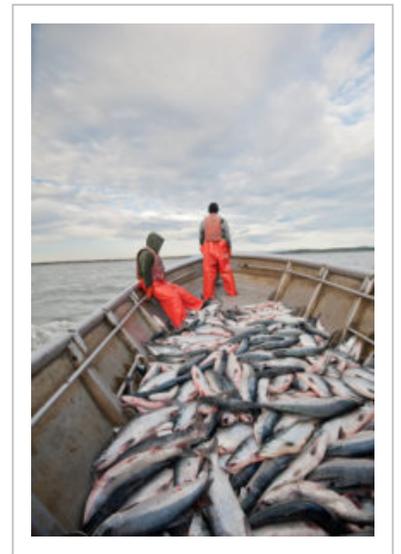
Staff contacts are Jon McCracken and Sarah Marrinan.

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## Cook Inlet Salmon

The Council reviewed the Cook Inlet Salmon Committee's progress on developing recommendations for an amendment to extend federal management to Cook Inlet salmon fisheries that operate in the EEZ and provided direction for their further work. The Council also received a report from the SSC about their review of status determination criteria for the Cook Inlet salmon fisheries.

The Cook Inlet Salmon Committee was created to involve salmon stakeholders in the development of the FMP amendment. After receiving the Committee's first meeting report in December 2018, the Council directed the Committee to meet again prior to the April 2019 Council meeting and in order to further develop management measure recommendations related to reporting and monitoring of harvest and bycatch, and to further develop its recommendations on status determination criteria. A discussion paper developed by staff serves as a reference document for the Committee to base its recommendations on.



Credit: ASMI

The Cook Inlet Salmon Committee met on March 6 and on April 2, 2019 to address the issues directed by the Council as well as other topics related to the FMP amendment. The Committee Reports for these meetings reflect perspectives held by some Committee members that challenge information provided in the staff discussion paper. A Committee proposal on methods for establishing status determination criteria captures some of these stakeholder perspectives, including assertions that the FMP should manage fishery activity in freshwater areas, that salmon escapement goals should be determined by the Council, and that it is a violation of the MSA to allow salmon to exceed escapement goals. These concepts are not supported by the Council, and a motion was passed to direct the Committee to focus its recommendations on procedures for FMP implementation and identifying appropriate fishery monitoring to meet the MSA requirements.

The Council also received a report from the SSC on their review of escapement-based data and established escapement goals for status determination criteria. The SSC review was requested by the Council to address the Committee's December 2018 objections to status determination criteria methods as well as related analysis of overcompensation in Kenai and Kasilof River sockeye salmon described in the staff discussion paper. The Council requested that the SSC review the information for consistency with National Standard 1 and the use of best scientific information available under the Magnuson-Stevens Act. The SSC provides a response to the Council on this issue in their report, and the Council directed staff to incorporate the proposed status determination criteria in a future analysis, incorporating the SSC's comments as practicable. The Council also directed the Cook Inlet Salmon Committee to defer review of status determination criteria until the analysis is available for review.

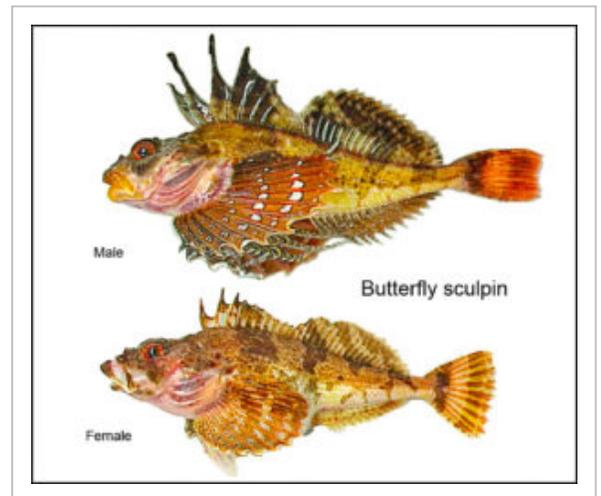
Staff contact is Jim Armstrong.

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## Sculpins as an Ecosystem Component Species

The Council reviewed a discussion paper evaluating the appropriate level of conservation and management required for sculpins in the BSAI and GOA consistent with the Magnuson-Stevens Act and National Standard guidelines. After review and public testimony, the Council initiated an analysis to designate sculpins in the BSAI and GOA as non-target ecosystem component species. The Council approved a motion adopting a purpose and need statement and identifying alternatives to consider the appropriate conservation and management status for sculpins in the BSAI and GOA. Alternatives include the Status Quo Alternative, and the Action Alternative, to designate sculpins in the BSAI and GOA as non-target ecosystem component species. The Action Alternative would require regulations to prohibit directed fishing for sculpins, establish a Maximum Retainable Amount (MRA) for sculpins (Options 2%, 10%, 20%), and require recordkeeping and reporting to monitor catch and discards of sculpin species. The motion also encouraged the Alaska Fisheries Science Center to continue to explore methods to estimate sculpin abundance and assess the sculpin stocks.

Sculpins are currently taken only as bycatch in fisheries directed at other target species in the BSAI and GOA. Since 2011 the sculpin complex total catch (retained and discarded) has ranged from 2-6% of the total estimated biomass in the BSAI and GOA. The MSA provides definitions for “conservation and management” and NMFS has recently published guidelines to aid Councils as they consider whether a stock requires conservation and management. Target stocks are those that fishermen seek to catch for sale or personal use, including fish discarded for economic or regulatory reasons. Non-target stocks are fish caught incidentally during the pursuit of target stocks. Non-target stocks may require conservation and management, in which case they are included in a FMP, or may not require conservation and management, in which case they may be considered an Ecosystem Component (EC) species.



If sculpins were to be moved to the non-target category and conservation and management were considered necessary, TAC would no longer be required but OFL and ABC would still be required. If sculpins were moved to the non-target EC category, conservation and management would not be necessary and OFL, ABC, and TAC would no longer be required. In either case, regulations would have to be revised to prohibit directed fishing for sculpins.

The National Marine Fisheries Service will take the lead in developing the appropriate analysis. Council staff contact is Steve MacLean.

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## Halibut ABM

The SSC received a presentation on the halibut operating model and additional analytical considerations to be employed in the initial review analysis of the BSAI halibut abundance-based management (ABM) of PSC limits. The SSC provided the Workgroup some suggestions and guidance on additional sensitivity analyses to be considered as well as some feedback on considerations in developing policy-level alternatives for

demonstrating contrast in the forthcoming analysis. Staff affirmed they will address the SSC suggestions including specifically a sensitivity analysis on the use of age-dependent versus age-independent natural mortality in model runs as well as additional contrast in policy-level alternatives. SSC recommendations are contained in their minutes and available on the Council's website. Staff will provide a confirmation that the analysis is proceeding as anticipated in June. This analysis is scheduled for initial review in October 2019.

Staff contact is Diana Stram.

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## Economic Data Report Revisions

The Council reviewed a discussion paper on the Council's Economic Data Report (EDR) programs, addressing the requirements, use, and estimated cost of these reporting requirements on submitters in order for the Council to determine if revisions to the EDRs are needed. In response to the discussion paper, the Council initiated both an FMP amendment and further staff recommendations on potential EDR revisions.

The Council has established four EDRs, including:

- The Bering Sea/ Aleutian Islands Crab EDR, implemented in 2005;
- The Non-AFA Trawl Catcher/Processor EDR implemented in 2007 for Amendment 80, and in 2015 for CPs operating in the Gulf of Alaska groundfish fisheries;
- The Bering Sea Chinook salmon bycatch management program EDR for participants in the BS pollock fishery, implemented in 2012; and
- Gulf of Alaska Trawl EDR for groundfish trawl catcher vessels and processors taking deliveries from these vessels, implemented in 2015.



The Council initiated an analysis to consider several specific regulatory and Fishery Management Plan changes to make data verification requirements and confidential data protections for EDR data consistent with those that apply to other confidential fisheries data. These include:

- removing requirements for third party data verification audits,
- revising requirements for data aggregation, and
- removing the requirement for blind formatting procedure (note that individual data and personally identifiable information will continue to remain confidential when released to the public, and all public release of EDR data will continue to be in aggregated to at least three or more entities).
- In addition, this analysis will consider revising or removing the GOA trawl EDRs (not including the original Amendment 80 EDR).

NMFS has some discretion in the use of third-party data verification audits; thus, while the analysis is under development, NMFS intends to seek to reduce the cost and burden as much as possible.

A second suite of proposed revisions to the EDRs (including the GOA trawl EDRs) will be addressed through a separate process. Recommended revisions include:

- Evaluating the utility of the EDR data against the Council's previously stated needs and objectives for these data collections.
- Considering any EDR data that may be duplicative to other data collected
- Creating more consistency across EDRs to increase the utility of the data, and
- Considering tradeoffs between aggregation of elements to reduce reporting burden and the effects of loss of detail from that aggregation

The objectives of these revisions are to reduce the EDR program cost and reporting burden by eliminating duplicative data elements and streamlining reporting requirements where possible, and to increase the practical utility and analytical usability of these data. These revisions should consider the benefits and costs of more standardized EDRs and should address the SSC's comments from the April 2019 meeting to the extent practicable.

For this second suite of EDR issues in particular, the Council directed staff to consult the Council's Social Science Planning Team (SSPT), submitters, and data users of the various EDR programs in developing these recommendations. More specifically, the Council requested its SSPT consider the EDR discussion paper and revision topics and provide recommendations to the Council at its June 2019 meeting. The Council is interested in which aspects of the review of the current EDRs are within the scope and capability of the SSPT to undertake. The Council requests the SSPT develop a plan for conducting this review. This plan should include opportunities for public input during the review, the work products that would be needed from staff to conduct the review, and a projected timeline for the review.

Staff contact is Sarah Marrinan.

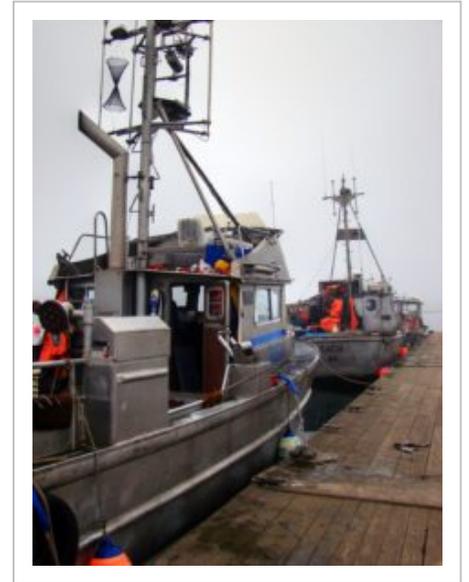
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## IFQ Committee Report and Whale Depredation Workshop

The IFQ Committee met on Monday, April 1, and reviewed three documents that came before the Council at this meeting: [CQE fish-up](#) in halibut Area 3A, [IFQ eligibility criteria](#), and [small sablefish discards](#). Committee comments and recommendations were presented to the Council under each agenda item and are summarized in the [minutes](#). The Committee's other business addressed the desire for the Council to define the term "owner-operator" in regards to the IFQ Program's original objectives, requested routine updates on the cost recovery fees charged to the IFQ fisheries, and requested that IFQ-related agenda items be consolidated into review packages that come before the Council during meetings do not coincide with the timing of the fishery.

The Council did not take any action under this agenda item. However, under the Staff Tasking agenda item the Council expressed its desire to receive the three-year review of the GOA sablefish longline pot fishery as soon as is practicable following the conclusion of the 2019 fishing season.

The Council also received a report on the [Whale Depredation Workshop](#) that was held on Monday evening, April 1. The event brought together fishermen, stock assessment scientists, SSC members, Council members, and other stakeholders to discuss this issue of sablefish depredation off of longline gear. Stock assessment scientists described how depredation is presently monitored and accounted for, fishermen shared their experiences with depredating whales, and all attendees had an opportunity to discuss avenues for cooperative research to enhance data collection and application. Staff prepared a [report on the proceedings](#) which was presented to the Council under the Staff Tasking agenda item.



Staff contact is Sam Cunningham.

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## Small Sablefish Discarding

The Council reviewed a second discussion paper on allowing sablefish discarding in the directed Individual Fishing Quota (IFQ) longline and pot fisheries, and tasked staff with continuing to explore issues related to sablefish discarding.

The sablefish discarding allowance was initially evaluated as a management response to the extremely large 2014 year class, but is now being considered for the longer-term. The April 2019 discussion paper explored nonspecific management concerns identified by the Council, including the ability to produce species- and gear-specific discard mortality rates; potential effect on spawning stock; variable discarding rules depending on stock abundance; likelihood of achieving TAC; effect of discards on whale depredation; gear modifications to avoid small sablefish; catch accounting; enforcement options. At the April meeting, the discussion paper was also presented to the Council's IFQ and Enforcement Committees.



There is a broad set of options to consider in potentially modifying regulations to allow discarding in the IFQ sablefish fishery off Alaska. Some of these options require the initiation of significant data collection efforts and an investment of resources. Less resource-demanding operational solutions do exist, such as the discarding requirement in the IFQ halibut fishery, but these are associated with increased uncertainty and reliance on assumptions, and an appropriate level of precaution would need to be taken.

In reviewing the discussion paper, the Council was particularly interested in learning more about the potential for discarding to result in shifting harvest to more vulnerable portions of the stock biomass, such as the older, reproductively mature fish. Related to this is the potential for discarding to affect ABC and TAC and, therefore, create situations in which the allocation of sablefish between the target IFQ component of the fleet and the non-target trawl component need to be re-considered.

A further discussion paper will be prepared by staff. Topics to be addressed in the upcoming paper will include mandatory versus optional release, varying size limits by area, accounting for discards within ABC and TAC, specific options for proxy DMRs, DMR variability by gear, discard estimation methods and the associated monitoring and enforcement concerns, and, finally, impacts of discarding on sablefish abundance and how that affects allocations to IFQ and trawl sectors.

Staff contact is Jim Armstrong.

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## Groundfish Economic SAFE Review

At this meeting, the SSC reviewed the Groundfish Economic SAFE report as presented by the Alaska Fisheries Science Center's Economic and Social Science Research Division. The Groundfish Economic SAFE report contains detailed information about economic aspects of the groundfish fisheries (sections that are new or were extensively revised since 2018 are indicated):

- Economic performance indices
- Catch share fishery indicators
- Wholesale product price projections and ex-vessel price projections (revised in 2019)
- Summary of the community participation in Alaska fisheries (extensively revised in 2019)
- Amendment 80 fishery economic data report (EDR) summary
- Updated Amendment 91 fishery economic data report (EDR) and vessel master survey summary
- Market profiles for the most commercially valuable species (extensively revised in 2019)
- Summary of the relevant research being undertaken by the Economic and Social Sciences Research Program (ESSRP) at the Alaska Fisheries Science Center (AFSC), and a
- List of recent publications by ESSRP analysts.



**Credit: AGDB**

The SSC noted their appreciation for the authors' responsiveness to their comments from last year, especially on the community information. The newly-developed Economic Report Card metrics were noted as having great utility. Additional suggestions for next year's Groundfish Economic SAFE report are in the SSC minutes.

Staff contact is Jon McCracken.

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## Staff tasking

The Council discussed the relative priority and scheduling of new and previously tasked projects (see [revised 3 meeting outlook](#)).

The Council tasked the following new projects:

- **Bering Sea parallel fishery:** The Council initiated an analysis to consider limiting access to the Bering Sea/Aleutian Islands parallel fisheries to Federal fishery participants, similar to a previous action that was taken for the Gulf of Alaska.
- **Aleutian Islands Pacific cod trawl set-aside:** The Council tasked staff with a discussion paper to provide a status report on recent litigation, conditions in the fishery, and potential regulatory approaches that could be used to provide opportunities for Pacific cod trawl CVs delivering to AI shoreplants.
- **Crab rationalization program reviews:** The Council initiated a housekeeping amendment to amend the program review cycle in the FMP to 7 years, consistent with the Council's other LAPP programs and allocations.
- **RQE funding:** The Council [tasked](#) staff with a discussion paper to develop a mechanism for the Recreational Quota Entity (RQE) to fund the purchase of halibut quota share by selling halibut stamps to charter operators.
- **Designating CDQ hauls:** The Council requested NMFS review reporting time limits that require CPs to designate whether a haul is a CDQ haul within 2 hours after weighing of all catch.



The Council directed staff to develop and send several letters:

- To NMFS, commenting on the **National Bycatch report**, referencing prior council comments.
- To the U.S. Army Corps of Engineers, commenting on the **Pebble mine draft EIS**. The letter should thank them for the presentation, request an extension of the comment period, and highlight the importance of the Bristol Bay and Cook Inlet fisheries and their habitat as considerations in the EIS. The Council also wishes to have an opportunity to review the EFH assessment for the project once it is available.
- To NMFS and other appropriate recipients, supporting continued **AFSC funding** for surveys but also for basic research on recruitment and ecosystem process studies that are critically important due to unprecedented climate change effects in Alaska.
- To the U.S. Navy, thanking them for the [presentation](#) on the **2019 Northern Edge exercise**, and their responsiveness to previous Council feedback.
- To NMFS, commenting on the proposed rule for **decksorting** which will be published shortly, and highlighting that the primary objective of decksorting is reduction of halibut mortality. The Council also requested that in future, NMFS management reports identify any non-regulatory changes that affect decksorting.
- To the National Observer Program, expressing appreciation for the funding that has allowed the hiring of additional **FMA analytical staff** to support observer and EM issues, and highlighting the importance

of this additional capacity. Staff were also tasked to prepare a one-page fact sheet on near-term observer program funding issues.

The Council also:

- Requested staff include evaluation of starting the revised B season on September 1<sup>st</sup> instead of August 25<sup>th</sup>, as part of the **GOA pollock and cod season analysis**.
- Requested NMFS review reporting time limits for CPs to designate if it is a CDQ haul within 2 hours after weighing of all catch
- Affirmed the SSC recommendation to move the development of **research priorities** to a 3-year schedule, to begin in February 2020.
- Affirmed scheduling the **Protected Resources report** as an annual item in February.
- Requested Council members and staff consider whether there are ways to streamline the **cooperative report presentations** prior to April 2020.
- Provided feedback on a NMFS proposal to establish a specific annual cycle for accepting **exempted fishing permit applications**. The Council heard concerns about how the proposed timing aligns with grant funding timelines, and requested NMFS consult further with stakeholders and report back with a final process.

## Committees and Plan Teams

The Council received reports from recent meetings of the Community Engagement Committee, which held an inaugural meeting to discuss how the Committee will organize and operate, and the Ecosystem Committee, which received updates on northern fur seal status, planning for the EFH 5-year review, and the Bering Sea Fishery Ecosystem Plan implementation. The Council also received a report on an evening workshop to evaluate whale depredation in sablefish fisheries, and opportunities for cooperative research. These reports are posted on the online agenda.

The Council reissued the [call for nominations](#) for a representative of the pot CV fishery to participate on the Fishery Monitoring Advisory Committee.

The Council Chair made the following appointments:

- The Council appointed Noelle Rucinski and Abby Snedeker to share the active observer seat on the Fishery Monitoring Advisory Committee.
- The Council appointed Dr. Jie Zheng to the Crab Plan Team.

A full list of Council committee membership can be found [here](#).

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## BSAI Pacific cod Parallel Fishery Limited Access

During staff tasking, the Council initiated an analysis to limit access to the BSAI parallel fishery<sup>[1]</sup> for federal fishery participants. The intent of the proposed action is to limit the erosion of the sector allocations by precluding new entry of federally permitted, but non-LLP license holding vessel operators into the parallel fishery. The Council adopted the following purpose and need statement:

*Currently, there are no limits on entry into the parallel waters groundfish fisheries, and no limits on the proportion of the Bering Sea/Aleutian Islands (BSAI) Pacific cod TAC that may be harvested in parallel waters. There is concern that harvest of Pacific cod in the parallel waters fishery by vessels that do not hold LLP licenses may continue to increase. The Council, in consideration of options and recommendations for the parallel fishery, will need to balance the objectives of providing stability to the long-term participants in the sectors, while recognizing that new entrants who do not hold Federal permits or licenses may participate in the parallel fishery.*



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Under the proposed action, vessels with a License Limitation Permit (LLP) or Federal Fishery Permit (FFP) would be precluded from participating in the BS or AI Pacific cod parallel fishery if they do not have the appropriate area, gear, and Pacific cod endorsement (required for fixed gear vessels). In addition, the proposed action would require Federally-permitted or licensed vessels that fish in the BS or AI parallel fishery to adhere to seasonal closures of the BS or AI Pacific cod sector. The proposed action would also preclude participating vessels from surrendering and reactivating the FFP on an unlimited basis, as is presently allowed. Once an FFP is relinquished, there would be a three-year waiting period before the FFP can be reissued to the vessel. The purpose of this restriction is to preclude federally permitted vessels from circumventing the LLP requirement in parallel waters by surrendering the FFP.

Finally, the Council clarified that the proposed restriction to the BS or AI Pacific cod parallel fishery would not apply to jig vessels.

Staff contact is Jon McCracken.

<sup>[1]</sup> The directed fisheries for Pacific cod in state waters (0 to 3 nm) that are open concurrently with the directed fisheries in federal waters (3 nm to 200 nm) are referred to as the parallel fishery and are prosecuted under virtually the same rules as the federal fisheries, with catch counted against the federal TAC. The parallel State waters fisheries are managed separately from the State waters Pacific cod fisheries.

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## AI Pacific Cod Set-Aside

The Council tasked staff with a discussion paper on the Aleutian Islands Pacific cod trawl CV set-aside, in response to the recent U.S. District Court opinion on Amendment 113, and recognizing the Council's history of supporting shorebased processing in remote fishing communities. The discussion paper is scheduled for

June 2019, and will include a status report on Amendment 113 litigation, a description of the Council's December 2018 revision to Amendment 113 including the purpose and need and the alternatives considered, and a summary of AI Pacific cod fishery conditions since the implementation of Amendment 113 in November 2016. The Council also requested the discussion paper identify potential regulatory approaches that could be used to provide opportunities for trawl catcher vessels harvesting Pacific cod in the AI delivering to AI shoreplants. consistent with the Council's history of supporting shorebased processing in remote fishing communities

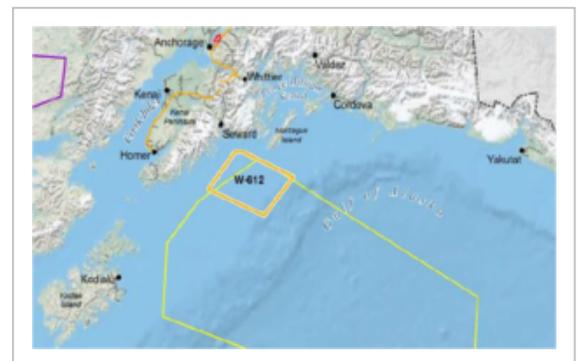
The Council noted that by June, there should be more clarity from NMFS and the Department of Justice as to whether they intend to appeal the U.S. District Court's decision. The Council will also receive a BSAI Pacific cod allocation review. Together, these will provide a basis for considering how best to move forward.

Staff contact is Jon McCracken.

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## Northern Edge 2019

The Council received an overview of the proposed Northern Edge 2019 joint training exercise, which is scheduled for May 13-24, 2019, in the Gulf of Alaska. The exercise occurs biennially, dating back to 1975, and provides comprehensive and realistic training on joint interoperability tactics, techniques, and procedures. John Mosher, from U.S. Pacific Fleet, and Lieutenant Colonel Vaughn Brazil, from Eleventh Air Force Headquarters, gave a presentation on the exercise. The 2019 exercise will be similar in size and scope to Northern Edge 2017, but with more emphasis on the air component. The largest portion of the naval component will occur far offshore, toward the center of the Temporary Maritime Activities Area (TMAA; see map), which minimally overlaps with groundfish fisheries management areas and has no overlap with salmon management areas. There are no restrictions on commercial fishing activity or civilian vessel navigation in the TMAA during the exercise.



**Yellow outline is Temporary Maritime Activities Area, W-612 is FAA designated special air space for the aircraft carrier.**

Protection measures to minimize the effects of the naval exercise on the marine environment were developed in coordination with NMFS. As noted in the presentation, one of the protection measures is to minimize the use of live explosives in the TMAA during weapons training, and prohibit the use of explosives at the Portlock Bank. Another protection measure is to limit the use of active sonar frequency to the mid-range that is not heard by shellfish and most fish species, including key commercial species such as salmon and groundfish. The GOA Navy Training Activities Supplemental EIS/OEIS information is located at the project website: [goaeis.com](http://goaeis.com). Mr. Mosher and Lt. Col. Brazil are scheduled to provide the Council an after-action presentation at a future meeting. Staff contact is Jon McCracken.

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## Upcoming meetings

### Council Committees, Plan Teams, or workshops

- Salmon bycatch genetics workshop, April 15-16, AFSC, Seattle, WA
- Community Engagement Committee, April 29, teleconference, 2-4pm.
- Crab Plan Team, April 29-May 3, Anchorage, AK
- Bering Sea Fishery Ecosystem Plan Team, May 6-7, AFSC, Seattle, WA
- Social Science Plan Team, May 7-9, Anchorage, AK
- Fishery Monitoring Advisory Committee, May 20-21, AFSC, Seattle, WA
- Ecosystem Committee, June 4, Sitka, AK
- Community Engagement Committee, June 4, Sitka, AK
- Enforcement Committee, June 4, Sitka, AK
- Recreational halibut roundtable, June 6, 5.30-7pm, Sitka, AK

### Other upcoming meetings

- Lowell Wakefield Fisheries Symposium on Cooperative Research, May 7-9, 2019, Anchorage, AK
- IPHC Management Strategy Advisory Board (MSAB), May 6-10, Sitka, AK