FINAL MINUTES

184th Plenary Session
North Pacific Fishery Management Council
December 5-11, 2007
Hilton Hotel
Anchorage, Alaska

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North Pacific Fishery Management Council

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APPROVED:_____

DATE: February 6, 2008

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The North Pacific Fishery Management Council met December 5-11, 2007 at the Hilton Hotel in Anchorage, Alaska. The Scientific and Statistical Committee met December 3-5, and the Advisory Panel met December 3-8 at the same location. The following Council, staff, SSC and AP members attended the meetings.

Council Members

Eric Olson, Chair
Jim Balsiger/Sue Salveson
Dave Benson
John Bundy, Vice Chair
Lenny Corin
Sam Cotten
Duncan Fields
Dave Hanson
Roy Hyder
Denby Lloyd/Earl Krygier/Ed Dersham
Gerry Merrigan
Bill Tweit for Jeff Koenings
ADM Brooks/LCDR Lisa Ragone
Ed Rasmuson
Nicole Ricci

NPFMC Staff

Gail Bendixen
Cathy Coon
Jane DiCosimo
Diana Evans
Mark Fina
Jeannie Heltzel
Peggy Kircher
Jon McCracken
Chris Oliver
Jim Richardson
Maria Shawback
Diana Stram
Bill Wilson
Dave Witherell

Scientific and Statistical Committee

Pat Livingston, Chair
Robert Ames
Bill Clark
Keith Criddle, Vice Chair
Sue Hills
Anne Hollowed
George Hunt
Franz Mueter
Lew Queirolo
Terry Quinn II
Farron Wallace
Doug Woodby

Advisory Panel

Lisa Butzner
Joe Childers
Craig Cross
Julianne Curry
Tom Enlow
John Henderschedt
Jan Jacobs
Bob Jacobson
Simon Kinneen
Kent Leslie
Chuck McCallum
Tina McNamee
Mike Martin
Matt Moir
John Moller
Jeb Morrow
Ed Poulsen
Michelle Ridgway
Lori Swanson

Appendix I contains the public sign-in register, and a tape log of Council proceedings, including those providing reports and public comment during the meeting.

A. CALL TO ORDER

Chairman Eric Olson called the meeting to order at approximately 8:06 a.m. on Wednesday, December 5, 2007.

Agenda. The agenda was approved as published, with minor scheduling changes. Denby Lloyd requested the Council schedule some time to discuss ways to shorten Council meetings (see D-5, Other Business). Later in the meeting the Council found it necessary to delay discussion of several agenda items due to time constraints.

Minutes. The minutes of the October NPFMC 2007 meeting were approved with minor editorial changes.

[NOTE: Mr. Tweit participated in the entire meeting in place of Dr. Koenings.]

B. REPORTS

The Council received the following reports: Executive Director's Report (B-1); NMFS Management Report (B-2); USCG Report (B-3); ADF&G Report (B-4); USF&W Report (B-5); and Protected Species Report (B-6). Following are brief recaps of discussion or action taken during reports.

Executive Director's Report

Chris Oliver briefly reviewed the Executive Director's report, including an update on the Magnuson-Stevens Act.

With regard to the ongoing process to develop revisions to NEPA procedures, Council members were advised that until the draft proposed rule is published, the document is not available for public review, including the CCC and fishery management councils. Mr. Oliver said the CCC is requesting that NMFS allow the committee to review the revisions and provide comments in advance of the publication of the proposed rule. **Dave Benson moved that the Council send a letter to NMFS requesting that the Council be provided an opportunity for meaningful input on NEPA changes prior to publication of the proposed rule.** The motion was seconded.

Mr. Oliver explained that it is not likely the document would be released to the Council. Mr. Benson replied that he feels his motion is broad enough and the intent would be to have the document released to the CCC.

The motion carried without objection. Later in the meeting, Dr. Hogarth, NMFS Administrator, visited the Council meeting and said that he is working to get the CCC access to the draft.

NMFS Management Report

Jay Ginter reviewed the status of current regulatory and FMP amendments. The Council also received a report from Glenn Merrill on the crab rationalization loan program and Andy Smoker on inseason management. With regard to the crab loan program, **Gerry Merrigan moved that the Council request staff develop definitions to be provided to Financial Services for use in the rulemaking process for the loan program.** The motion was seconded and carried without objection. It was clarified that these definitions would not be the same as for active participation for 'C' shares, but specific to participation in the loan program. Mr. Merrigan also noted that it is important to get a timely response to Financial Services for its target date for proposed rulemaking. Council members requested the discussion paper be provided for Council review at the February 2008 meeting.

Jay Ginter reviewed two letters dated November 5, 2007, to the Council from the Regional Administrator. The first addressed clarifications of the Council's previous action to define ownership in relation to the IFQ constructive loss provision previously approved by the Council. NMFS advised the Council that the provision will require a new proposed and final rule process because the new concept of 'temporary loss' is substantively different from the initial 'constructive total loss' used in the original proposed rule.

Gerry Merrigan moved to request NMFS to proceed with a proposed rule to address the previously identified limited and temporary exemption to the 12-month ownership requirement and clarifying that this is not an exemption to the 20% ownership, just a 12-month requirement. This was previously adopted by the Council, but not adopted by the agency. Further, the Council requests Council staff to assist NMFS in developing the proposed rule. However, in recognition of both staffs' workloads in regard to halibut issues, the Council requests that staff prioritize halibut charter issues above this proposed rule. The motion was seconded and carried without objection. It was clarified by staff that the action would require a new regulatory amendment with the accompanying analyses. The task was assigned a low priority with possible Council review in June 2008.

The second letter addressed the Council's recent actions to pursue management measures to restrict the charter halibut harvest in Area 2C for 2008. Based on new information provided in the draft EA/RIR/IRFA, the Council was advised that the 2007 charter fishery in Area 2C may not have exceeded the GHL and if the Council's proposed measures are implemented in 2008, harvest will likely fall below GHL. NMFS advised that it will continue to develop the proposed rule to implement the proposed management measures for the IPHC Area 2 charter halibut fishery as adopted by the Council but will likely focus public review and comment on whether less restrictive measures may be more appropriate. Mr. Ginter noted that since the letter was drafted

new information was presented to the Council by Gregg Williams, IPHC staff, regarding projected CEY in 2008. Mr. Ginter also noted that it is likely that the comment period on the proposed rule will be completed before the Council's February meeting and therefore the Council would not have a further opportunity to comment.

In his presentation to the Council, Gregg Williams reviewed IPHC staff catch recommendations for 2008 and information on halibut abundance and CEY presented to the IPHC at its recent interim meeting. He was accompanied by Dr. Bill Clark, chief assessment scientist for the IPHC. Mr. Williams noted that for Area 2C assessments the catch per unit has continued to decline over the last several years causing the IPHC concern over harvests in those areas which will likely trigger changes in the GHL, particularly in Area 2C.

Bill Karp (AFSC) provided an update on National Bycatch Report, advising that he anticipates a draft for internal review early in 2008. Council members again expressed concern with the procedures being considered to calculate bycatch rates. **John Bundy moved that the Council send a letter to NMFS requesting that a Council staff representative be assigned to work with the committee or with Dr. Karp to assure that the Council's viewpoints on bycatch calculations are represented in the report.** The motion was seconded and carried without objection.

USCG Report

Admiral Brooks presented a special commendation to Jeb Morrow of the F/V *Willow* for helping to evacuate passengers from the grounded cruise ship, the *Empress of the North*.

The Admiral also told the Council that the Coast Guard cutter *Boutwell* seized three more Chinese vessels in the high seas driftnet area, and that the Chinese government is taking the cases very seriously, seizing catch and vessels.

The Admiral noted the Coast Guard's continued focus on safety in cooperation with federal and state agencies, particularly in the crab fisheries. He also talked about the necessity to develop plans cooperatively with NMFS, the Council, and other appropriate agencies for the possibility of increased activities in the Arctic. LCDR Lisa Ragone provided the Council with information on Coast Guard activities since the last report.

ADF&G Report

Herman Savikko provided the Council with the ADF&G report on stocks and advised the Council of proposals before the Board that may be of Council interest. The Board approved a proposal to create daily trip limits for pollock vessels in the Gulf of Alaska to close a loophole. Additionally, a previously approved request for an exempted fishery permit for pollock in the Gulf was repealed because of concerns expressed by NMFS over low abundance of pollock in the area as well as implications for Steller sea lions.

The Board also requested the Council ask NMFS Protected Resources to evaluate a modified Aleutian Island state water pollock fishery. However, the Board requested that if the evaluation indicates the need for a formal consultation, that work on the request be halted. **Earl Krygier moved that, given that the formal consultation on fishery measures is already occurring on a comprehensive level and proposals are being evaluated under the process, the Council requests that NMFS evaluate this proposal and determine whether it has independent merit and can be implemented outside the ongoing process or whether it should be included with all other proposals currently being evaluated.** The motion was seconded and carried without objection.

A proposal to reduce the maximum size limit of participating vessels to no more than 60-foot overall length failed because of safety concerns as well as documented history in the fishery by larger vessels. A proposal to amend the Pacific cod management plan to provide for a pot gear reopening of the 'A' season after the GHL is attained failed, mainly due to concerns over changes to the 70/30 seasonal split.

Additionally, the Board voted to exclude the bulbous bow when calculating length overall of vessels in all fisheries other than the Korean hair crab fishery. The Board is requesting the Council consider a similar regulation because of the participation of some vessels in both State and Federal waters.

Dr. Jim Fall (ADF&G) reviewed the draft report on subsistence harvests of halibut in Alaska. He noted that funding will be continued for the fifth year of the study (through 2007) supported by a grant from NMFS.

USF&WS Report

Lenny Corin provided a review of U.S. Fish & Wildlife Service activities, including current work on assessing the necessity for a critical habitat designation for northern sea otters. A finding is expected by November 2008. Mr. Corin also advised that on October 9 the USF&WS made a positive 90-day finding in response to a petition to list the blackfooted albatross. The finding will initiate a 12-month process to determine if listing is warranted. He noted that the vast majority of this species nests in the Hawaiian Islands and the lead on this project will be located in that region. Mr. Corin told the Council that the most recent data available indicates that approximately 43 blackfooted albatross are caught incidentally in the Alaska longline fisheries; however incidental catch in foreign and domestic fisheries off the Hawaiian Islands numbers in the thousands.

Protected Species Report

The Council received a progress report from Bill Wilson (NPFMC staff) on the updated schedule for completion of the final revised Steller sea lion recovery plan, the ongoing formal Consultation, the draft status quo biological opinion and its accompanying EIS process. At the October 2007 meeting NMFS staff provided a draft Notice of Intent (NOI) for the scoping period on the EIS and recommended the NOI be published as soon as possible to provide a longer scoping period and more opportunity for public comment, however the Council asked NMFS to delay publication of the NOI until April 2008 so that the final SSL recovery plan would be available to the public to help formulate scoping comments.

Earl Krygier moved to amend a previous motion that requested that the NOI to prepare an EIS be delayed until April 2008 and to request that a letter be sent to NMFS acknowledging that Council and NMFS staff have developed a new schedule for completion of the final SSL recovery plan, status quo BiOp, and EIS that addresses the Council's previous concerns and desire to meet a 2010 deadline for implementation of new regulations. The NOI may be published earlier and that the scoping period be scheduled so that it overlaps and provides for a 30-day review period after publication of the final SSL recovery plan. . The ocess of developing the Recovery Plan and draft Bi-op. Mr. Krygier asked that the Council send NMFS a follow-up letter explaining that after receiving reports on staff work on the issue that indicates publishing the NOI at this point will more closely meet the needs of the Council process. The motion was seconded and carried without objection.

FORMAT FOR COUNCIL MEETING MINUTES FOR 'C' AND 'D' AGENDA ITEMS

Each agenda item will begin with a copy of the original "Action Memo" from the Council meeting notebook. This will provide an "historical" background leading to any discussion and/or action. This section will be set in a different typeface and size than the actual minutes. Any attachments referred to in the Action Memo will **not** be included in the minutes, but will be part of the meeting record and available from the Council office on request. Following the Action Memo will be reports of the Scientific and Statistical Committee and Advisory Panel on the subject. Last will be a section describing Council **Discussion and Action**, if any.

C. NEW OR CONTINUING BUSINESS

C-1 Charter Halibut Management

ACTION REQUIRED

(a) Committee report on interim and long term solutions.
(b) Review staff report on interim solution analysis and refine alternatives as necessary.

BACKGROUND

Committee report on interim and long term solutions

After its review of a preliminary analysis of previously proposed interim solution alternatives in October 2007, the Council adopted a number of motions related to interim and long term management of the charter halibut fisheries in Areas 2C and 3A (Item C-1(a)(1)). One Council motion identified a suite of alternatives for an interim program that would set an initial allocation for the charter sector (tied to a delayed feedback of regulatory measures to restrict charter halibut harvest to that allocation) and provisions to allow transfer and conversion of commercial halibut IFQs for use in the charter sector by individual limited entry permit holders. The Council also forwarded options for common pool management, pro rata reduction of commercial QS to fund an increase in charter allocation, and other community protection options to the committee for consideration in the long term solution.

The Halibut Stakeholder Committee convened in late October 2007 and provided recommendations on final alternatives for analysis of an interim solution. The committee also has recommended five alternatives for a long term solution and is requesting approval to convene (after the February 2008 Council meeting) to finalize a comprehensive alternative that was submitted for committee review during the meeting but not addressed due to lack of meeting time and advanced review. Committee minutes are provided under Item C-1(a)(2).

Staff report on interim solution

In October 2007, the Council requested that staff from NOAA, NMFS, IPHC, ADF&G, and the Council convene to review its "strawman" motion for an interim solution to charter halibut management. An interagency staff meeting was convened preceding the Stakeholder Committee meeting, and staff recommendations were provided to the committee (Item C-1(b)(1)). The committee adopted staff recommendations as the basis for its recommendations to the Council. The interagency staff convened again briefly to review committee recommendations and provide additional comments to the Council (Item C-1(b)(2)). Due to the nature of the October 2007 Council changes to the alternatives and potential Council action based on committee recommendations at this meeting, staff suggests that the Council schedule initial review of the interim solution analysis no sooner than April 2008.

The **Scientific and Statistical Committee** did not address this agenda issue

Report of the Enforcement Committee

The Enforcement Committee received a report on enforcement aspects of halibut charter initial and future allocation issues and noted that the Committee will want to provide comments on the analysis being prepared for the April 2008 meeting.

Report of the Advisory Panel

The AP recommends the Council adopt the Stakeholder Committee's recommended revisions to the staff revisions to the Council's October motion on allocation and interim solution, with the following additional changes:

1. In Alternative 2, Element 1 (on page 1 Stakeholder version):
   A. revise the percentages so they are round number percentages
   B. revise the 50% fixed / 50% floating allocation option (Option 3) so that it reads as follows:

Option 3. 50% fixed/50% floating allocation of the combined charter and commercial catch limit.

Area 2C	**Area 3A**
a. **50% of 13% and 50% of 1.43Mlb**	a. **50% of 14% and 50% of 3.65Mlb**
b. **50% of 16% and 50% of 1.69Mlb**	b. **50% of 15% and 50% of 4.01Mlb**
c. **50% of 17% and 50% of 1.90Mlb**	c. **50% of 15% and 50% of 4.15Mlb**

2. In Alternative 2, Element 5 (on pages 3 and 4 of the Stakeholder version)

A. change "GSM" (which stood for Guided Sport Moratorium) and "moratorium" to "LEP" (for Limited Entry Permit) *so that the terms are used consistently throughout Element 5 because the Stakeholder Committee opted to use LEP rather than GSM but the document as posted by the Council does not reflect that; and*
B. incorporate as new item "I" in Element 5 the restriction that "Commercial and charter fishing may not be conducted from the same vessel on the same day."

Additionally, the AP recommends inclusion of the following:

- Reinstate Alternative 2, Element 5 Number 3 Option 1 back into the analysis –
  Option 1. May convert all or a portion of their commercial QS to GAF on a yearly basis if they own and fish it on their own GSM permit vessel(s)
- Add to Element 5 (leasing of commercial QS) A suboption that allows commercial QS holders that hold less than 500 lbs to 1000 lbs to lease up to 50 to 100% of their IFQs to the charter sector
- As part of data collection, require the collection of length measurements when supplemental IFQs are leased for use and compare to the annual average length to make sure that accurate removable poundage is accounted for and to allow length measurement information gathered to be used in the formulation of the average weight used in the conversion of IFQs to GAF.

COUNCIL DISCUSSION/ACTION

The Council received a report from Jane DiCosimo (NPFMC staff), the Advisory Panel and Enforcement Committee reports, and oral public comments on this issue.

Based on the recommendations of the Advisory Panel, Denby Lloyd moved the following, noting changes from the AP's recommendations. Additionally, Mr. Lloyd noted that instead of rounding to the nearest percent as recommended by the AP, allocation percentages are rounded to the nearest tenth of a percent.

Charter Halibut Interim Measures: Initial Allocation and Future Reallocation between charter sector and commercial sector in Area 2C and Area 3A

Alternative 1. No Action.

Alternative 2. Establish a catch sharing plan that includes sector accountability

Element 1. Initial allocation

Option 1: Fixed percentage. ~~of combined charter and commercial catch limit.~~

	Area 2C	Area 3A	based on:
a.	13.1 ~~13.09~~%	14.00%	125% of the 1995-1999 avg charter harvest (current GHL formula)
b.	17.3 ~~17.31~~%	15.4 ~~15.44~~%	125% of the 2001-2005 avg charter harvest (GHL formula updated thru 2005)
c.	11.7 ~~11.69~~%	12.70%	Current GHL as percent of 2004
d.	15.1 ~~15.14~~%	12.7 ~~12.65~~%	2005 charter harvest

Option 2: Fixed pounds. ~~to be deducted from a combined charter and commercial catch limit~~

	Area 2C	Area 3A	based on:
a.	1.43 Mlb	3.65 Mlb	125% of the 1995-1999 avg charter harvest (current GHL)
b.	1.69 Mlb	4.01 Mlb	125% of the 2000-2004 avg charter harvest (GHL updated thru 2004)
c.	1.90 Mlb	4.15 Mlb	125% of the 2001-2005 avg charter harvest (GHL updated thru 2005)

Option: Stair step up and down. The allocation in each area would be increased or reduced in stepwise increments based on a change in the total CEY. If the halibut stock were to increase or decrease from 15 to 24 percent from its average total CEY of the base period selected for the initial allocation at the time of final action, then the allocation would be increased or decreased by 15 percent. If the stock were to increase or decrease from at least 25 to 34 percent, then the allocation would be increased or decreased by an additional 10 percent. If the stock increased or decreased by at least 10 percent increments, the allocation would be increased or decreased by an additional 10 percent.

Deferred to Interagency Staff regarding pros and cons of setting formulas v pounds in regulation

Option 3. 50% fixed/50% floating allocation. ~~of a combined charter and commercial catch limit.~~

	Area 2C			Area 3A		
	50% of:	**and**	**50% of:**	**50% of:**	**and**	**50% of:**
a.	**13.1 ~~13~~%**		**1.43Mlb**	**14.1 ~~14~~%**		**3.65Mlb**
b.	**16.4 ~~16~~%**		**1.69Mlb**	**15.9 ~~15~~%**		**4.01Mlb**
c.	**17.3 ~~17%~~**		**1.90Mlb**	**15.4 ~~15~~%**		**4.15 ~~4.14~~Mlb***

***error discovered in the AP minutes**

Element 2. Annual regulatory cycle

The initial charter allocation would be a common harvest pool for all charter limited entry permit holders. It would not close the fishery when the charter allocation is exceeded. Instead, the allocation would be linked to an annual regulatory analysis of management measures (delayed feedback loop) that take into account the projected CEY for the following year and any overages by the charter industry in the past year(s). This system would work best if there is not a time lag between the overage year and the payback year. The Council will not revisit or readjust the sector split. An allocation overage would trigger the regulatory process automatically, in contrast with current GHL management. Any underages would accrue to the benefit of the halibut biomass and would not be reallocated or paid forward. The Council assumes (and would request) that the International Pacific Halibut Commission set a combined charter and commercial sector fishery catch limit ~~CEY~~ and would apply the allocations between the two sectors that would be recommended by the Council in a type of catch sharing plan to the combined fishery catch limit ~~CEY~~.

Element 3. Management toolbox.

Tier 1 measures will be utilized by the Council to try to manage the charter common pool for a season of historic length and a two-fish daily harvest limit. Tier 2 measures will be utilized if Tier 1 measures are inadequate to constrain harvest by the charter common pool to its allocation. Due to the delayed feedback loop in implementation of management measures, management measures will, in general, be more restrictive to ensure that the charter sector allocation is not exceeded. In providing predictability and stability for the charter sector, it is likely that charter fish may be left in the water.

Tier 1 management measures include:
- **1 trip per vessel per day**
- **No retention by skipper or crew**
- **line limits**
- **Second fish of minimum size**
- **Second fish at or below a specific length.**

Tier 2 management measures include:
- **Annual catch limits**
- **1 fish bag limit for all or a portion of the season**
- **Season closure**
  Suboption: seasonal closures on a monthly or sub-seasonal basis

Element 4. Timeline. The current timeline for the proposal is as described below. [Staff should discuss what would be needed to implement February Council action for June (the same year)]

Example scenario 1: 4–year feedback loop

- **Charter fishery ends 2007**
- **October 2008: Council receives ADF&G report on final charter halibut harvest estimates for 2007. If the ADF&G report indicates that an allocation overage occurred in 2007, the Council will initiate the analysis of management measures necessary to restrict charter halibut harvests to its allocations.**
- **December 2008: Council reviews staff analysis (possibly in the form of a supplement) that updates the previous year's analysis with final 2007 harvest estimates.**
- **January 2009: IPHC adopts combined catch limits for 2009.**
- **February 2009: Council takes final action on management measures that would be implemented in year 2010.**
- **Winter 2009: NMFS publishes the rule that will be in effect for 2010.**

Example Scenario 2: 3–year feedback loop (Staff response to Council request)

- **Charter fishery, with in-season monitoring, ends 2007**
- **October 2007: Council receives ADF&G report on final charter halibut harvest estimates for 2007. If the ADF&G report indicates that an allocation overage occurred in 2007, the Council will initiate the analysis of management measures necessary to restrict charter halibut harvests to its allocations.**
- **December 2007: Council reviews staff analysis (possibly in the form of a supplement) that updates the previous year's analysis with final 2007 harvest estimates.**
- **January 2008: IPHC adopts combined catch limits for 2008.**
- **February 2008: Council takes final action on management measures that would be implemented in year 2009**
- **Winter 2008: NMFS publishes the rule that will be in effect for 2009**

Element 5. Supplemental individual use of commercial IFQ to allow limited entry permit holders to lease commercial IFQ in order to provide anglers with additional harvesting opportunities, not to exceed limits in place for unguided anglers

A. Leasing commercial IFQ for conversion to Guided Angler Fish (GAF).

1. **A LEP (Limited Entry Permit) holder may lease IFQ for conversion to GAF for use on the LEP.**
2. **<u>Commercial halibut QS holders may lease up to 1500 pounds or 10% (whichever is greater) of their annual IFQ to LEP holders (including themselves) for use as GAF on LEPs. A CQE may lease up to 100% of its annual IFQ for use as GAF on their own LEPs.</u> ~~Commercial halibut QS holders may lease up to 10% of their annual IFQs to LEP holders for use as GAF on LEP. Dual permit holders are constrained to leasing only 10% of their QS whether to themselves or someone else~~**
3. **LEP holder per vessel may not lease more than 200-400 fish.**
   Suboption: vessels with LEP w/endorsement for more than 6 clients may not lease more than 400-600 fish.
4. ~~**Commercial Halibut QS holders who also hold an LEP may convert all or a portion of their commercial QS to GAF on a yearly basis if they own and fish it on their own LEP vessel.**~~

~~**Suboption: allow commercial QS holders that holds 500 lb. to 1000 lbs. to lease up to 50 to 100% of their IFQs to the charter sector.**~~

B. LEP holders harvesting GAF while participating in the guided sport halibut fishery are exempt from landing and use restrictions associated with commercial IFQ fishery, but subject to the landing and use provisions detailed below.

C. GAF would be issued in numbers of fish. The conversion between annual IFQ and GAF would be based on average weight of halibut landed in each region's charter halibut fishery (2C or 3A) during the previous year as determined by ADF&G. The long-term plan may require further conversion to some other form (e.g., angler days).

D. Subleasing of GAF would be prohibited.

E. GAF holders may request NMFS convert unused GAF into IFQ pounds for harvest in compliance with commercial fishing regulations provided the GAF holder qualifies under the commercial IFQ regulations.

F. Conversion of GAF back to commercial sector

1. **GAF holders may request NMFS convert unused GAF into IFQ pounds for harvest in compliance with commercial fishing regulations provided the GAF holder qualifies under the commercial IFQ regulations.**
2. **Unused GAF may revert back to pounds of IFQ at the end of the year and be subject to the underage provisions applicable to their underlying commercial QS.**

G. Guided angler fish derived from commercial QS may not be used to harvest fish in excess of the non-guided sport bag limit on any given day.

H. Charter operators landing GAF on private property (e.g., lodges) and motherships would be required to allow ADF&G samplers/enforcement personnel access to the point of landing.

I. Commercial and charter fishing may not be conducted from the same vessel on the same day.

Element 6. Catch accounting system

1. **The current Statewide Harvest Survey and/or logbook data would be used to determine the annual harvest.**
2. **A catch accounting system will need to be developed for the GAF fish landed in the charter industry.**
3. **As part of data collection, <u>recommends</u> ~~require~~ the collection of length measurements when supplemental IFQs are leased for use and compare to the annual average length to make sure that accurate removable poundage is accounted for and to allow length measurement information gathered to be used in the formulation of the average weight used in the conversion of IFQs to GAF.**

The motion was seconded by Ed Rasmuson and carried without objection. With regard to the leasing provision, it was clarified that shares could only be leased in the area in which they were issued. A copy of Council action on this agenda issue is found in Appendix II.

Denby Lloyd moved to approve the previously submitted problem statement:

Problem Statement: The absence of a hard allocation between the longline and the charter halibut sectors has resulted in conflicts between sectors and tensions in coastal communities dependent on the halibut resource. Unless a mechanism for transfer between sectors is established, the existing environment of instability and conflict will continue. The Council seeks to address this instability while balancing the needs of all who depend on the halibut resource for food, sport, or livelihood.

The motion was seconded by Ed Rasmuson and carried without objection.

Denby Lloyd moved that the Stakeholder Committee's Statement of Management Objectives from its October/November committee meeting be included in the analysis package.

> **In establishing this catch sharing plan for the commercial and sport charter halibut sectors, the Council intends to create a management regime that provides separate accountability for each sector. The management of the commercial sector remains unchanged under the plan, and new management measures are provided for the sport charter sector.**
>
> **These new measures for the sport charter sector are designed to address the specific need of the sport charter sector for advance notice and predictability with respect to the management tools and length of season that will be used to achieve the allocation allotted to that sector under the plan. In order to achieve the allocation, it is the Council's intent that management tools and season length would be established during the year prior to the year in which they would take effect, an d that the tools selected and season length would not be changed in season.**
>
> **The Council will evaluate its success in achieving the sport charter sector allocation each year, and will adjust its management tools as needed. In designing this regime for the sport charter sector the Council recognizes that providing advance notice and predictability may result in a charter harvest that does not precisely meet the sector allocation for that particular year. Therefore, the Council intends to adjust its management measures as needed to ensure that the sport charter sector is held at or below its allocation on average over a rolling five-year period. In meeting its conservation mandate while accommodating the charter industry's need for predictability and stability, the Council will necessarily err on the side of conservation in the selection of management tools and season length, with the result that the sport charter sector may not be able to harvest its entire allocation.**

The motion was seconded by Ed Rasmuson.

Bill Tweit moved to amend the first sentence of the third paragraph to revise the sentence to read: The Council will evaluate its success in achieving the sport charter sector allocation, <u>and specific needs for predictability, advance notice, and season length</u> each year, and will adjust its management tools as needed.

The motion was seconded and carried without objection. The main motion, as amended, carried without objection.

Denby Lloyd moved that the management agencies consider these Stakeholder Committee's recommendations (from its 10/30-11/1/07 meeting minutes) in the development of a recordkeeping system:

> One of the critical issues for successful implementation of a successful interim management regime for charter halibut operators is to shorten the feedback loop for collection of data regarding charter harvests. The Council has requested that staff include in their report a discussion of options for shortening the feedback loop. The Stakeholder Committee would like to suggest three options for discussion and analysis in the staff report.
>
> Any data collection option should be made as simple as possible, minimize inconvenience to clients, and be conducted in a machine readable or electronic format.

It is also the intent of the Stakeholder Committee in proposing these options that the real time collection of data should not be used for in-season management changes or in-season closures; rather it is the intent of the Stakeholder Committee that these options be used to shorten the data collection feedback loop to facilitate the timely advance adoption of management tools designed to achieve the charter sector allocation without in-season changes or in-season closures in order to maintain, to the extent possible, a season of historic length with a minimum two fish bag limit.

Option 1. Electronic Reporting. Each GSM permit holder would be assigned a unique reporting number and would use that number to electronically report the number of halibut caught by clients that day on a daily basis. The electronic reporting would be done either through an Internet website or a dial-in telephone system. As additional verification each client would sign the mandatory logbook next to the entry containing their name, license number, number and type of fish caught, and any other required information. Logbooks would continue to be submitted weekly.

Option 2. Harvest Tag. Uniquely numbered harvest tags would be distributed to each GSM permit holder at the beginning of the season and additional tags would be available throughout the season if needed. The number of harvest tags would be greater than the number of fish allocated to the charter sector for that year (i.e., the tags are not a management tool for restricting or closing charter fishing in-season). When a halibut is landed the harvest tag would be required to be inserted in the jaw and the harvest tag number recorded in the log book entry for the angler license number of the person who caught the fish. When the fish is processed the tag would be removed and mailed in using pre-addressed, stamped envelopes supplied for that purpose. GSM operators would pay a fee to cover the cost of the envelopes and tags. Harvest tags would preferably be bar coded to enable machine reading, with peel off bar code stickers for placement in the log book.

Option 3. Punch Cards. Each GSM permit holder would be issued a supply of uniquely numbered punch cards with punch outs equal to any daily bag limit for that year or six halibut (whichever is fewer). The cards would issued at the beginning of the season and additional cards would be available as needed (i.e., the cards are not a management tool for restricting or closing charter fishing in-season). Each day every client angler would be assigned a punch card and that punch card number would be entered in the log book next to the license number. As each halibut is landed by a client their respective card would be punched, and at the end of the day the client would sign the punch card in the space provided. The punch card would then be sealed in a supplied stamped and addressed envelope, which would be mailed by the permit holder. GSM permit holders would pay a fee to cover the cost of the punch cards and mailing envelopes. Any log book entry for which a signed punch card is not received would be corrected to read the maximum number of fish printed on a punch card (i.e., the daily bag limit or six fish).

The motion was seconded by Ed Rasmuson.

Duncan Fields moved to amend to insert a period at the end of the second sentence in the first paragraph, deleting the remainder of that sentence, and replacing the words "Stakeholder Committee" with "Council" throughout to indicate that this is the Council's intent. The motion was seconded and carried without objection.

Mr. Lloyd noted that his intent was that staff should consider the suggestions made by the Stakeholder Committee but not be restricted to considering only those options. Mr. Merrigan said his view of Mr. Lloyd's inclusion of the Committee suggestions in the motion would be that monitoring and enforcement

staff could provide appropriate information to analysts on the various aspects of these suggestions and any problems that might be anticipated in implementing data collection and enforcement portions of the program so the Council will have appropriate information on which to base its decisions.

The main motion, as amended, carried without objection.

Denby Lloyd moved that the Council initiate an analysis of this amendment package with an initial review in April 2008 and final action in October 2008. The motion was seconded by Duncan Fields.

Mr. Fields noted that after realizing that the Council would not be taking up the issue at the June Council meeting in Kodiak where many Area 3A charter operators reside, he could not support the motion. Mr. Lloyd noted that the motion is a statement of intent and that the timing could change. However, charter halibut operators have indicated that June meetings are in the middle of their season and would prefer the Council not take action on the issue during the summer months. Additionally, the scope of the Council's action on this amendment will entail significant staff work. Mr. Merrigan noted that the April and October dates will be during the commercial fishing season, but that he would support the amendment.

The motion carried with Duncan Fields objecting.

C-2 BSAI Crab Issues

C-2(a) BSAI Crab 'C' Share Active Participation

ACTION REQUIRED

Preliminary review of the analysis

BACKGROUND

The crab rationalization program is unique in several ways, including the allocation of a portion of the harvest share pool to captains for exclusive use by captains and crew (C shares). In the first two years of the program, some participants have questioned the specific provisions defining active participation requirements for C share acquisition and use. During the transition to the rationalization program, the fleet contracted substantially, eliminating eligibility of several for crew to acquire C shares. In addition, some participants believe a strict owner-on-board requirement is overly restrictive. To address these issues, the Council has identified alternatives to the current active participation requirements for analysis. At this meeting, the Council is scheduled to review the analysis to provide staff with any additional guidance necessary to respond to the concerns to be addressed by the proposed action. The draft analysis is attached (Item C-2(a)(1)).

The **Scientific and Statistical Committee** did not address any of the issues under Agenda item C-2, BSAI Crab Issues.

Report of the Advisory Panel

The AP recommends the Council make the following changes to the document prior to initial review in February:

Options for revision of active participation requirements for C share holders:

Option 1: To receive an annual allocation of IFQ, a C share holder must have participated in

Option A; at least one delivery in a fishery subject to the crab rationalization program in the **3 years** preceding the application for IFQ and/or
Option B: 30 days of Alaska State or Federal fishing in the **3 years** preceding the application for IFQ

Suboption: Establish a mechanism for the annual allocation of C share IFQ to ensure that 3 percent of the TAC is available to active C share holders

Option 2: If a C share holder has not demonstrated active participation in a rationalized crab fishery for a period of 3 consecutive seasons, that C share holder will be required to divest of all C share holdings. This provision will not require individuals to divest of Quota Share until a) 5 b) 7 years after implementation of the crab program.

Options to address current transition:

For a period of ~~3,~~ 5, or 7 years from the implementation of the program, C shares can also be acquired by an individual who:

1) is a U.S. citizen,
2) has at least 150 days of sea time as part of a harvesting crew in any U.S. commercial fishery (historic participation), and

Option 1: received an initial allocation of C shares
Option 2: demonstrates participation in a rationalized crab fishery during
a. 3 of the 5 seasons or
b. 2 of the 3 seasons immediately preceding implementation of the crab rationalization program

COUNCIL DISCUSSION/ACTION
[NOTE: Sue Salveson participated in this discussion for Jim Balsiger.]

The Council received a staff report from Mark Fina (NPFMC), recommendations from the Advisory Panel, and public comment on this issue.

Denby Lloyd moved the following:

The Council adopts the Advisory Panel's recommendations with the following additions and deletions. Additions are underlined and deletions are shown in strikethrough.

The Council requests staff make the following changes to options currently in the analysis for initial review in February.

Options for revision of active participation requirements for C share holders:

Option 1: To receive an annual allocation of IFQ, a C share holder must have participated in

~~Option A;~~ at least one delivery in a fishery subject to the crab rationalization program in the 3 years preceding the application for IFQ ~~and or~~
~~Option B: 30 days of Alaska State or Federal fishing in the 3 years preceding the application for IFQ~~

Suboption: Establish a mechanism for the annual allocation of C share IFQ to ensure that 3 percent of the TAC is available to active C share holders

Option 2: If a C share holder has not demonstrated active participation in a rationalized crab fishery for a period of 3 consecutive seasons, that C share holder will be required to divest

of all C share holdings. This provision will not require individuals to divest of Quota Share until a) 5, or b) 7 years after implementation of the crab program.

Options to address current transition:

For a period of 5 or 7 years from the implementation of the program, C shares can also be acquired by an individual who:

1) is a U.S. citizen,

2) has at least 150 days of sea time as part of a harvesting crew in any U.S. commercial fishery (historic participation), and

Option 1: received an initial allocation of C shares

Option 2: demonstrates participation in a rationalized crab fishery during

a. 3 of the 5 seasons or

b. 2 of the 3 seasons

immediately preceding implementation of the crab rationalization program

The motion was seconded.

Duncan Fields moved to amend Option 2 to replace the suboptions (a) and (b), for 5 or 7 years, with a range of 5 to 10 years.

The motion was seconded and carried without objection.

Ms. Salveson pointed out that Option 2 may be more of a suboption if the intent is to get IFQ in the hands of active participants. Option 1 does that. Option 2 deals with the more long-term concern of having quota share holders that have not been active in the fishery for a lengthy period of time and getting the quota share to active participants, therefore it doesn't seem that Option 1 and 2 are separate options. Option 2 would be more of a suboption to Option 1 because it does not address the objective of getting IFQs to active participants in a timely way.

John Bundy moved to re-insert Option B. The motion was seconded by Sam Cotten and carried with Mr. Tweit objecting. Mr. Bundy indicated that he thinks it would be helpful to have the option included in a preliminary analysis.

Sue Salveson moved to amend Option 2, to designate it as a suboption, to read as follows:

If a C share holder has not demonstrated at least 1 delivery in a fishery subject to the Crab Rationalization Program in the preceding 5 years, the C share holder will be required to divest of all C share holdings. This provision will not require individuals to divest of Quota Share until 5 to 7 years after implementation of the crab program. The motion was seconded by Duncan Fields and carried without objection.

The main motion, as amended, carried without objection. A copy of the Council's final action on crab rationalization agenda items is found in Appendix III of these minutes.

C-2(b) BSAI Crab C Share 90/10 Exemption

ACTION REQUIRED

Final action on BSAI Crab 'C' share 90/10 exemption.

BACKGROUND

The crab rationalization program is unique in several ways, including the allocation of a portion of the harvest share pool to captains for exclusive use by captains and crew (C shares), the allocation of processing shares corresponding to a portion of the harvest share pool, and the designation of certain harvest shares for landing in a specific region. At the time it adopted the rationalization program, the Council exempted C shares from the regional and processing share landing requirements for the first three years of the program. This exemption is scheduled to expire at the beginning of the 2008-2009 fishing season. When the Council adopted the rationalization program, it also tasked staff to provide a review of landing patterns of C shares to assess whether the exemption should be extended indefinitely. At its March/April 2007 meeting, staff delivered that review to the Council and the Council tasked staff to prepare an analysis of an action to extend the exemption of C shares from regional and processor share landing requirements indefinitely. After considering that review, the Council adopted a draft purpose and need statement and an alternative to indefinitely exempt C shares from the 90/10 A share/B share split. It reviewed an analysis of that alternative and the status quo at its October 2007 meeting, releasing the analysis for public review and final action at this meeting. An executive summary of the analysis is found in your notebook.

Report of the Advisory Panel

The AP recommends Alternative 2 (C shares are indefinitely exempt from 90/10 A share /B share split, with all C shares exempt from regional and processing share landing requirements) be selected as the preferred alternative for final action.

COUNCIL DISCUSSION/ACTION

The Council received a staff report from Mark Fina (NPFMC), recommendations from the Advisory Panel, and public comment on this issue.

DL moved to adopt Alternative 2: C shares are indefinitely exempt from 90/10 A share/B share split, with all C shares exempt from regional and processing share landing requirements. The motion was seconded and carried unanimously.

Comments by Council members in support of the motion pointed out that this action was proposed by the Advisory Panel and is a consensus of opinion expressed during public comment that there is no reason to burden skipper and crew with requirements of share matching, binding arbitration, and other complexities of the A share aspects of the program. The original action was set for review at this juncture and after analysis and public comment the Council found that there is no need for this provision in the crab rationalization program, and through this exemption, may facilitate use of C shares and, along with the loan program, provide better opportunities for entry-level participation.

C-2(c) BSAI Crab Custom Processing

ACTION REQUIRED

Final action on BSAI Crab custom processing.

BACKGROUND

The recent reauthorization of the Magnuson Stevens Act (MSA) included a provision to exempt custom processing in the North region of the Bering Sea *C. opilio* fishery from processing use

caps established under the crab rationalization program. The exemption is believed to be intended primarily to improve efficiency in processing in that fishery. At its February 2007 meeting, the Council received a staff discussion paper concerning the implementation of this amendment and the potential for the Council extending the exemption to other fisheries included in the crab rationalization program. After receiving the discussion paper, input from the Advisory Panel, and hearing public testimony, the Council elected to consider whether this exemption should be extended to include all of the traditionally small crab fisheries governed by the rationalization program:

- **the Western Aleutian Islands golden king crab fishery,**
- **the Western Aleutian Islands red king crab fishery,**
- **the Eastern Aleutian Islands golden king crab fishery,**
- **the St. Matthews blue king crab fishery, and**
- **the Pribilof red and blue king crab fishery.**

At its June 2007 meeting, the Council adopted a draft purpose and need statement and elements and options for the action. After initial review of the analysis at the October 2007 meeting, the Council released the analysis for public review and action at this meeting. The regulatory analysis to implement the exemption for the North region of the *C. opilio* fishery is combined with the analysis and development of the amendment package considering extension of the exemption to the other fisheries. As requested by the Council, the analysis also examines a provision to exempt custom processing of transferred shares in their community of origin from the use cap. This issue arises because of the possible divestiture of shares by an entity to comply with the use cap. Under the current rules, on divestiture those shares could not be custom processed at the plant of origin, effectively forcing either a new processor (either shore plant or floater) to be opened in the community or the shares to be moved from the community. The Council is scheduled to take final action at this meeting on this amendment package. The executive summary of the analysis follows.

Report of the Advisory Panel

The AP recommends the Council select the following alternatives and options as its preferred alternative:

Custom Processing Cap Exemption

Fisheries and Regions:
Custom processing will be exempt from use caps in the following regions and fisheries:
The North region of the Bering Sea *C. opilio* fishery (analyzed here for regulation change from MSA reauthorization – not optional)

Option 1) the Western Aleutian Islands golden king crab fishery,
Suboption2: West designated or Undesignated shares processed in the West region
Option 2) the Western Aleutian Islands red king crab fishery
Option 3) the Eastern Aleutian Islands golden king crab fishery
Option 4) the St. Matthew Island blue king crab fishery
Option 5) the Pribilof Islands red and blue king crab fishery

Definition of custom processing exemption:
Option 1) Physical processing of crab at a facility owned by an entity does not count toward the cap of the entity (only processor share holdings count toward an entity's cap).

Locations qualified for the exemption:
Custom processing will qualify for the exemption provided that processing is undertaken in the applicable fishery and region at:
Option 2) a shore plant, or a floating processor that is moored at a dock or docking facilities (e.g. dolphins, permanent mooring buoy) in a harbor in a community that is a first or second class city or home rule city.

Facility cap

Outside of the West region, no facility may process more than 60% of
a) EAI golden king crab
b) WAI red king crab

Provisions to protect interests of the community of origin

Option 2) In the event that processing shares currently or formerly subject to a right of first refusal are transferred from the initial recipient, custom processing of shares in the community of origin will not be counted toward cap of the processing plant (the shares would only count toward the cap of the share holder).

COUNCIL DISCUSSION/ACTION

[Note: Earl Krygier participated in this discussion for Denby Lloyd.]

The Council received a staff report from Mark Fina (NPFMC), the Advisory Panel report, and oral public comments on this issue.

EK moved the following:

The Council selects the following alternatives and options as its preferred alternative:

Custom Processing Cap Exemption

Fisheries and Regions:
Custom processing will be exempt from use caps in the following regions and fisheries:
The North region of the Bering Sea *C. opilio* fishery (analyzed here for regulation change from MSA reauthorization – not optional)
Option 1) the Western Aleutian Islands golden king crab fishery,
Suboption2: West designated or Undesignated shares processed in the West region
Option 2) the Western Aleutian Islands red king crab fishery
Option 3) the Eastern Aleutian Islands golden king crab fishery
Option 4) the St. Matthew Island blue king crab fishery
Option 5) the Pribilof Islands red and blue king crab fishery

Definition of custom processing exemption:
Option 1) Physical processing of crab at a facility owned by an entity does not count toward the cap of the entity (only processor share holdings count toward an entity's cap).

Locations qualified for the exemption:
Custom processing will qualify for the exemption provided that processing is undertaken in the applicable fishery and region at:
Option 2) a shore plant, or a floating processor that is moored at a dock or docking facilities (e.g. dolphins, permanent mooring buoy) in a harbor in a community that is a first or second class city or home rule city.

Facility cap
Outside of the West region, no facility may process more than 60% of
a) EAI golden king crab
b) WAI red king crab

Provisions to protect interests of the community of origin
Option 2) In the event that processing shares currently or formerly subject to a right of first refusal are transferred from the initial recipient, custom processing of shares in the community of origin will not be counted toward cap of the processing plant (the shares would only count toward the cap of the share holder).

The motion was seconded by Ed Rasmuson.

In support of the motion, Mr. Krygier pointed out this action will provide needed opportunities to communities adjacent to the resource as well as providing needed protection for those communities. Additionally, the action will improve costs and efficiency as well reduce deadloss.

GM moved to amend Option 2 (under "Location qualified for the exemption") by adding the following at the end of the sentence, after. . ."or a home rule city," add: **except for the community of Atka where a floating processor may anchor at any location, providing that it is within the municipal boundary.** The motion was seconded and carried without objection.

Mr. Merrigan noted this option was proposed during public testimony and will clear up the ambiguity in the analysis as to whether Atka has a 'qualified harbor' and assure the community will be included in the program.

The main motion, as amended, carried unanimously. A copy of the Council's action on all crab rationalization issues is found in Appendix III to these minutes.

C-2(d) BSAI Crab Post-delivery Transfers

ACTION REQUIRED

Final action BSAI Crab post-delivery transfers.

BACKGROUND

At its June 2007 meeting, the Council adopted a draft purpose and need statement and alternatives to amend the crab rationalization program to permit the transfer of IFQ to cover overages after the time of landing. The provision would be intended to reduce the potential for enforcement actions related to unintended overages, in the event the fisherman can acquire shares to cover the overage within a reasonable time. In response to the Council's request, staff drafted an analysis of the alternatives, which the Council reviewed at its October 2007 meeting. After that review, the Council directed staff to release the document for public review and action at this meeting. An executive summary of the analysis is in your notebook.

Report of the Advisory Panel

The AP recommends the Council select Alternative 2 as its preferred alternative:

Alternative 2 – Unlimited post-delivery transfers (Preferred alternative in bold text)

Purpose of post-delivery transfers

Post-delivery transfers would be allowed exclusively to cover overages.

Shares used for post-delivery transfers

Post-delivery transfers of the following shares are permitted:

B share IFQ
A share IFQ (provided a processor simultaneously commits matching IPQ)
C share IFQ
Catcher processor IFQ
IPQ

Limits on the magnitude of a post-delivery transfer

None

Limits on the number of post-delivery transfers

None
No person shall be permitted to begin a fishing trip, unless the person holds unused IFQ.

Limits on the time to undertake a post-delivery transfer

Suboption: All post-delivery transfers must be completed by the end of the crab fishing year (June 30th).

Eligibility for post-delivery transfers:

1. All harvesters

COUNCIL DISCUSSION/ACTION

[Note: Earl Krygier participated in this discussion for Denby Lloyd.]

The Council received a staff report from Mark Fina (NPFMC), the Advisory Panel report, and oral public comments on this issue.

EK moved to adopt the AP motion, as follows, with one change, to amend the deadline for all post-delivery transfers, as follows: Delete current language [the end of the crab fishing year (June 30)], and insert: 30 days following the regulatory closure . The motion was seconded by Ed Rasmuson.

The Council selects Alternative 2 as its preferred alternative:

Alternative 2 – Unlimited post-delivery

Purpose of post-delivery transfers

Post-delivery transfers would be allowed exclusively to cover overages.

Shares used for post-delivery transfers

Post-delivery transfers of the following shares are permitted:

B share IFQ
A share IFQ (provided a processor simultaneously commits matching IPQ)
C share IFQ
Catcher processor IFQ

IPQ

Limits on the magnitude of a post-delivery transfer

None

Limits on the number of post-delivery transfers

None

No person shall be permitted to begin a fishing trip, unless the person holds unused IFQ.

Limits on the time to undertake a post-delivery transfer

Suboption: All post-delivery transfers must be completed ~~by the end of the crab fishing year (June 30th).~~ by 30 days following the regulatory closure. For *C. opilio,* which has separate closure dates for the Eastern and Western subdistricts, assign the later date of May 31st.

Eligibility for post-delivery transfers:

1. All harvesters

Mr. Krygier noted that the one change he is proposing--to require reports submitted within 30 days of the regulatory closure--has to do with the fact that ADF&G does the inseason management of the fishery and is responsible for the fish tickets, dockside delivery summaries and getting that information out to the industry. Those summaries and other reports have to be done on a specific time schedule. A delay of six months would cause an overlap with other duties in the department and would make the management of the fishery more difficult. The 30-day window for submitting final reports seems reasonable for industry participants while allowing ADF&G to complete its necessary tasks.

In support of the motion, Mr. Krygier pointed out that the action will promote efficiency, leaving less TAC unharvested at the end of the year. However, he pointed out that industry is encouraged to use this provision conservatively to avoid exceeding the TAC.

With regard to the deadline for post-delivery transfers, Lauren Smoker noted that there may be some concern with setting dates in federal regulation that are tied to dates set in state regulation and the interplay between what federal regulations require versus what the state management agency can change if it deems it necessary.

Jim Balsiger moved to amend the deadline for post-delivery transfers to reinsert the AP's recommendation: all post-delivery transfers must be completed by the end of the crab fishing year (June 30). The motion was seconded by Sam Cotten and carried without objection.

In support of the final motion, Council members noted that this action will allow full deliveries and reduce bycatch, promote operating efficiencies, and reduce enforcement costs without compromising rational management of the fisheries. Additionally, the amendment conforms with National Standards, including bycatch reduction and managing for optimum yield.

The main motion, as amended, carried unanimously. A copy of the Council's action on all crab rationalization issues is found in Appendix III to these minutes.

C-2(e) Workplan – BSAI Crab 3-yr Review/Problem Statement for A/B Share Amendment

ACTION REQUIRED

Review workplan for the BSAI Crab Rationalization Program 3-year review, and draft purpose and need (problem) statement for possible program changes, and take action as necessary.

BACKGROUND

In development of the Being Sea and Aleutian Islands crab fishery management program, the Council scheduled a preliminary review of the program three years after its implementation. Since fishing under the program began in August of 2005, staff is planning for the delivery of the requested review to the Council in October of 2008. At its October 2007 meeting, the Council also identified preliminary alternatives, and initiated an analysis to revise the program. At that time, the Council adopted a draft purpose and need statement stating its intention to revisit that purpose and need statement at this meeting. This paper lays out a brief outline of the proposed review of the program and provides a discussion that could be used by the Council to refine the purpose and need statement.

Crab 3-year review outline
The Council's motion establishing the program included the following provision for a review of the program after 3 years of fishing:

> ***RAM Division in conjunction with State of Alaska will produce annual reports regarding data being gathered with a preliminary review of the program at 3 years.***
>
> ***Formal program review at the first Council Meeting in the 5th year after implementation to objectively measure the success of the program, including benefits and impacts to harvesters (including vessel owners, skippers and crew), processors and communities by addressing concerns, goals and objectives identified in the Crab Rationalization problem statement and the Magnuson Stevens Act standards. This review shall include analysis of post-rationalization impacts to coastal communities, harvesters and processors in terms of economic impacts and options for mitigating those impacts. Subsequent reviews are required every 5 years.***

Since the contents of this review are not defined by the Council motion, staff proposes the following outline:

Description of management
- **Review of State/Federal joint management**
- **Pre-rationalization limited access management**
- **Description of rationalization program**

Harvest share holdings
- **Initial allocations by sector (CVO, CPO, CVC, CPC) and region**
- **Transfers – number of transactions and numbers of shares transferred by sector, share type (QS/IFQ) and region**
- **Current holdings – concentration by sector, share type, and region/use caps**
- **Active participation by share holders (by share type) – to the extent practicable**

Harvest sector – pre/post-rationalization comparisons and analysis by fishery and comprehensive
- **Vessel participation**
- **Summary of leasing and cooperative fishing**
- **Vessel operations**
  - **Number of trips/deliveries/average trip/use caps**

Cost comparison using EDR data – consider variable costs to the extent practicable

Captains and crew

Number of captains and crew and compensation of captains and crew

Participation in other fisheries (vessels currently active in crab/vessels not active in crab)

Integration with crab activity

Review of sideboards

Processor share holdings

Initial allocations by region

Transfers – number of transactions and numbers of shares transferred by sector, share type (QS/IPQ) and region

Current holdings – concentration by region/use caps

Processing sector – pre/post-rationalization comparisons and analysis by fishery and comprehensive

Plant participation

Summary of custom processing (interaction with use caps)

Vessel operations

Number of trips/deliveries/average trip

Cost comparison using EDR data – consider variable costs to the extent practicable

Labor – overview of plant labor using EDR data

Participation in other fisheries – integration with crab activity

Markets and prices – pre/post-rationalization comparison

Review of crab markets and prices – retail/first wholesale (if possible consider CPs separately)

New market development/changes in existing markets

Review ex vessel prices

Review of arbitration program

Discussion of standard and its application (include data issues)

Discussion of procedure

Share matching process

Terms of deliveries – timing, etc.

Entry

Harvest sector entry (share holders/vessels)

Processing sector entry (share holders/plants – entry with A share landings/B share landings)

Safety

Equipment, working conditions, emergency response time

Biological Issues

Biological management issues

spatial and temporal dispersion

incidental catch rates/soak times and gear sorting

handling mortality/deadloss

high grading

Community Issues – pre/post-rationalization comparison

General profiles of communities with focus on crab dependence

Distribution of activities among communities

Geographic distribution of share holders

Harvesters (by share type – CVO/CPO/CVC/CPC)

Distribution of processing shares by community of plant(s)

Activities of home ported vessels (active in crab/inactive in crab)
Distribution of landings among communities
Review of processors and processor activities (including processing labor effects)
Landings by share type - CVO A share/CVO B share/CVC – include discussion of effectiveness of "cooling off" and "right of first refusal provisions"

Harvesting crew affects/job loss
Community revenues
Community support businesses

Management – pre/post rationalization comparison
Costs (e.g., additional management burdens)
Benefits (e.g., more precise harvest of TAC)

Other issues – CDQ share holdings – portion of program shares held by CDQ groups
CDQ allocation use – is it integrated with use of shares from the program
Effects of the buyback

Draft Purpose and Need Statement

At its October 2007 meeting, the Council directed staff to prepare an analysis for review at the October 2008 meeting examining the effects of a change in the A share/B share split. That analysis is expected to examine several share splits, including the current 90/10 split, phased in revisions of the split, a standard IFQ alternative that would allocate shares to vessel owners, processors, and captains and crew, and a system under which the split would change with TAC changes.

As a part of that motion, the Council revised the direction to the Crab Advisory Committee, to focus its work on programmatic issues and effects of policy decisions related to the BSAI crab rationalization program. Committee membership was also revised to include four community members and two crew representatives, to ensure that the interests of those groups are represented in the committee's work. The committee is also intended to address concerns that may arise from any adjustments to the A share/B share split, including 1) the potential need for harvesters to compensate processors for lost economic opportunity from the resulting change in market power, 2) potential changes in landing distribution, 3) the remaining need and necessary changes to the binding arbitration program, 4) the use and effectiveness of regional landing requirements to protect communities, and 5) effects on crew. The Crab Advisory Committee is scheduled to provide a report to the Council at the February 2008 meeting indicating its progress.

To facilitate the work of the committee and to better focus the requested analysis, the Council indicated its intent to revisit its draft purpose and need statement. This revision is intended to ensure the purpose and need statement clearly identify the Council's concerns and intent for considering this action. At the October 2007 meeting, the Council adopted the following draft purpose and need statement:

Share allocations to harvesters and processors under the BSAI crab rationalization program were intended to increase efficiencies and provide economic stability in both the harvesting and processing sectors. Recognizing that processor quota shares reduce market competition for deliveries subject to share match requirements, the Council adopted B share IFQ to provide some degree of competition, encourage processors to pursue market opportunities for their products, and possibly facilitate processor entry. The Council included a system for binding arbitration in the program to resolve price disputes for deliveries subject to share match requirements.

The Council has heard many concerns about the BSAI crab rationalization program suggesting the proportion of B shares is not adequate to meet the Council's intended purpose for those shares and, thus, towards furthering the goals of the program.

Information to date has not shown that the 90/10 split has promoted 1) competitive negotiated deliveries, or 2) unserved and underserved markets, or 3) processor entry; there is no indication that the current A share/B share split is sufficient to promote all three.

The Council also requested staff to summarize issues raised during discussion and in public testimony. Through public testimony, several issues have been identified that may be of concern to the Council in revising the purpose and need statement. The following is a list of items that have been raised in public testimony and Council and Advisory Panel deliberations that could be considered relative to in the purpose and need statement, at the Council's discretion:

- **The B share allocation is inadequate to support entry to the processing sector**
- **The B share allocation is inadequate to support competition for landings**
- **The B share allocation is inadequate to support development of new markets and products**
    - **(all of the above could be conditioned on current TAC levels)**
- **The B share allocation is inadequate to support development of crab processing in certain communities**
- **The B share allocation is inadequate to support historic levels of processing in certain communities**
- **The system of binding arbitration is unable to produce a fair price for landings because:**
    - **The arbitration system is unable to distinguish prices by location of landing**
    - **The arbitration system is unable to distinguish prices by terms of delivery**
    - **The arbitration system is unable to create incentives for processors active in low value markets to improve production and market performance**
    - **Available data are not adequate to establish historic division of first wholesale revenues**
- **The system of binding arbitration discourages the development of new products and markets**
- **The system of binding arbitration is too costly and complex**
- **The share matching system necessary to facilitate coordination of A shares and IPQ is too complex and costly**
- **Processor consolidation has prevented the development of new products and markets**
- **Processor consolidation has threatened community sustainability**
- **Fleet consolidation has resulted loss of captain and crew positions**
- **Fleet consolidation has resulted in lower quality and lower paying jobs for captain and crew**
- **Fleet consolidation has resulted in extended processing seasons preventing processors from realizing production efficiencies**
- **Fleet consolidation has harmed community-based support industries**
- **Fleet consolidation has harmed community-based harvesting crews**
- **Current allocations of harvester and processor shares do not adequately reflect historic participation and investment in the fisheries by harvesters, processors, captains, and crew**
- **The absence of a harvest share allocation to crew is unfair and inequitable**
- **The 3 percent harvest share allocation to captains is inadequate, unfair, and inequitable**
- **Gifting of long term (or permanent) allocations of harvesting and processing shares unjustly enriches recipients of those shares and deprives the public of the benefits of the resource**
- **Regional landing requirements and community provisions are inadequate to protect processing activity in certain communities**
- **Regional landing requirements limit the ability of participants to address contingencies that arise in the fisheries**

Further refinement of the purpose and need statement will allow the committee the opportunity to produce more relevant work and will facilitate a more focused analysis of alternatives.

Report of the Advisory Panel

The AP recommends the Council encourage the industry to work with staff in developing the 8 datasets outlined in the letter from the North Pacific Crab Association in support of developing the 36-month review.

Further, the AP recommends the Council work with staff to develop a 3-year review as outlined in the workplan on the projected schedule. Additionally the AP recommends that staff thoroughly examine issues regarding CDQ and crew participation in the BSAI crab fisheries.

COUNCIL DISCUSSION/ACTION

The Council received a staff report from Mark Fina (NPFMC), the Advisory Panel report and oral public comment on this issue.

Workplan for 3-yr review

The Council made several suggestions and clarifications to ensure that the analysis will adequately explore all facets of the program, including effects of the 90/10 split and arbitration on communities and crew. The Council chose not to revise draft the purpose and need statement for modification of the program, but tasked the newly-reconstituted crab advisory committee to review it and propose necessary revisions to the statement, as well as alternatives, to modify the crab rationalization program. Chairman Olson advised that Sam Cotten will chair the new crab committee. Mr. Cotten spoke about plans to get the committee started by having Mark Fina provide necessary background information along with a draft agenda and workplan.

Gerry Merrigan distributed a list of possible issues for the committee to address to determine which issues are considered problematic by the industry and need to be pursued by formal action after the 3-year review. The Council discussed the tasks, but did not give any direction other than to provide it to the Chair of the committee.

Mr. Merrigan also noted several issues to be covered in the workplan mentioned during public comment, including consideration of the effects of the "right of first refusal," the investment of communities to encourage promotion of the crab fishery in those communities, including processing. Mark Fina advised that he had taken note of the issues mentioned during Council discussion and public comment and will supplement the outline that will be provided to the committee and as new issues are brought forward he will continue to update the workplan.

Mr. Tweit pointed out that because sufficient data will not be available, the '3-year review' to be provided in October will not be based on a full three years of data for most species under the program. He also expressed his concern that staff is working concurrently on the 3-year review and analytical tasks that, in his opinion, should arise after the completion of the review.

C-3 GOA Groundfish Issues

C-3(a) GOA Pacific Cod Sector Allocation

ACTION REQUIRED

Receive staff discussion paper on Gulf of Alaska Pacific cod sector allocation. Refine components and options for analysis as needed.

BACKGROUND

In October 2007, the Council reviewed a preliminary draft EA/RIR/IRFA for the proposed Gulf of Alaska Pacific cod sector allocations. At that time, the Council requested that staff provide additional information on incidental catch of Pacific cod (including discards) and the State waters Pacific cod fisheries. The purpose of this discussion paper (Item C-3(a)(1)) is to provide the Council with information needed to refine the components and options pertaining to 1) incidental catch, and 2) interaction of the sector allocations with State waters Pacific cod fisheries.

Incidental catch
Management of incidental catch under sector allocations is addressed in Component 5 of the motion. Options include setting aside a separate incidental catch allowance (ICA) or managing each sector's incidental catch needs within its own allocation. The discussion paper first describes how NMFS currently manages incidental catch in the Pacific cod fisheries. Second, the paper provides data on total and discarded incidental catch of Pacific cod in the Gulf of Alaska and discusses management tools for reducing discards. Third, the paper discusses the proposed options for managing incidental catch under sector allocations.

State waters Pacific cod fishery
The Council's current motion does not specifically address the State waters fishery. Two concerns were raised at the October Council meeting regarding coordination of the state and federal seasons under sector allocations. This paper provides additional information on the State waters fishery that may help the Council address these concerns. One concern was that the State GHLs have not been fully utilized in recent years, resulting in stranded quota. A second concern was that sector splits might change the timing of the federal A season and potentially delay the opening of the State waters season. To address these issues, the paper first discusses current management, GHLs, and catch levels in the Gulf of Alaska State waters fisheries. Second, the paper discusses current timing of the federal and state seasons and overlap in participation in the state and federal Pacific cod fisheries. Addressing these concerns will likely require coordination of the Council action with State managers. A satisfactory solution will require consideration of the interactions between the two management systems.

The **Scientific and Statistical Committee** did not address any of the C-3 agenda issues.

Report of the Advisory Panel

The AP recommends the Council move forward in developing an EA/RIR/IRFA regarding Pacific cod sector splits with the following changes:

In Component 2:

1. Delete all CP less than 125 and all CP greater or equal to 125ft.
2. Establish pot catcher vessels less than 60' and pot catcher greater than or equal to 60' as an option under pot catcher vessels

In Component 5:

Delete current language and replace with October AP motion with an addition as follows:

Component 5: Allocation of Pacific cod to jig sector

The AP recommends Component 5 read as follows:

Options include 1%, 3%, 5%, or 7% of the Western and Central GOA Pacific cod allocations for the jig catcher vessel sector, with a stairstep provision to increase the allocations by:

- 1%
- 2%
- 3%

If 100% of the Federal jig allocation and 90% of one of the Central Gulf state waters district GHLs or the Western Gulf state waters GHL is harvested. Subsequent to the jig allocation increasing by a stairstep up, if the harvest threshold criteria described above are met, the jig allocation will be stepped down by 1% in the following year, **but shall not drop below 1%.**

The jig allocation could be set aside from the A season TAC, the B season TAC, or divided between the A and B season TACs.

Additionally:

The AP recommends Council task the State of Alaska, NOAA GC and council staff to explore possible solutions for the jig fishery management structure (both federal and State) that creates a workable fishery that will minimize the amount of stranded cod quota.

Possible solutions that could be explored are as follows:

1. Separate State and federal allocations – manage accounting by seasonal structure
2. No State managed jig fishery – State allows federal management for both the state jig GHL and federal quota as one federal quota fishery.
3. State managed jig Pcod fishery – federal management authority goes to the state of Alaska to manage a state gear specific fishery.

COUNCIL DISCUSSION/ACTION

[NOTE: Sue Salveson participated in this discussion for Jim Balsiger.]

The Council received a staff report from Jeannie Heltzel, (NPFMC staff), the Advisory Panel Report, and oral public comments on this issue.

Denby Lloyd moved to approve the recommendations of the Advisory Panel, with the following changes:

The ~~AP recommends the~~ Council requests staff move forward in developing an EA/RIR/IRFA regarding Pacific cod sector splits with the following changes:

In Component 2:

1. Delete all ~~CP~~ catcher processors less than 125 ft. and all ~~CP~~ catcher processors greater or equal to 125 ft.

2. Establish pot catcher vessels less than 60' and pot catcher greater than or equal to 60' as an option under pot catcher vessels.

3. Establish trawl CPs less than 125 ft. and trawl CPs ≥125 ft.

In Component 5:

Delete current language and replace with October AP motion with an addition as follows:

Component 5: Allocation of Pacific cod to jig sector

~~**The AP recommends Component 5 read as follows:**~~

~~**Options include 1%, 3%, 5%, or 7% of the Western and Central GOA Pacific cod allocations for the jig catcher vessel sector, with a stairstep provision to increase the allocations by:**~~

- ~~**1%**~~
- ~~**2%**~~
- ~~**3%**~~

~~**If 100% of the Federal jig allocation and 90% of one of the Central Gulf state waters district GHLs or the Western Gulf state waters GHL is harvested. Subsequent to the jig allocation increasing by a stairstep up, if the harvest threshold criteria described above are met, the jig allocation will be stepped down by 1% in the following year, but shall not drop below 1%.**~~

~~**The jig allocation could be set aside from the A season TAC, the B season TAC, or divided between the A and B season TACs.**~~

~~**Additionally:**~~

In addition to Component 5 currently in the analysis, the Council requests staff work with ~~The AP recommends Council task~~ the State of Alaska and NOAA GC and ~~council staff~~ to explore possible solutions for the jig fishery management structure (both federal and State) that creates a workable fishery that will minimize the amount of stranded cod quota in the state managed fishery..

Possible solutions that could be explored are as follows:

1. **Separate State and federal allocations – manage accounting by seasonal structure**
2. ~~**No State managed jig fishery – State allows federal management for both the state jig GHL and federal quota as one federal quota fishery.**~~
3. **2. State managed jig Pacific cod fishery – federal management authority goes to the state of Alaska to manage a state gear specific fishery.**

Within Component 5 currently in the analysis, change the reference to "jig catcher vessel sector" to jig vessel sector."

The motion was seconded by Sam Cotten.

Sue Salveson moved to amend as follows: Delete Component 6, and in Component 3 [Page 3 of the discussion paper] insert the following sentence at the end of the last paragraph: "Further, all sector allocations will be managed to support incidental and directed catch needs." The motion was seconded and carried without objection.

Gerry Merrigan moved to amend: Under component 3, Option 2, re-word as follows for clarification: All retained Pacific cod harvested during the directed Pacific cod federal and parallel fisheries. The motion was seconded and carried without objection. Mr. Merrigan noted that this motion was for clarification of the Council intent.

Mr. Benson proposed an amendment for Option1 under Component 3, to clarify that it refers to federal and parallel groundfish fisheries, however the motion was withdrawn after staff clarification and Council discussion relating to the accounting methods used for the current discussion paper versus those used in the previous analysis.

Sue Salveson moved to amend the first paragraph of Component 5, to change the stairstep provision, as follows: "If 90% or more of the jig gear allocation in an area is harvested, . . ." The motion was seconded and carried without objection.

Gerry Merrigan moved to amend to request staff add the following option under the hook and line catcher vessels: Less than 60 ft, and greater than or equal to 60 ft. The motion was seconded and carried without objection.

With regard to the possible solutions for the jig gear fishery management structure listed in the last portion of the motion, it was clarified by Mr. Lloyd that it was not meant to be integrated into the current the analysis for sector allocations, but to request NMFS and State staff to explore possible solutions and return to the Council at a later date with a problem statement and/or a suite of possible solutions.

Gerry Merrigan and Duncan Fields both proposed motions to amend the Component 5 stairstep provision to include a ceiling, however after discussion both amendments were withdrawn after it was pointed out that the highest year of the jig harvest is currently 1.2% and it's very unlikely that the 7% level would be reached.

The main motion, as amended, carried without objection.

Denby Lloyd moved to delay initial review of the analysis until the April 2008 meeting. The motion was seconded and carried without objection. The Council's final action on this agenda item is found in Appendix IV to these minutes.

C-3(b) GOA Sideboards

ACTION REQUIRED

Review discussion paper and take action as necessary

BACKGROUND

At the April 2007, the Council reviewed a discussion paper on GOA sideboard limits and directed staff to expand the discussion paper to include assessments of the following:

- **Potential conflicts between the CGOA Rockfish Pilot Program and Amendment 80 to determine overlaps, and if so, how sideboard limits might be combined, removed, or modified while maintaining the intent of the limits;**
- **An option to allow AFA CV GOA sideboard exempt fleet to lease their BSAI pollock allocation during the B season (June 10 to November 1);**
- **Removing the 14 day stand down (July 1 to July 14) for CP vessels participating in the CGOA Rockfish Pilot Program and form cooperatives in the BSAI fisheries under Amendment 80;**
- **Exempt non-AFA Pacific cod sideboarded crab vessels from GOA Pacific cod sideboards on November 1st if B season Pacific cod in WGOA and CGOA directed fisheries will not be fully harvested;**
- **An option to change the formula for determining GOA Pacific cod sideboard exemption status for non-AFA crab vessels;**
- **An option to exempt non-AFA crab vessels from GOA pollock sideboard limits who historically have been dependent upon the GOA pollock fishery; and**
- **Examine the number and collective harvest of crab rationalized vessels that have been sold and then enter the pot cod fishery in GOA.**

In October 2007, the Council postponed presentation of the GOA sideboard limits discussion paper until the December meeting due to time constraints. The AP did review this agenda item in October and provided recommendations to the Council concerning the GOA sideboard limits. Pertinent AP minutes are provided below:

> ***The AP recommends that the Council initiate an analysis for a regulatory amendment to exempt CP trawl vessels that participate in the CGOA Rockfish pilot program cooperative or limited access sectors and also belong to a cooperative in the BSAI fisheries under Amendment 80 from the July stand-down period. (motion passed 17/0)***
>
> ***The AP recommends that the Council initiate an analysis for a regulatory amendment to add an amount of halibut PSC to the Amendment 80 3rd quarter deep-water halibut PSC sideboard proportionate to the halibut available to the rockfish catcher-processor limited access and opt-out fisheries. (motion passed 17/0)***
>
> ***The AP recommends the Council initiate an analysis for a regulatory amendment to address crab rationalization sideboards with the following revisions to the options provided in the discussion paper:***
>
> > ***Option 2 – Replace "allocation" with "catch history"***
> >
> > ***Add – Option 3 – exempt non-AFA crab vessels from GOA Pacific cod sideboards if the vessel's Bering Sea opilio catch history is less than 500,000 lbs and the vessel landed more than 2,500 mt of GOA Pacific cod from 1996-2000. (motion passed 18/0)***
>
> ***The AP wishes to re-affirm that this exemption would apply only those non-AFA crab vessels/licenses that are eligible to participate in the GOA Pacific cod fishery.***
>
> ***The AP recommends that Council task staff with further developing the discussion addressing the Council's policy that requires vessels to fish their BSAI pollock allocation to maintain their exempted status. (motion passed 18/0)***

Attached as <u>Item C-3(b)(1)</u> is a revised discussion paper of the GOA sideboards and options for consideration associated with the American Fisheries Act (AFA) BSAI Pollock Cooperative Program, Crab Rationalization Program, Rockfish Pilot Program, and Amendment 80 Cooperative Program. Where appropriate, staff has also provided some information on the AP's October recommendations.

At this meeting, the Council will review the discussion paper and decide whether or not to initiate analysis of possible changes to sideboard limits or other measures.

Report of the Advisory Panel

The AP wishes to reiterate its motion from the October 2007 minutes:

The AP recommends that the Council initiate an analysis for a regulatory amendment to exempt CP trawl vessels that participate in the CGOA Rockfish pilot program cooperative or limited access sectors and also belong to a cooperative in the BSAI fisheries under Amendment 80 from the July stand-down period.

The AP recommends that the Council initiate an analysis for a regulatory amendment to add an amount of halibut PSC to the Amendment 80 3rd quarter deep-water halibut PSC sideboard proportionate to the halibut available to the rockfish catcher-processor limited access and opt-out fisheries.

The AP recommends the Council initiate an analysis for a regulatory amendment to address crab rationalization sideboards with the following revisions to the options provided in the discussion paper:

Option 2 – Replace "allocation" with "catch history"

Amend Option 3: Exempt non-AFA crab vessels from GOA Pcod sideboards if the vessel's BS opilio catch history is less than 500,000 lbs and the vessel landed more than 2,500 mt of GOA Pcod from 1996-2000 **OR if a vessel has less than 500,000 lbs of BS Opilio catch history and 20 GOA Pollock trawl landings and 1,500,000 mlbs of GOA pcod landings during the years 1996-2000.**

The AP wishes to re-affirm that this exemption would apply only those non-AFA crab vessels/licenses that are eligible to participate in the GOA Pacific cod fishery.

The AP recommends that Council task staff with further developing the discussion addressing the Council's policy that requires vessels to fish their BSAI pollock allocation to maintain their exempted status.

COUNCIL DISCUSSION/ACTION

[Note: Ed Dersham and Sue Salveson participated in this discussion for Denby Lloyd and Jim Balsiger, respectively.]

The Council received a staff report from Jon McCracken (NPFMC), the Advisory Panel report, and oral public comments on this issue.

Gerry Merrigan provided a written motion, including comments in support. The motion follows:

The Council is initiating an analysis for a regulatory amendment package on potential exemptions to the crab rationalization sideboards. Staff should develop a draft purpose and need statement as well as reorganize current elements and options accordingly. It is the Council's intent to have an idea of the potential impact (number of vessels that might be exempt) from each distinct option and suboption – to the extent practicable.

The purpose and need statement should include that the application of crab sideboards (with the combination of thresholds, time periods, etc.) some historical participants in the GOA groundfish fisheries may have been unduly prevented from participating in the apportionment of crab sideboard amounts. For balance, the purpose and need statement should also reflect the original intent of crab sideboards, i.e., not to transfer increased effort to the groundfish fisheries as a result of vessels receiving a "benefit" from flexibility acquired due to crab rationalization. Additionally, the permanent nature of the sideboard does not allow for participants to opt out of the crab program (i.e., receive no "benefit") and remove the sideboard restriction. The purpose and need statement should also reflect that GOA B season Pacific cod has not been harvested in recent years.

Suggested elements and options (the intent is to include the AP motions with some revisions). These are intended as guidance for staff, and is not intended to limit (or sideboard) their analytic abilities.

1. Vessel Exempted Status

A. Exempted vessel status for Pacific cod (going from the larger pool of potential vessels to the smaller pool of potential vessels). Staff can substitute threshold currencies (%QS, pounds, etc.) that provide the most consistency and ease of analysis while capturing the same intent.

Option 1: No changes to the exempted status requirements

Option 2: To receive exempted status, the vessel/LLP would forfeit all BS opilio shares.

Suboption: To receive exempted status, vessel LLP would forfeit their Bering Sea opilio shares that are in excess of the 100,000 pound landing threshold during the qualifying years 1996-2000.

Option 3: Exempt non-AFA crab vessels from GOA Pacific cod sideboards if the vessel's Bering Sea opilio catch history is less than 0.22% and the vessel LANDED MORE THAN 500 MT OF GOA Pacific cod from 1996-2000.

Suboption: To receive exempted status, vessel/LLP would forfeit their BS opilio shares that are in excess of the 100,000 pound landing threshold during the qualifying years 1996-2000.

Option 4. Exempt non-AFA crab vessels from the GOA Pacific cod sideboards if the vessel's Bering Sea opilio catch history is less than 500,000 pounds and the vessel landed more than 2500 mt of GOA Pacific cod from 1996-2000.

Option 5: Exempt non-AFA crab vessels from the GOA Pacific cod sideboards if the vessel's Bering Sea opilio catch history is less than 500,000 pounds and the vessel has landed 680 mt of GOA Pacific cod landings from 1996-2000.

Suboption: In addition to the above, must also have 20 GOA pollock trawl landings during 1996-2000.

All these exemptions apply to those non-AFA crab vessels/LLPs that are eligible to participate in the GOA Pacific cod fishery (have appropriate LLP).

B. Exempted vessel status for pollock:

Option 1: No exempted status.

Option 2: Exempt Non-AFA crab vessels from GOA pollock sideboards if the vessel's Bering Sea opilio allocation is less than 0.22% and the vessel had: 1) 5 pollock deliveries, 2) 10 pollock deliveries, or 3) 20 pollock deliveries from 1996 to 2000.

All these exemptions only apply to those non-AFA crab vessels/LLPs that are eligible to participate in the GOA groundfish fishery (have appropriate LLP).

C. Proposed exemption from B season Pacific code sideboard limit after November 1.

Options to include lifting sideboard restriction from 1) those that have a GOA Pacific cod sideboard, and 2) those that have GOA groundfish sideboard.

This exemption only applies to those non-AFA crab vessels/LLPs that are eligible to participate in the GOA Pacific cod fishery (have appropriate LLP).

The analysis should include how this November 1 exemption may interact with GOA Pacific cod sector splits.

The motion was seconded by Dave Benson.

Mr. Merrigan noted in his comments in support of the motion that three potential regulatory amendment packages could be initiated from the discussion paper addressing crab rationalization sideboards, Amendment 80 sideboards, and CGOA rockfish pilot program sideboards, although the origin was in response to concerns raised over the crab rationalization program. Mr. Merrigan noted that with current staff workloads and the need to have shorter meetings, that the Council should prioritize and address the original issue at this time.

Mr. McCracken advised that the option which would base the first threshold on Bering Sea opilio allocation, is a very complex issue, difficult to analyze, and is more problematic because of confidentiality issues, so staff would not be able to provide much information.

Sue Salveson moved to amend, to include the following provisions recommended by the Advisory Panel:

Initiate an analysis for a regulatory amendment to exempt CP trawl vessels that participate in the CGOA Rockfish pilot program cooperative or limited access sectors and also belong to a cooperative in the BSAI fisheries under Amendment 80 from the July stand-down period.

Initiate an analysis for a regulatory amendment to add an amount of halibut PSC to the Amendment 80 3rd quarter deep-water halibut PSC sideboard proportionate to the halibut available to the rockfish catcher-processor limited access and opt-out fisheries. The motion was seconded.

During discussion, Council members discussed prioritization of these issues and determined that they should be analyzed in a separate amendment package in order not to delay action on the crab issues. With that understanding, the amendment carried without objection.

The main motion, as amended, carried without objection.

Sam Cotten moved to initiate an analysis for a regulatory amendment to the GOA non-exempt AFA CV groundfish harvest sideboards for Pacific cod and pollock:

Option 1. Status quo
Option 2. Limit harvest to 2005-2007 catch history
Option 3. No sideboard limits
Option 4. No harvest allowed

The motion was seconded.

Dave Benson moved to amend to add a new option to expand the range of years: average harvests for 2001-2005. The motion was seconded and carried without objection.

Lisa Lindeman, NOAA General Counsel, expressed concern with proposing elements and options before developing a purpose and need statement. Mr. Merrigan noted that the proposal has not yet been addressed by the Advisory Panel, and there were only two persons providing public comments. Mr. Fields noted that changes in the BSAI fisheries could have adverse effects on Gulf of Alaska fisheries and those possible effects should be considered.

Mr. Cotten's motion, as amended, carried, 6 to 5 (Benson, Bundy, Hyder, Tweit, and Merrigan voting against). In terms of priority, Mr. Cotten stressed that he's not asking that a high priority to be assigned to this analysis.

The final motion on GOA sideboards is found in Appendix V to these minutes.

C-3(c) GOA Pollock Trip Limit

ACTION REQUIRED

Review the Gulf of Alaska Pollock Trip limit RIR/IRFA for consideration of final action

BACKGROUND

In October, the Council reviewed the draft analysis of the Gulf of Alaska pollock trip limit. The Council requested that the draft be updated to include trawl pollock landings throughout the Gulf of Alaska (including areas 630 and 640). The revised draft, which was mailed out on November 9 and attached as Item C-3(c)(1), incorporates that change.

New information in the analysis shows increased instances where vessels participating in the Gulf of Alaska trawl pollock fishery made landings greater than 300,000 pounds (136 mt) during a calendar day. In the previous report, where only landings from management areas 610 and 620 were included, there were 187 instances where vessels made daily landings greater than 300,000 pounds over the period 1999-2006. When the analysis was extended to be Gulf-wide (including areas 630 and 640 - consistent with the wording in current regulation), the number of instances where daily trawl pollock landings greater than 300,000 pounds in a calendar day occurred increased to 241 over the period 1999-2006.

The Alaska Board of Fisheries has been considering action in State waters on the trip limit issue. At their November 2007 meeting in Homer, the Board of Fisheries passed a motion to introduce a new regulation with language similar to Alternative 2 (a) of the proposed Council action. Details of the Board of Fisheries action will be presented in B-4, but they did not include in their action the second portion (Alternative 2 (b)) of the Council's proposed action shown below.

> ***(b) The cumulative amount of pollock harvested from any GOA regulatory area landed by a trawl catcher vessel cannot exceed the daily trip limit of 136 metric tons times the numbers of calendar days the fishery is open in the respective regulatory area.***

At their November meeting, the Board of Fisheries received information from the State of Alaska Attorney General's Office expressing concern that the State would have difficulty enforcing the proposed regulation in 2 (b), since it includes both landings in State and Federal waters.

Alternative 1, the no action alternative, would continue the current trip limit regulation with no change. The language in Alternative 2 is intended to more effectively restrict trawl pollock harvests in the Gulf of Alaska and allow enforcement of the trip limit regulation as the Council intended when the limit was initially implemented.

At the October 2007 meeting, staff advised the Council that they intended to meet the National Environmental Policy Act (NEPA) requirements for this action through a Categorical Exclusion. An application was filed with NMFS on October 16, 2007, requesting a Categorical Exclusion Determination under NEPA for the proposed action. Council staff met with NMFS staff via teleconference on October 23rd to discuss this matter, and was advised that the exclusion would be appropriate in the opinion of the NOAA General Council's office. Therefore, NEPA considerations should not be an impediment to passage of this amendment.

Report of the Enforcement Committee

The Committee received a report from Ken Hanson, NMFS-AKR, and noted that the regulatory language for the draft proposed rule relies on reporting areas, not regulatory areas, in order to better account for the location of the harvest.

Report of the Advisory Panel

The AP recommends the Council adopt Alternative 2 as its preferred alternative.

COUNCIL DISCUSSION/ACTION
[NOTE: Ed Dersham and Sue Salveson participated in this discussion for Denby Lloyd and Jim Balsiger, respectively.]

The Council received a staff report from Jim Richardson (NPFMC), the Advisory Panel Report, and oral public comments on this issue.

Sam Cotten moved to approve the recommendation of the Advisory Panel to adopt Alternative 2 as the Council's preferred alternative:

Alternative 2:
(a) Limit trawl catcher vessels in the Gulf of Alaska pollock fishery to landing no more than 136 metric tons, through any delivery means, in a calendar day – 12 AM to 12 AM (or 0001 hrs to 2400 hrs); and

(b) The cumulative amount of pollock harvested from any Gulf of Alaska regulatory area landed by a trawl catcher vessel cannot exceed the daily trip limit of 136 metric tons times the numbers of calendar days the fishery is open in the respective regulatory area. The motion was seconded.

Mr. Cotten noted that the amendment addresses a problem with the existing regulations which were originally proposed to temporarily disburse pollock activity because of sea lion concerns. This action will close a loophole that has existed and is a refinement of current trip limits, deaingl with technical issues.

Sue Salveson moved to amend Alternative 2, option (b), to replace the word 'regulatory' in both places with the word 'reporting'. [i.e., 'reporting area' instead of 'regulatory area'] The motion was seconded and carried without objection.

The main motion, as amended, carried unanimously.

C-3(d) CGOA Rockfish Post-delivery Transfers

ACTION REQUIRED

Final action on CGOA rockfish post-delivery transfers.

BACKGROUND
At its June 2007 meeting, the Council adopted a draft purpose and need statement and alternatives to amend the Central Gulf of Alaska rockfish pilot program to permit the transfer of cooperative quota to cover overages after the time of landing. The provision would be intended to

reduce the potential for enforcement actions related to unintended overages, in the event the fisherman can acquire shares to cover the overage within a reasonable time. In response to the Council's request, staff drafted an analysis of the alternatives for Council review. At its October 2007 meeting, the Council reviewed that analysis and directed staff to release it for public review and action at this meeting. The executive summary of the analysis follows.

Executive Summary

In March of 2007, fishing in the Central Gulf of Alaska rockfish fisheries began under a new share-based management program. Under this program, cooperatives receive annual allocations of rockfish and other species (including halibut prohibited species catch) based on the qualified catch histories of their members. These annual allocations are binding without provision to cover any overage or compensate for any underage. This action considers allowing harvesters to engage in post-delivery transfers of their respective shares to cover overages.

Purpose and need statement

The Council has adopted the following purpose and need statement for this action:

> ***Participants in the Central Gulf of Alaska rockfish fishery pilot program are permitted to join cooperatives, which receive annual allocations of cooperative quota, which provide exclusive privileges to catch specific numbers of pounds of Pacific ocean perch, northern rockfish, pelagic shelf rockfish, Pacific cod, sablefish, thornyhead rockfish, shortraker rockfish, rougheye rockfish, and halibut prohibited species catch. Any harvest in excess of a cooperative quota allocation is a regulatory violation punishable by confiscation of catch and other penalties. Since all catch is counted against cooperative quota, the uncertainty of catch quantities and composition creates potential for overages. A provision allowing for post-delivery transfer of cooperative quota to cover overages could reduce the number of violations, allowing for more complete harvest of allocations, and reduce enforcement costs without increasing the risk of overharvest of allocations.***

Alternatives

The Council has identified three alternatives for this action. Alternative 1 is the status quo, under which no post-delivery transfers are permitted. Any overage at the time of landing is considered a violation subject to a potential enforcement action. Under Alternative 2, post-delivery transfers are relatively unlimited. Post-delivery transfers of shares are permitted. The number of post-delivery transfers a person may receive and their size are not limited. Post-delivery transfers are limited to being used to cover overages. Two options for limiting the time period during which the transfer may be made are set out. Under the first, the transfer must take place within 30 days of the landing. Under the second, the transfer must take place by December 31st. Under Alternative 3, moderate limits are place on post-delivery transfers. Post-delivery transfers are allowed exclusively to cover overages. Transfers are limited to five transfers of each species allocated. Any post-delivery transfer of a species, except halibut PSC, is limited to 25 metric tons. A transfer of halibut PSC are limited to 5,000 pounds. Two options limiting the time to make transfers are under consideration. Under the first, transfers are required to be made within 15 days of the landing with the overage. Under the second, transfers must be made by December 31st.

Effects of Alternative 1 (status quo)

Under the status quo alternative, all overages are subject to an enforcement action and penalty. No provision for post-delivery transfers to cover overage is made. Enforcement actions and penalties are at the discretion of agency enforcement officers and attorneys.

Since the program is in its first year, it is difficult to predict the extent to which participants will commit violations by overharvest of allocations. Each cooperative is limited by 7 or 8 species allocations (depending on the sector). As each cooperative approaches the end of its allocation, it is likely that some risk of overage will arise. End of year consolidation will be driven, in part, by the requirement that a vessel not begin a fishing trip without quota of all species. Allocations will likely be consolidated in one or two cooperatives with harvesters in those cooperatives making 'sweep up' trips to complete the season's harvests. Although consolidation of allocations in one

or two cooperatives can be used to avoid overages, it is likely that overages will occur periodically.

Under the status quo, no post-delivery transfers are permitted. Cooperatives that have an overage at the time of landing cannot make a transfer to cover that overage. Processors are generally unaffected by this provision, since the overage charged to the harvester will not affect the processor's operations. Minor enforcement burdens are expected under the status quo, as few overages are likely to occur.

Effects of Alternative 2 (unlimited post-delivery transfers)
Alternative 2 would establish a system of almost unlimited post-delivery transfers to cover overages. Despite the absence of limits, the provision is likely to be used in a limited way. Participants are only likely to rely on the provision for unintended small overages. In most cases, these transfers could be, to some extent, prearranged through an inter-cooperative that has formed in the catcher vessel sector. The number of overages at the time of landing could be slightly higher than under the status quo, if participants gain confidence that they will be able to cover the overage with a prearranged transfer. Overages not covered with a transfer and subject to penalty should be fewer than under the status quo, since the provision will allow participants to address some overharvest with transfers.

Since the rockfish fishery has relatively few cooperatives that hold shares and the shore-based sector is well-organized through the inter-cooperative agreement, quota are likely to be closely tracked throughout the season. The inter-cooperative is likely to contribute to more stable and predictable prices for post-delivery transfers. Although punitive lease rates will likely apply to large overages, lease rates for minor, infrequent overages are likely to be at a reduced rate.

The Council motion includes two options defining the time during which post-delivery transfers must be completed. Under the first option, a post-delivery transfer must be made within 30 days of the overage. The second option would require the overage to be covered by December 31st. Establishing a time limit based on the date of the overage might be supported to avoid harvesters believing that the extended period allows substantial time for finding shares to cover an overage. A lengthy period for covering an overage could lead the cooperative to unreasonably delay finding shares to cover the overage, which could result in more uncovered overages. On the other hand, the potential cost of overage penalties is likely to deter most cooperatives from delaying covering an overage. Delaying obtaining a post-delivery transfer needed to cover an overage until shares are unavailable for that transaction is unlikely to be a persistent problem.

Processors will be affected by this alternative in a few minor ways. Under the program, shore-based cooperatives are permitted to transfer allocations to other shore-based cooperatives. Any cooperative transfer requires the consent of the associated processor. This requirement, together with the requirement that cooperative formation requires consent of the associated processor, ensures the associated processor's involvement in inter-cooperative transfers (including those undertaken to cover overages).

Two factors should limit the effects of post-delivery transfers on processors. First, any unexpected transfers are likely to be for relatively small amounts of catch, limiting their effect on processors. Second, any larger post-delivery transfer is likely to be prearranged with the processor's involvement in the negotiation. A processor is unlikely to approve a transfer that it views as relevant, in the absence of compensation. Although this processor involvement in transactions is likely to complicate transactions for harvesters, the need for processor consent will ensure that transfers are not detrimental to processors.

The increase in administrative and record keeping requirements to address post-delivery transfers is somewhat limited. Yet, changes in the timing of administrative decisions and processes will pose challenges. In general, NOAA Fisheries will oversee share accounts and share usage, maintaining a record of any overage. Instead of referring overages to NOAA

Fisheries Office of Law Enforcement immediately, that notice would defer reporting until the time permitted to cover the overage with a post-delivery transfer has lapsed. Under the option that limits the time to cover overages from the date of landing (i.e., 30 days from the landing), overages would be reported on a rolling basis as overages become final (or the time to cover the overage lapses). Basing the limitation on the time from the landing could contribute to disputes. The burden of timing these notices is expected to be minor. Overall, allowing post-delivery transfers should reduce the number of enforcement actions prosecuting overages, since cooperative will have the opportunity to acquire shares to correct the pending violation.

Alternative 3 (moderately limited post-delivery transfers)
Alternative 3 is similar to Alternative 2, but imposes a few additional restrictions on post-delivery transfers. The effects of the two alternatives are largely the same, except for differences arising from these additional restrictions. The limits are likely sufficient to cover an unintentional overage arising from a single tow. In some instances, it is possible (although unlikely) that an overage arising from a single tow could exceed a limit. The thresholds could be effective in deterring unreasonable reliance on the post-delivery transfer ability to cover an excessive overage. Yet, the possibility of unreasonable reliance on a speculative post-delivery transfer to cover an excessive overage is limited. Participants are likely to realize that the cost of covering an overage will rise with the magnitude of the overage. This alternative would also limit each cooperative to five post-delivery transfers per species. This limit would allow a vessel to make up to five independent trips with an overage of a species. Although it is possible that a cooperative could have multiple overages of a species, it is unlikely that the limit of five post-delivery transfers would be constraining. This alternative includes the same two options for defining the time for completing a post-delivery transfer as Alternative 2. Neither option is likely to constrain effectiveness of the provision.

The effects of this alternative on processors and management and enforcement are likely to be the same as the effects of Alternative 2.

Net benefits to the Nation
A minor overall net benefit to the Nation is likely to arise from this action. The action is likely to reduce the number of overages by allowing participants to use post-delivery transfers. The risk of increasing the magnitude of any overage is also limited, since enforcement actions and the associated penalties are likely to deter careless overharvest of allocations. The action has the potential to reduce administrative and enforcement costs by reducing the number of enforcement actions for overages.

The **Scientific and Statistical Committee** did not address this agenda item.

Report of the Advisory Panel

The AP recommends the Council select the following as its preferred alternative:

Alternative 2 – Unlimited post-delivery transfers

Purpose of post-delivery transfers
Post-delivery transfers would be allowed exclusively to cover an overages.

Shares used for post-delivery transfers
Post-delivery transfers of the following shares are permitted:
catcher vessel CQ
catcher processor CQ

Limits on the magnitude of a post-delivery transfer
None

Limits on the number of post-delivery transfers
None

Limits on the time to undertake a post-delivery transfer
Suboption: All post-delivery transfers must be completed by December 31st.

COUNCIL DISCUSSION/ACTION
[NOTE: Ed Dersham and Sue Salveson participated in this discussion for Denby Lloyd and Jim Balsiger, respectively.]

The Council received a staff report from Mark Fina (NPFMC), the Advisory Panel report, and oral public comments on this issue.

Ed Dersham moved to adopt Alternative 2, unlimited post-delivery transfers for the Gulf of Alaska Rockfish Pilot Program.

Purpose of post-delivery transfers
Post-delivery transfers would be allowed exclusively to cover overages.

Shares used for post-delivery transfers
Post-delivery transfers of the following shares are permitted:
catcher vessel CQ
catcher processor CQ

Limits on the magnitude of a post-delivery transfer
None

Limits on the number of post-delivery transfers
None

Limits on the time to undertake a post-delivery transfer
Suboption: All post-delivery transfers must be completed by December 31st

No cooperative shall be permitted t begin a fishing trip unless the cooperative holds unused CQ.

The motion was seconded by Ed Rasmuson and carried unanimously.

In support of the motion, Mr. Merrigan pointed out that Alternative 3 would have imposed more restrictions on industry without any appreciable gain and would require more enforcement. Alternative 2 addressed the problem statement and needs identified during public comment.

C-4 LLP Trawl Recency

Because of time constraints, this agenda item was delayed until the February 2008 Council meeting. The SSC and AP received staff reports on this issue. The comments and recommendations can be found in the SSC and AP Minutes, Appendices VI and VII, respectively, to these minutes.

C-5 Amendment 80

ACTION REQUIRED

Initial review of the analysis

BACKGROUND

At its October 2007 meeting, the Council adopted a draft purpose and need statement and alternatives to amend the Amendment 80 program to permit (1) transfer of cooperative quota to cover overages after the time of landing and (2) rollovers of Amendment 80 limited access allocation that is projected to be unharvested to the Amendment 80 cooperatives. The post-delivery transfer provision would be intended to reduce the potential for enforcement actions related to unintended overages, in the event a cooperative can acquire shares to cover an overage within a reasonable time. The rollovers of projected unharvested Amendment 80 limited access allocations to Amendment 80 cooperatives would be intended to reduce unharvested species allocations to ensure the TAC is utilized to the fullest extent practicable. In response to the Council's request, staff drafted an analysis of the alternatives for Council review. At this meeting the Council will decide whether the analysis, Item C-5(a), is sufficient to be released for public review.

Report of the Scientific and Statistical Committee

The SSC provided several recommendations to staff for revisions to the analysis before it is released for public review. Please see the SSC Minutes, Appendix VI to these minutes, for the entire set of recommendations.

Report of the Advisory Panel

The AP recommends the Council release the analysis for public review and final action in February. The AP further recommends the Council adopt the following as its preliminary preferred alternative:

Post Delivery Transfers: Alternative 2

Rollovers: Alternative 2
No 5% deduction at time of rollover

COUNCIL DISCUSSION/ACTION
[NOTE: Earl Krygier and Sue Salveson participated in this discussion for Denby Lloyd and Jim Balsiger, respectively.]

The Council received a staff report from Jon McCracken (NPFMC staff), the SSC and Advisory Panel reports, and oral public comments on this issue.

Earl Krygier moved to approve the recommendations of the Advisory Panel (see above). The motion was seconded by Dave Benson and carried without objection.

Mr. Fields asked staff about the possibility that an owner of multiple vessels could place some vessels in a co-op and others in the open access to close that fishery by aggressively fishing to close it by bycatch in some species, thus allowing potentially more valuable species to roll over into the co-op fishery. Mr. McCracken stated that is a potential scenario. Mr. Fields suggested that there should be further analysis of this possibility before moving the analysis out for public review, perhaps including a provision that

would require an owner to join a cooperative with all his economic interests in the fishery, or join the open access fishery. Staff indicated that option could potentially take a lot of analytical work and may slow progress on the amendment.

Mr. Benson pointed out that a similar provision was included in the proposed rule for Amendment 80 generating a lot of industry opposition and it was subsequently changed in the Final Rule. The Council had the opportunity to address that provision during that public comment period and chose not to. Mr. Benson noted that there were a couple of other issues mentioned that had been brought up during public comment and if the Council wishes, it could include this issue with those and initiate a separate amendment package instead of delaying the current one with addition options for analysis.

C-6 Observer Program

This agenda item was deferred to the February 2007 meeting because of time constraints. The SSC and AP received staff reports on this issue. Their comments and recommendations can be found in the SSC and AP Minutes, Appendices VI and VII, respectively, to these minutes.

C-7 AFA Permit Application

ACTION REQUIRED

Consider request for approval of unrestricted AFA processing permit

BACKGROUND

In October the Council was requested by Adak Fisheries LLC to review an application for an unrestricted AFA processor permit (Item C-7(a)). The relevant statutory provision and regulations outlining this process are included as Item C-7(b). In essence, NMFS may grant such a permit application only upon recommendation by the Council to do so. The Council may only make such recommendation when the combined BSAI TAC for pollock, in any year, exceeds 1,274,900 mt, or upon the actual total or constructive loss of an existing AFA processor, and after providing an opportunity for public comment. The regulations also allow the Council to establish additional procedures for review and approval of such permit requests.

While the upcoming ABC for pollock appears at this time to fall below the threshold, the literal wording of the regulations allow the Council to consider a request "*at any time prior to or during a fishing year*" in which the TAC exceeds the threshold (as it does in 2007). The regulations go on to specify that the Council will establish the duration of the permit, which "*may be for any duration……or the Council could recommend that a permit issued under this paragraph remain valid as long as the TAC remains above the threshold (for example)*".

In summary, this means that the Council could recommend issuance of a permit at this meeting, even though the TAC for the coming fishing year would appear at this time to be well below the threshold referenced in regulation. The regulations do not specify what the Council must consider before making a recommendation, only that the Council provide opportunity for public comment. The Council may wish to have some kind of analysis before it considers such a permit request, but that is the prerogative of the Council. NMFS however will need to have an appropriate analysis (such as a NEPA document) before approving any Council recommendation for a permit, as that would constitute a federal action.

There also appear to be serious implementation aspects, in terms of timing of such a permit approval relative to cooperative contracts already in place, but these have not been fully assessed by staff. The Council could choose to discuss these issues at this meeting, including the process for reviewing such requests in the future, including establishment of any additional

procedures which the Council has the authority to establish under the regulations. Or the Council could request that a more detailed discussion paper be prepared to better flesh out these issues for future reference. If the Council were to recommend that a permit be approved, it is likely that NOAA Fisheries would have to flesh out many of these details before considering whether to approve the permit. Item C-7(c) is a letter from NOAA Fisheries with further explanation of the process and issues.

Neither the **Scientific and Statistical Committee** nor the **Advisory Panel** addressed this agenda issue.

COUNCIL DISCUSSION/ACTION
[NOTE: Earl Krygier and Sue Salveson participated in this discussion for Denby Lloyd and Jim Balsiger, respectively.]

Chris Oliver, Council Executive Director, reviewed the action memo and the Council received oral public comments. After reviewing the proposal and regulatory language, the Council elected to take no action on the application. There was concern that the proposal had not gone through Council analysis and review normally undertaken for changes in regulations. Additionally, some Council members felt that approving this request would not necessarily conform to the intent of the original Congressional action. It was pointed out, however, that the community of Adak has tried on several occasions to propose various solutions to the challenges it faces and that the Council should make an effort to work with Adak to achieve the goals they have set out.

D. GROUNDFISH MANAGEMENT

D-1(a) BSAI Salmon Bycatch

ACTION REQUIRED

Review salmon bycatch EFP results; Receive Salmon Bycatch Workgroup Report and refine alternatives for analysis; Review Notice of Intent and take action as necessary

BACKGROUND

Salmon Bycatch EFP results

The BSAI pollock Intercoop report on the rolling hotspot exempted fishing permit (EFP) will be presented to the Council by John Gruver (Intercoop Manager) and Karl Haflinger (Sea State). A preliminary written report covering the EFP for the 2007 A and B seasons will be distributed to the Council and AP. As stipulated by the EFP, that report will include:

1. **Number of salmon taken by species during the experiment**
2. **Estimated number of salmon avoided as demonstrated by the movement of fishing effort away from salmon hot-spots.**

A separate report on compliance/enforcement will be presented to the Council in February and will include the results of an external audit to be performed by Alaska Biological Research.

Salmon Bycatch Analysis Alternatives

The Council is in the process of refining alternatives for a forthcoming salmon bycatch reduction amendment package for the BSAI pollock fishery. The current suite of alternatives was last revised by the Council in June 2007, when a request was made to the Salmon Bycatch Workgroup to provide input to the Council on further refinement of these alternatives. The Salmon Bycatch Workgroup has met twice since that time to provide their recommendations to the Council. The Council revised the problem statement for the analysis at their October 2007 meeting. The problem statement and the existing suite of alternatives are attached as Item D-1(a)(1). In

October, the Council moved forward with suggested revisions to the cap formulation options under the alternative structure and proposed that consideration be given to subdivision of any such cap by sector or within sectors by cooperatives as applicable. The Council did not move to refine the alternatives in this manner at that time however, and instead referred discussion of the refinements to the Council's Salmon Bycatch Workgroup for their input prior to the December meeting. The Salmon Bycatch Workgroup thus convened a meeting on November 2, 2007 in order to review the Council's October motion and discuss where the cap formulation options differed from the Salmon Bycatch Workgroup's August 2007 recommendations, as well as to discuss the proposed sector split on a salmon cap in the pollock fishery. The report from the Salmon Bycatch Workgroup is attached as Item D-1(a)(2). The full October 2007 Council motion is appended to that report.

A discussion paper from staff is attached as Item D-1(a)(3). The discussion paper provides information to assist the Council with refinement of alternatives at this meeting, relative to the following:

1. **Cap formulation: Distinctions between the proposed cap limits and ranges per the Salmon Bycatch Workgroup's August 29 recommendations to the Council and the Council's October motion.**
2. **Sector split on salmon cap: Proposed cap limits by sector per Council October motion, the potential catch constraint implications by sector, and length-frequency data for salmon bycatch by sector per Salmon Bycatch Workgroup November 2 request.**
3. **Area closure options: Candidate closure options for incorporation into the alternatives.**

The Council will review both the report from the workgroup, as well as the discussion paper by staff, and further refine alternatives as necessary.

Notice of Intent

In conjunction with the agency's recommendation that the NEPA documentation to analyze the forthcoming amendment package will be an Environmental Impact Statement (EIS), and the necessity of informing the public to that extent, the agency has drafted a Notice of Intent (NOI). The NOI must include a description of the proposed action, possible alternatives to the proposed action, and a description of the scoping process. The draft NOI was mailed to the Council on November 14th, and a copy is attached as Item D-1(a)(4). The action before the Council with respect to this NOI is to review the description of the proposed action, the preliminary range of salmon bycatch management alternatives, and the preliminary identification of issues to be analyzed as noted therein, in order to ensure that the Council and the agency have a similar understanding of these issues. Provided the Council concurs on the NOI as drafted, NMFS will publish this and begin the scoping period. This scoping period would end in February 2008.

The **Scientific and Statistical Committee** did not address this agenda issue.

Report of the Advisory Panel

The AP recommends the Council adopt the problem statement and move forward the analysis and alternatives proposed by the Salmon Bycatch Workgroup in their May and August 2007 meetings and as described on pages 1 and 2 of D-1 (a)(1) and pages 3 and 4 of D-1 (a) (3) with the following changes:

Option B) Cap formulation based on:

1. Establish cap based on:
    a. Average historical bycatch;
        i. 3 years (2004-2006)
        ii. 5 years (2002-2006)

iii. 10 years (1997-2006)
~~Option: Drop 2000~~

Suboption: drop lowest year

Suboption: drop highest year

b. Percentage increase of :
   i. Historical average
      1. 10%
      2. 20%
      3. 30%
   ii. Highest year
      1. 10%
      2. 20%
      3. 30%

2. Set cap relative to salmon returns:
   Recommend that analysts prepare draft language to better characterize on-going investigations by analysts here for presentation to the Council in October

3. Incidental Take Permit amount
4. International treaty considerations
   a. Average historical bycatch pre-2002
      i. 3 years (1999-2001)
      ii. 5 years (1997-2001)
      iii. 10 years (1992-2001)
   b. Percentage decrease of historical averages:
      i. 10% decrease
         1. 3 years (1999-2001)
         2. 5 years (1997-2001)
         3. 10 years (1992-2001)
      ii. 20% decrease
         1. 3 years (1999-2001)
         2. 5 years (1997-2001)
         3. 10 years (1992-2001)
      iii. 30% decrease
         1. 3 years (1999-2001)
         2. 5 years (1997-2001)
         3. 10 years (1992-2001)

The AP also recommends adding an option to the alternatives for new closures that would allow for an exemption such as the one currently implemented under amendment 84 for the fleet to these new closures.

Delete Element 4 from the elements and options.

Additionally, the AP recommends adding an option to divide the final cap by sectors (50% shore based CV fleet; 10% for the mothership fleet and 40% for the offshore CP fleet). The sector allocations of Chinook salmon bycatch will be divided up by Pollock coops within each sector based upon the percent of total sector Pollock catch their coop allocation represents. When the Chinook salmon coop cap is reached, the coop must stop fishing for pollock and may lease their remaining Pollock to another coop (inter-cooperative transfer) within their sector for that year (or similar method to allow Pollock harvest with individual coop accountability.)

The analysis will consider equal treatment by the CDQ program under each alternative. The intent is that any alternative under consideration would be no more restrictive than the other options to CDQ.

COUNCIL DISCUSSION/ACTION
[NOTE: Earl Krygier participated in this discussion for Denby Lloyd.]

The Council received staff reports from Diana Stram (NPFMC) and Jason Anderson (NMFS-AKR), the Advisory Panel report, and oral public comments on this issue.

Earl Krygier moved to approve the recommendations of the Advisory Panel, with the following changes:

The ~~AP recommends the~~ Council adopts the problem statement and move forward the analysis and alternatives proposed by the Salmon Bycatch Workgroup in their May and August 2007 meetings and as described on pages 1 and 2 of D-1 (a)(1) and pages 3 and 4 of D-1 (a) (3) with the following changes:

Option B) Cap formulation based on:

1. **Establish cap based on:**
   - **1- Average historical bycatch;**
     - **i. 3 years (2004-2006)**
     - **ii. 5 years (2002-2006)**
     - **iii. 10 years (1997-2006)**
       - **Suboption: drop lowest year**
       - **Suboption: drop highest year**
   - **2- Percentage increase of :**
     - **i. Historical average (3 years, 2004-2006)**
       1. **10%**
       2. **20%**
       3. **30%**
     - **ii. Highest year, pre-2007**
       1. **10%**
       2. **20%**
       3. **30%**
2. **Set cap relative to salmon returns:**
   Recommend that analysts prepare draft language to better characterize on-going investigations by analysts here for presentation to the Council in October
3. **Incidental Take Permit amount**
4. **International treaty considerations**
   - **1- Average historical bycatch pre-2002**
     - **i. 3 years (1999-2001)**
     - **ii. 5 years (1997-2001)**
     - **iii.10 years (1992-2001)**
   - **~~2- Percentage decrease of historical averages:~~**
     - **~~i. 10% decrease~~**
       1. **~~3 years (1999-2001)~~**
       2. **~~5 years (1997-2001)~~**
       3. **~~10 years (1992-2001)~~**

~~**ii. 20% decrease**~~
~~**1. 3 years (1999-2001)**~~
~~**2. 5 years (1997-2001)**~~
~~**3. 10 years (1992-2001)**~~
~~**iii. 30% decrease**~~
~~**1. 3 years (1999-2001)**~~
~~**2. 5 years (1997-2001)**~~
~~**3. 10 years (1992-2001)**~~

~~**The AP also recommends adding**~~ **Add an option to the alternatives for new closures that would allow for an exemption such as the one currently implemented under amendment 84 for the fleet to these new closures.**

~~**Delete Element 4 from the elements and options.**~~

~~**Additionally, the AP recommends adding**~~ **Add an option to divide the final cap by sectors based upon:**

Option 1. 50% shore based CV fleet; 10% for the mothership fleet, and 40% for the offshore CP fleet).
Option 2: historical average of percent bycatch by sector

~~**The sector allocations of Chinook salmon bycatch will be divided up by Pollock coops within each sector**~~ **Add another option to further subdivide sector allocation by cooperative based upon the percent of total sector Pollock catch their coop allocation represents. When the Chinook salmon coop cap is reached, the coop must stop fishing for pollock and may lease their remaining pollock to another coop (inter-cooperative transfer) within their sector for that year (or similar method to allow Pollock harvest with individual coop accountability) or purchase salmon bycatch from other cooperatives.**

The analysis will consider equal treatment by the CDQ program under each alternative. The intent is that any alternative under consideration would be no more restrictive than the other options to CDQ.

The Council also approves publication of the draft Notice of Intent prepared by NMFS.

The motion was seconded by Gerry Merrigan and carried without objection. The final motion is found in Appendix VIII to these minutes.

D-1(b) VMS Exemption for Dinglebar Gear

This agenda item was deferred to the February 2008 Council meeting because of time constraints. The Advisory Panel and Enforcement Committee received the staff report on this issue. Comments and recommendations of those panels can be found in Appendices VII and IX, respectively, to these minutes.

D-1(c) Other Species Management

This agenda item was deferred to the February 2008 Council meeting because of time constraints.

D-1(d) Final BSAI 2008/09 Groundfish Specs/SAFE

ACTION REQUIRED

Final action to approve the 2007 BSAI Stock Assessment and Fishery Evaluation (SAFE) report and final BSAI groundfish harvest specifications for 2008 and 2009:

1. **Acceptable Biological Catch (ABC) and annual Total Allowable Catch (TAC)**
2. **Prohibited Species Catch Limits and seasonal apportionments of Pacific halibut, red king crab, Tanner crab, opilio crab, and herring to target fishery categories**

BACKGROUND

At this meeting, the Council is scheduled to make final recommendations on groundfish and PSC specifications to manage the 2008 and 2009 Bering Sea/Aleutian Islands (BSAI) groundfish fisheries.

BSAI SAFE Report Since 2005, the Council has recommended ABCs and TACs for the next two fishing years and allows the preparation of updated assessments for species whose assessments are dependent largely on data from the EBS slope survey and the Aleutian Islands shelf survey. These surveys are conducted only in even-numbered years; therefore, the BSAI SAFE report does not contain new assessments for five rockfish categories.

The BSAI Groundfish Plan Team met in Seattle on November 13-17, 2007, to prepare the BSAI Groundfish SAFE report. The SAFE report forms the basis for BSAI groundfish harvest specifications for the 2008 and 2009 fishing years. The introduction to the BSAI SAFE report was mailed to the Council and Advisory Panel in late November 2007. The full report was mailed to the SSC.

The BSAI Groundfish Plan Team final recommendations for 2008 and 2009 are under Item D-1(d)(1). In September, preliminary projections of ABC and OFL were made on the basis of last year's stock assessments (Item D-1(d)(2)). In this SAFE report, the Plan Team has revised most of those projections. Such revisions are typically due to the development of new models; collection of new catch, survey, age composition, or size composition data; or use of new methodology for recommending ABCs. The SSC and AP recommendations will be provided to the Council during the meeting.

ABCs, TACs, and Apportionments The BSAI Groundfish Plan Team recommended OFLs and ABCs for 2008 and 2009. The sums of the recommended ABCs for 2008 and 2009 are 2,440,000 t and 2,560,000 t, respectively. They are approximately 236,000 t and 118,000 t below the sum of the 2007 ABCs. However, these values still exceed the 2 million t cap set by the Council as a conservation measure in setting TACs. Overall, the status of the stocks continues to appear favorable, although many stocks are declining due to poor recruitment in recent years. The total biomass of 16.6 million t for 2008 declined by 300,000 t from 2007.

Overall groundfish exploitable biomass is high but declining, especially for pollock and Pacific cod. The bottom trawl survey biomass estimate for pollock in 2007 was 4.3 million t, only 87% of the long-term mean of the bottom-trawl survey. The 2007 echo-integration (EIT) survey biomass estimate was 1.88 million t, only 55% of the long-term mean for this survey. Both surveys indicate that the 2006 year class is strong and that the 2005 year class is now apparently below average. The biomass estimate from the 2007 bottom trawl survey for Pacific cod of 424,000 t is down about 18% from the 2006 estimate, and is the all-time low. Plan Team ABC recommendations are trending down for gadoids, but generally up for flatfishes. The abundances of AI pollock, sablefish, all rockfishes, all flatfishes, and Atka mackerel are projected to be above target stock size. The abundances of EBS pollock and Pacific cod are projected to be below target stock size.

The 2004 Consolidated Appropriations Act requires the Council to allocate pollock TAC to the Aleut Corporation for a directed pollock fishery in the Aleutian Islands. Starting in 2005, the Council has recommended a separate Total Allowable Catch (TAC) level of 19,000 t for the AI

fishery. A mandatory 10% CDQ allocation (1,900 t) and an incidental catch allowance (ICA) of 1,600 t to cover bycatch of pollock in other AI fisheries are deducted from the TAC. The result is a directed pollock fishery allocation for the Aleut Corporation of 15,100 t. The Council has notified its intent to examine the ICA amount in recommending future AI pollock TACs.

Adopt prohibited species catch limits for Pacific halibut, crab, and herring

Beginning in 2008, the head and gut trawl catcher/processor sector, which targets flatfish, Pacific cod, and Atka mackerel, will be allocated groundfish TACs and PSCs among members of the "Amendment 80" sector that joined a cooperative. Regulations now require that crab and halibut trawl PSC be apportioned between the BSAI trawl limited access and Amendment 80 sectors after subtraction of prohibited species quota (PSQ) reserves, as presented in Table 7a for proposed 2008 and 2009 PSCs under Item D-1(d)(3). Crab and halibut trawl PSC assigned to the Amendment 80 sector is then sub-allocated to Amendment 80 cooperatives as PSC cooperative quota (CQ) and to the Amendment 80 limited access fishery as presented in Tables 7d and 7e. PSC CQ assigned to Amendment 80 cooperatives is not allocated to specific fishery categories. Regulations require the apportionment of each trawl PSC limit not assigned to Amendment 80 cooperatives be assigned into PSC bycatch allowances for seven specified fishery categories.

The Council may revise the proposed 2008 and 2009 fishery category allocations for the BSAI trawl limited access and the Amendment 80 limited access sectors as shown in Tables 7b, 7c, and 7e. Specifications for PSCs as shown in Tables 7a and 7d are fixed.

Categories used for prohibited species catch

Trawl fisheries
1. Greenland turbot, arrowtooth flounder and sablefish
2. rock sole, flathead sole, and "other flatfish"
3. yellowfin sole
4. rockfish
5. Pacific cod
6. pollock, Atka mackerel and "other species"

Non-trawl fisheries
1. Pacific cod
2. other non-trawl (longline sablefish and rockfish, and jig gear)
3. groundfish pot (exempt in recent years)

***Halibut Trawl Fisheries*: A 3,675 t limit on halibut mortality has been established for trawl gear. This limit can be apportioned to the trawl fishery categories as shown in the adjacent box.**

***Halibut Fixed Gear Fisheries*: A 900 t non-trawl gear halibut mortality limit can be apportioned to the fishery categories listed in the adjacent box. Beginning in 2008, Amendment 85 divides the halibut PSC limit for the hook-and-line Pacific cod fishery between the hook-and-line CP and CV sectors (CVs ≥60 ft (18.3 m) LOA and CVs <60 ft (18.3 m) LOA combined). The Council can provide varying amounts of halibut PSC by season to each sector, tailoring PSC limits to suit the needs and timing of each sector.**

***Crab*: Since 1997, prescribed bottom trawl fisheries in specific areas are closed when PSC limits of *C. bairdi* Tanner crab, *C. opilio* crab, and red king crab are taken. A stair step procedure for determining PSC limits for red king crab taken in Zone 1 trawl fisheries based on abundance of Bristol Bay red king crab has been in place. Based on the 2007 estimate of effective spawning biomass of 73 million pounds, the PSC limit for 2008 is 197,000 red king crabs. Up to 25% of the red king crab PSC limit can be used in**

PSC limits for red king crab and *C. bairdi* Tanner crab

Species	Zone	Crab Abundance	PSC Limit
Red King Crab	Zone 1	< threshold or 14.5 million lb effective spawning biomass (ESB)	33,000
		> threshold, but < 55 million lb of ESB	97,000
		> 55 million lb of ESB	197,000
Tanner Crab	Zone 1	0-150 million crabs	0.5% of abundance
		150-270 million crabs	750,000
		270-400 million crabs	850,000
		> 400 million crabs	1,000,000
Tanner Crab	Zone 2	0-175 million crabs	1.2% of abundance
		175-290 million crabs	2,100,000
		290-400 million crabs	2,550,000
		> 400 million crabs	3,000,000

the 56º - 56º10'N strip of the Red King Crab Savings Area. The red king crab cap has generally been allocated among the pollock/mackerel/other species, Pacific cod, rock sole, and yellowfin sole fisheries.

PSC limits for *bairdi* in Zones 1 and 2 have been based on total abundance of *bairdi* crab as indicated by the NMFS trawl survey. Based on 2007 abundance (787 million crab), and an additional reduction implemented in 1999, the PSC limit in 2008 for *C. bairdi* will be 980,000 (1,000,000 minus 20,000) *bairdi* crab in Zone 1 and 2,970,000 (3,000,000 minus 30,000) crab in Zone 2.

Since 1998, PSC limits for snow crab (*C. opilio*) are based on total abundance of *opilio* crab as indicated by the NMFS standard trawl survey. The snow crab PSC cap is set at 0.1133% of its abundance index, with a minimum PSC of 4.5 million snow crab and a maximum of 13 million snow crab. This number was further reduced by 150,000 crab in 1999. The 2007 survey estimate of 3.33 billion crabs results in a 2008 *opilio* crab PSC limit of 3,775,156 crabs, if left unadjusted. However, the crab FMP mandates a minimum of 4,350,000 snow crab. Snow crab taken within the "Snow Crab Bycatch Limitation Zone" accrues toward the PSC limits established for individual trawl fisheries.

***Herring*: In 1991, an overall herring PSC bycatch cap of 1 percent of the EBS biomass of herring was implemented. This cap is apportioned to the seven PSC fishery categories. Annual herring assessments indicate there will be very little change in the Bering Sea herring PSC limit for 2008. The herring biomass estimate for spring 2007 for the eastern Bering Sea was 178,652 t. The corresponding herring PSC limit for 2007 at 1% of this amount was be 1,787 t. ADF&G will provide the 2008 herring biomass estimate at the meeting.**

Seasonal apportionment of bycatch limits **The Council may also seasonally apportion the bycatch allowances. Regulations require that seasonal apportionments of bycatch allowances be based on information listed in the adjacent box.**

Halibut discard mortality rates **Halibut bycatch mortality rates for the 2007-2009 open access fisheries were adopted by the Council in October 2006. In October 2007, the Council adopted International Pacific Halibut Commission staff recommendations for DMRs for the 2008 BSAI CDQ fisheries (shown in the summary table below). Rates for CDQ fisheries will likely be set on a 3-year cycle when the next cycle commences for the non-CDQ fisheries in 2009 for 2010-2012.**

Factors to be considered for seasonal apportionments of bycatch allowances.

1. Seasonal distribution of prohibited species;
2. Seasonal distribution of target groundfish species relative to prohibited species distribution;
3. Expected prohibited species bycatch needs on a seasonal basis relevant to change in prohibited species biomass and expected catches of target groundfish species;
4. Expected variations in bycatch rates throughout the fishing year;

Minutes from the BSAI Groundfish Plan Team meeting will be distributed at the meeting.

CDQ Fisheries	
Gear/Target	Recommended DMR
Trawl	
Atka mackerel	85
Bottom pollock	86
Rockfish	82
Flathead sole	87
Pelagic pollock	90
Rock sole	86
Yellowfin sole	86
Pot	
Sablefish	34
Longline	
Pacific cod	10
Turbot	4

Report of Scientific and Statistical Committee

The SSC concurred with the Plan Team on OFLs and ABCs for all BSAI species with the exceptions of Pacific cod and skates (in the Other Species complex). With regard to Pacific cod, the SSC noted that the assessment of Pacific cod is very challenging and is still a work in progress. The SSC noted that while the recent trawl survey trend has been downward and the present biomass is low relative to the mid-1980s, the model indicates that the spawning biomass will be on an upward trend from 2008. Therefore, the SSC recommends keeping the ABC and OFLs at the 2007 levels for 2008 and 2009.

With regard to skates, the SSC disagreed with the Plan Team authors' recommendation to move Alaska skates under Tier 3 because of concerns with the ongoing skate assessment, discussed at the SSC's October 2006 meeting. Therefore the SSC recommended an OFL of 50,100 mt, and an ABC of 37,600 mt for skates for 2008/09.

The SSC provided more detailed comments on several BSAI groundfish species assessments and recommendations for assessment authors. Please see the SSC Minutes, Appendix VI to these minutes, for those comments.

Report of the Advisory Panel

The AP recommends the Council approve the SAFE and adopt final specifications for 2008-2009 OFLs ABCs and TACs as shown in the attached table (see the AP Minutes, Appendix VII to these minutes for Advisory Panel recommendations).

Additionally, the AP recommends rolling over the 2008 TACs for 2009, and in cases where the 2008 TAC exceeds the 2009 ABC, TAC shall be set at ABC.

The AP recommends the Council adopt the:

- 2008-2009 apportionment of PSC allowances to non-trawl gear, CDQ, AM 80 and the BSAI trawl limited access sectors
- 2008-2009 herring and red king crab sub-area PSC allowances for all trawl sectors
- 2008-2009 PSC allowances for the BSAI trawl limited access sector and non-trawl fisheries,
- 2008-2009 PSC allowances for the BSAI AM 80 limited access sector

As noted in the attached tables.

COUNCIL DISCUSSION/DISCUSSION
[NOTE: Earl Krygier participated in this discussion for Denby Lloyd.]

The Council received a staff report from Jane DiCosimo (NPFMC) and a review of the status of BSAI groundfish stocks from Drs. Loh-lee Low and Jim Ianelli, AFSC, as well as reports from the SSC and AP, and oral public comments on this agenda item.

Gerry Merrigan moved to approve the 2008/09 BSAI OFLs/ABCs/TACs as recommended by the SSC and Advisory panel, with the exception of the TAC for the Other Species complex which would be set at 40,000 mt for 2008/09. The motion was seconded.

Mr. Merrigan noted that his recommendation for the Other Species category is meant to ensure that no directed fishery occurs in the Other Species complex but not to constrain incidental harvest allocations.

Bill Tweit moved to amend the motion to change the 2008 TAC for yellowfin sole from 205,000 mt to 225,000 mt. The motion was seconded and carried without objection.

Mr. Tweit noted that the increase proposed is still under the ABC and OFL recommended by the Plan Team and SSC. The proposed increase is intended to address possible uses of yellowfin sole discussed during the Amendment 80 process and in the final Amendment 80 package. The increased TAC would be for 2008 in order to allow time to assess the situation before considering a similar increase for 2009. Mr. Tweit suggested a mid-year update on the fishery.

Dave Benson moved to amend the main motion to set the 2008 TAC for the Other Species complex be set at 50,000 mt and to advise NMFS that the Council prefers that the complex be managed to ensure it is a bycatch only fishery. The motion was seconded and carried without objection. Mr. Benson noted that flatfish TACs are increased from last year, in some cases quite substantially, and he wishes to assure that incidental catch needs can be met in those fisheries.

John Bundy moved to increase arrowtooth flounder TAC from 50,000 mt to 75,000 mt for 2008 and 2009. The motion was seconded and carried without objection.

Mr. Bundy noted that his intent is not to encourage a directed fishery on arrowtooth flounder but to avoid possible constraints in the prosecution of CDQ fisheries.

Mr. Tweit pointed out that the Council is acting conservatively and that even with the recommended changes to the TACs the total BSAI TAC is about 1.85 million while the ABC is 2.47 million. Additionally, the pollock cooperative industry has been able to anticipate and plan for the current downturn in pollock abundance.

The main motion, as amended, carried unanimously.

Gerry Merrigan moved to approve the 2008/09 BSAI PSC and seasonal apportionments of halibut, crab and herring (as noted on Tables 7a, 7b, and 7c – as amended to 593 mt for P. cod halibut mortality under trawl limited access fishery) as recommended by the Advisory Panel (see AP Minutes, Appendix VII to these minutes), and to change the halibut mortality under non-trawl fisheries to change the seasonal apportionment for the catcher vessel sector to 15, 10, 3, and 2. Additionally, approve for 2008 only the proposed PSC bycatch allowances for the BSAI Amendment 80 cooperatives found in Table 7d and PSC bycatch allowances for the BSAI Amendment 80 limited access fisheries (Table 7e). The motion was seconded by Earl Krygier.

Bill Tweit moved to substitute Table 7e as revised and submitted by Mike Szymanski, FCA, and U.S. Seafoods for the Amendment 80 limited access fishery for 2008 only. While the recommended changes address seasonal allowances, the total amount of PSC allowances remain unchanged from the original. The motion was seconded and carried without objection.

Mr. Tweit pointed out that the main effect of the changes would be the **change in halibut mortality in metric tons for Pacific cod from 25 mt to 1 mt and redistributing that halibut mortality primarily into the yellowfin sole category and some into the rock sole category**. Additionally, change **the opening date for rockfish from July 1 to January 20**. Council members expressed cautious support and stressed that they will need to review industry performance next year to determine if the agreement has accomplished what it was designed to do. There was some concern with changing the season opening date, but it was noted that the parties involved will negotiate an agreement to try to avoid problems for other industry participants.

Bill Tweit moved to amend Table 7c, to reduce the halibut mortality for Pacific cod to 585 and increase the allowance for yellowfin sole to 162 and, conforming to his previous motion, change the season start date for rockfish to January 20. The motion was seconded and carried without objection. Mr. Tweit noted that moving eight metric tones of halibut to yellowfin sole is meant to accompany the increase in the yellowfin sole TAC.

Bill Tweit moved to amend Table 7d, the herring and red king crab savings area PSC to change the season start date to January 20. The motion was seconded by Jim Balsiger and carried without objection.

The main motion, as amended, carried unanimously.

Jim Balsiger moved to approve the BSAI SAFE report. The motion was seconded by Gerry Merrigan and carried without objection.

Tables showing the Council's final action on BSAI groundfish 2008/09 groundfish harvest specifications are found in Appendix X to these minutes.

D-1(e) Final GOA 2008/09 Groundfish Specs/SAFE

ACTION REQUIRED

Review and approve GOA SAFE report (including Ecosystem and Economic SAFEs) and approve final GOA Harvest Specifications for 2008-2009 including:

1. **Acceptable Biological Catch (ABC), and annual Total Allowable Catch (TAC).**
2. **TAC considerations for the State Pacific cod fishery.**
   Prohibited Species Catch Limits

BACKGROUND

At this meeting, the Council makes final recommendations on groundfish and bycatch specifications as listed above to manage the 2008 and 2009 Gulf of Alaska (GOA) groundfish fisheries.

GOA SAFE Document

The groundfish Plan Teams met in Seattle November 13-16, 2007 to prepare the final SAFE reports and to review the status of groundfish stocks. The GOA SAFE report forms the basis for the recommended GOA groundfish specifications for the 2008 and 2009 fishing years. Note that there are three volumes to the SAFE report: a stock assessment volume, a fishery evaluation volume ("economic SAFE"), and an ecosystems considerations volume. The introduction to the GOA SAFE report was mailed to the Council and Advisory Panel in late November 2007. The full GOA SAFE report, the economic SAFE report and the ecosystem considerations volume were mailed to the SSC November 20th. The Joint Plan Team and GOA Plan Team minutes are attached as Items D-1(e)(1) and D-1(e)(2), respectively. An overview of the GOA SAFE report and ecosystem considerations volume will be provided to you at the meeting.

Two year OFL and ABC Determinations

Amendment 48 to the GOA groundfish FMP made two significant changes with respect to the stock assessment process. First, since new data during years when no groundfish surveys are conducted are limited, annual assessments are no longer required for long-lived GOA species. These species include the rockfishes, flatfishes, and Atka mackerel. A trawl survey was conducted in the GOA in the summer of 2007 thus this year we present full assessments for all species. The second significant change is that the proposed and final specifications can be specified for a period of up to two years. This requires providing ABC and OFL levels for 2008 and 2009.

In September of this year, preliminary projections of ABC and OFL levels for 2008 and 2009 were made on the basis of the 2008 specifications. In this SAFE report, the Plan Team has revised most of those projections. Such revisions are typically due to the development of new models; collection of new catch, survey, age composition, or size composition data; or use of new methodology for recommending ABC.

ABCs, TACs, and Apportionments

At this meeting, the Council will establish final catch specifications for the 2008 and 2009 fisheries. The SSC and AP recommendations will be provided to the Council during the meeting. Item D-1(e)(3) lists the 2007 specifications and catch (through November 4, 2007) and GOA Plan Team recommendations for OFLs and ABCs for 2008 and 2009. The sum of the GOA Plan Team's recommended ABCs for 2008 is 536,191 t. The sum of the ABCs increased 9% compared with last

year. This increase is primarily driven by increases in the flatfish stocks. ABC levels increased in deep water flatfish (2%), shallow water flatfish (19%), arrowtooth flounder (23%), and flathead sole (14%). ABC levels also increased in some rockfish, such as Pacific ocean perch (2%), rougheye rockfish (30%), shortraker rockfish (7%) and other slope rockfish (3%). The species with ABCs that declined relative to 2007 are pollock (-12%), sablefish (-11%), northern rockfish (-8%), pelagic shelf rockfish (-6%), demersal shelf rockfish (-7%), thornyhead rockfish (-14%) and big skates (-6%).

The abundances of rex sole, Dover sole, flathead sole, arrowtooth flounder, Pacific ocean perch, rougheye rockfish, northern rockfish, and dusky rockfish are above target stock size. The abundances of pollock and sablefish are below target stock size. The target biomass levels for other deep-water flatfish, shallow-water flatfish, shortraker rockfish, demersal shelf rockfish, other pelagic shelf rockfish, other slope rockfish, thornyhead rockfish, Atka mackerel, and skates are unknown. The status of Pacific cod is unknown based on the present stock assessment. However, in 2006 it was estimated to be above the $B_{40\%}$ target level. None of the groundfish stocks are overfished nor are they approaching an overfished condition.

In June of 2005, the Council took final action to implement a calculation change to the other species complex in the GOA under amendment 69 to the GOA FMP. The 5% TAC calculation was modified such that the Council may recommend a TAC at or below 5% of the sum of the target species TACs during the annual specifications process. The Council's intent was to establish a TAC level which would meet incidental catch needs in other directed fisheries with the potential to establish this TAC at a higher level which could allow for directed fishing on the complex but be placed low enough to prevent excessive harvest of a single targeted species or on the complex as a whole. This interim measure is intended to provide additional flexibility in responding to potential conservation concerns as they arise until more comprehensive management changes can be made to the other species complex (i.e., analysis of individual species level assessments).

During this specifications process, the Council will recommend an other species TAC level at or below 5% of the sum of the target groundfish TACs. In order to provide the Council information to establish a TAC for the other species complex, the Plan Team discussed the incidental catch needs for directed fisheries. Information regarding these incidental catch needs is contained in the summary section of the introduction to the GOA SAFE Report. Additional information on other species is provided in the executive summaries of the other species assessments which are included as appendices to the GOA SAFE report. Full assessments for these species were presented to the Plan Team in 2006 in anticipation of a forthcoming amendment analysis to evaluate establishing separate harvest specifications (individually or by complex) for these species. This year the Plan Team requested updated information as available for each species or complex. Additionally, information is presented on forage fish in the GOA.

<u>TAC Considerations for State Pacific Cod Fishery</u>
Since 1997, the Council has reduced the GOA Pacific cod TAC to account for removals of not more than 25% of the Federal P. cod TAC from the state parallel fisheries. The relative percentage in the Central GOA was increased by the Board of Fisheries in March 2005 from 24.25 in 2004 to 25%. Using the area apportionments of the 2008 and 2009 Pacific cod ABC recommended by the Plan Team, the Federal TAC for Pacific cod would be adjusted as listed below.

Plan Team recommended 2008-2009 Gulf of Alaska Pacific cod ABCs, and resulting TACs and state Guideline Harvest Levels (GHLs) (t).

Specifications	Western	Central	Eastern	Total
ABC	25,932	37,901	2,660	66,493
State GHL	6,483	9,475	266	16,224
(%)	25	25	10	24.4
Federal TAC	19,449	28,426	2,394	50,269

Prohibited Species Catch Limits

In the GOA, Prohibited Species Catch (PSC) limits are established for halibut. Since 1995, total halibut PSC limits for all fisheries and gear types have totaled 2,300 t. This cap was reduced from 2,750 t after the sablefish IFQ fishery was exempted from the halibut PSC requirements in 1995. The halibut PSC apportionments recommended based upon the 2006 apportionments for the Gulf of Alaska groundfish fisheries are shown below.

GOA Pacific halibut PSC Limits

2008-2009Trawl		2008-2009 Hook and Line		
Jan 20 – Apr 1	550 t	1st trimester	Jan 1 - Jun 10	250 t
Apr 1 - Jul 1	400 t	2nd trimester	Jun 10 - Sep 1	5 t
Jul 1 - Sep 1	600 t	3rd trimester	Sept 1 - Dec 31	35 t
Sept 1 - Oct 1	150 t			
Oct 1 - Dec 31	300 t	DSR	Jan 1 - Dec 31	10 t
TOTAL	2,000 t			300 t

Trawl fishery categories

Season	Shallow Water	Deep Water	Total
Jan 1 - Apr1	450 t	100 t	550 t
Apr 1 - Jul 1	100 t	300 t	400 t
Jul 1 - Sep 1	200 t	400 t	600 t
Sep 1 - Oct 1	150 t	any rollover	150 t
Oct 1 - Dec 31	*no apportionment*		300 t
TOTAL	900 t	800 t	2,000 t

Report of the Scientific and Statistical Committee

The SSC agreed with the Plan Team's recommendations for 2008/09 OFLs and ABCs for GOA groundfish species. The SSC provided more detailed comments for assessment authors on several GOA groundfish species. Please see the SSC Minutes, Appendix VI to these minutes, for those comments.

Report of the Advisory Panel

The AP recommends the Council adopt the GOA SAFE report and final GOA specs for 2008-2009 OFLs, ABCs and TACs as shown in the attached tables.

Summary:
Set the 2008 and 2009 GOA proposed specifications where TAC is equal to ABC for all stocks with the following exceptions:

The Pacific cod TAC is reduced according to the table in the action memo to account for the apportionment to the State waters fishery in 2008 and 2009.

Rollover the 2007 TAC for 2008 and 2009 for:

a. Shallow water flatfish and flathead sole in the Central and Western GOA
b. Arrowtooth flounder for all areas

c. Other slope rockfish in the EYAK/SEO
d. GOA Atka mackerel
e. GOA other species

Additionally, the AP recommends the Council adopt the GOA halibut PSC apportionments annually and seasonally, as indicated in agenda item D-1(e) for 2008-2009.

COUNCIL DISCUSSION/ACTION
[NOTE: Earl Krygier participated in this discussion for Denby Lloyd.]

The Council received a staff report from Diana Stram (NPFMC staff) and a report on the status of GOA groundfish stocks from Jim Ianelli, AFSC. Additionally, the Council received the SSC and AP reports and oral public comment on this agenda item.

Gerry Merrigan moved to approve the GOA SAFE report and the final groundfish specifications for 2008/09 as recommended by the SSC and Advisory Panel. The motion was seconded by Dave Benson and carried unanimously.

Tables showing the Council's final action on the 2008/09 GOA groundfish harvest specifications are found in Appendix XI to these minutes.

D-1(f) Draft SIR on Specifications EIS

ACTION REQUIRED

Review Supplemental Information Report for Groundfish Specifications

BACKGROUND

NMFS prepared a draft supplemental information report (SIR) for Council review. The SIR evaluates the need to prepare a Supplemental EIS (SEIS) for the 2008/2009 groundfish harvest specifications. An SEIS should be prepared if (1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or (2) significant new circumstances or information exist relevant to environmental concerns and bearing on the proposed action or its impacts (40 CFR 1502.9(c)(1)). The SIR analyzes the information contained in the Council's 2007 Groundfish Stock Assessment and Fishery Evaluation (SAFE) Reports and information available to NMFS and the Council to determine whether a SEIS should be prepared. Gretchen Harrington will summarize the draft SIR (Item D-1(f)).

Neither the **Scientific and Statistical Committee** nor the **Advisory Panel** addressed this agenda issue.

COUNCIL DISCUSSION/ACTION

The Council received a draft of the SIR prior to the Council meeting. It was noted that the preliminary conclusions in the draft report indicate there are no significant issues requiring an EIS for the 2008/09 groundfish specifications for Bering Sea/Aleutian Islands or Gulf of Alaska groundfish.

D-1(g) GOA Salmon & Crab Bycatch Discussion Paper

The Council did not address this agenda issue due to time constraints. The Advisory Panel received a staff report and provided comments in its written report (Appendix VII to these minutes).

D-2 Crab Overfishing Definitions

ACTION REQUIRED

Final action on BSAI Crab overfishing definitions

BACKGROUND

The Council is scheduled to take final action on Amendment 24 to the Fishery Management Plan for Bering Sea and Aleutian Islands King and Tanner Crabs (FMP). An Environmental Assessment (EA) has been prepared for this amendment which evaluates proposed changes to the current overfishing definitions for BSAI crab stocks. The BSAI crab FMP establishes a State/Federal cooperative management regime that defers crab fisheries management to the State of Alaska with Federal oversight. The Magnuson-Stevens Act requires that FMPs specify objective and measurable criteria for identifying when the fishery is overfished (with an analysis of how the criteria were determined and the relationship of the criteria to the reproductive potential of stock). The OFLs are a Category 1 measure in the FMP, and as such revisions to the OFLs require an FMP amendment.

Determinations of total allowable catches (TACs) and guideline harvest levels (GHLs) are a Category 2 management measure and are deferred to the State following the criteria in the FMP. Catch levels established by the State must be in compliance with OFLs established in the FMP to prevent overfishing. NMFS annually determines if catch levels exceed OFLs or if stocks are overfished or are approaching an overfished status. If either of these occurs, NMFS notifies the Council and the Council has two years to develop an FMP amendment to end overfishing and the rebuild the stock.

The purpose of the proposed action is to establish status determination criteria in compliance with the Magnuson-Stevens Act and the national standard guidelines. The analysis presents three alternatives with two different sets of options. These are summarized below:

Alternative 1: (Status Quo) Amendment 7 provided fixed values in the FMP for the status determination criteria: minimum stock size threshold (MSST), maximum sustainable yield (MSY), optimum yield (OY), and maximum fishing mortality threshold (MFMT) for the BSAI king and Tanner crab stocks.

Alternative 2: Tier system with five Tiers. The FMP amendment would specify the Tier system and a framework for annually assigning each crab stock to a Tier and for setting the OFLs (see Options 1 and 2). The Tier system with five Tiers would provide an OFL for all FMP stocks (see Options A and B).

Alternative 3: Tier system with six Tiers. The FMP amendment would specify the Tier system and a framework for annually assigning each crab stock to a Tier and for setting the OFLs (see Options 1 and 2). The Tier system with six Tiers would provide an OFL for stocks with sufficient catch history and, in Tier 6, set a default OFL of zero for those stocks with insufficient information from which to set an OFL, unless the SSC establishes an OFL based on the best available scientific information

The two sets of options are summarized as follows:

Options 1 and 2 provide options for the OFL setting and review process by which stocks would be annually assigned to Tier levels, the OFLs would be set, and the timing of the annual review process by the Crab Plan Team, Scientific and Statistical Committee, and Council.

Option 1: Council annually adopts OFLs. In June, the Council would adopt the final Tier level assignments and OFLs for each stock. OFLs would be determined based

upon model estimates prior to the summer survey because the Council would adopt the OFLs before the survey.

Option 2: Council annually reviews OFLs. OFLs would be calculated after the survey data are available in late August. The Council would review the status of the stocks, the OFLs, and the TACs in the Fall.

Options A and B provide options for the stocks managed under the FMP, and therefore, determine the stocks for which OFLs are required.

Option A: This option would remove eleven stocks from the FMP for which the State is interested in the conservation of management of the stock and there is no need for additional Federal management.

Option B: Status quo FMP species

The analysis reviews the impacts on crab stocks, groundfish incidental catch limits for crab species, seabirds, marine mammals, threatened and endangered species and the economic impacts on participants in the crab fisheries. The executive summary of the EA is attached as Item D-2(a). The full analysis was mailed to you on November 9th. An excerpt from the Crab Plan Team minutes from September 2007 which provides the Crab Plan Team's recommendations for a preferred alternative and lays out implementation issues with the new definitions is included as Item D-2(b).

A letter from the Council to NMFS and ADF&G was drafted following discussion of the implementation issues during initial review of the analysis in October. The issues mainly revolve around the staffing needs to accomplish, on an annual basis, the more rigorous stock assessment and status determination process required by Amendment 24. Amendment 24 will also require that and Federal rebuilding plans, and possibly the State harvest strategies, be revised to reflect the new biological reference points. While annual status determination for all stocks is the responsibility of NMFS, it has yet to be determined who will do the actual assessment work on an annual basis for each stock under the co-management structure of the FMP. Additional implementation issues exist for Tiers 5 and 6 stocks because more information and work is likely to be required for making annual status determinations. The Crab Plan Team also reiterated the need for more rigorous review of the stock assessments themselves prior to their use to determine abundance, OFLs, and TACs. A copy of this letter is attached as Item D-2(c).

The Council will take final action at this meeting on this analysis. In doing so, the Council will need to identify its preferred alternative including the choice of options at this time.

Report of the Scientific and Statistical Committee

The SSC noted that the analysis has been revised as requested and is clearly sufficient for aiding the Council in making its decision. The SSC noted that while it does not normally provide advice on final action items, it determined that because the policy decision in this case involves the use of science in defining overfishing and tasking for the SSC in the future, SSC involvement is appropriate. The SSC noted that Alternative 1, status quo, is clearly unacceptable because the current overfishing definitions do not provide sufficient flexibility. The SSC provided more detailed comments on Alternatives 2 and 3, and recommended the Council adopt Option 2 under whichever alternative it should choose. Please see the SSC Minutes, Appendix VI to these minutes, for the SSC's full set of comments.

Report of the Advisory Panel

The AP recommends the council select Alternative 2, Option 2, Option A as its preferred alternative.

COUNCIL DISCUSSION/ACTION
[Sue Salveson participated in this discussion for Jim Balsiger.]

The Council received a staff report from Diana Stram (NPFMC), reports from the SSC and AP, and oral public comments on this issue.

Denby Lloyd moved to adopt Alternative 2, Option 2, Option A:

Alternative 2: Tier system with five Tiers. The FMP amendment would specify the Tier system and a framework for annually assigning each crab stock to a Tier and for setting the OFLs (see Options 1 and 2). The Tier system with five Tiers would provide an OFL for all FMP stocks (see Options A and B).

Option 2: Council annually reviews OFLs. OFLs would be calculated after the survey data are available in late August. The Council would review the status of the stocks, the OFLs, and the TACs in the Fall.

Option A: This option would remove twelve stocks from the FMP for which the State is interested in the conservation of management of the stock and there is no need for additional Federal management.

The motion was seconded by Ed Rasmuson and carried unanimously.

Mr. Lloyd noted that reports of the Plan Team, SSC and Advisory Panel, members of the industry, and local civic governments supporting at least two of the elements of the motion, Alternative 2 and Option 2. With regard to Option A, there wasn't a consensus, however, Mr. Lloyd noted that he thinks it is the prudent choice, to relegate management of twelve stocks to the State, removing a burden to define OFLs at zero. The State is willing to take on the responsibilities.

D-3 Ecosystem Issues

ACTION REQUIRED

(a) Receive update on outreach program for the Arctic FMP and take action as necessary.
(b) ~~Report from Ecosystem Committee on AI FEP Implementation~~. [postponed until February]
(c) Alaska Regional Collaboration Team report.

BACKGROUND

Arctic FMP

At the June 2007 meeting, the Council directed staff to begin preparing a draft Arctic Fishery Management Plan (FMP) and draft amendments to the scallop and crab FMPs that terminate their geographic coverage at Bering Strait, and to develop an accompanying analysis that considers two options for the Arctic FMP: close the entire Arctic region to all commercial fishing, or close the entire Arctic region to commercial fishing except for the red king crab fishery that has previously occurred in the southern Chukchi Sea. The Council's June 2007 motion included a recommendation to consult with stakeholders, including Arctic communities, to present the Council's plans for developing an Arctic FMP and to seek input and suggestions for future fishery

management in Alaskan Arctic EEZ waters. Also, the Council requested that staff consult with the Ecosystem Committee for guidance as necessary.

Between June and October 2007, staff developed a work plan for accomplishing the Council's requested Arctic FMP and related documents, and reviewed this information with the Ecosystem Committee. The Ecosystem Committee made several recommendations on the work plan (an excerpt from the Ecosystem Committee's minutes is attached as Item D-3(a)(1)), and the Council passed a motion in October that provided additional direction to staff (see Item D-3(a)(2)). One of the Council's requests was to review progress on outreach at its December 2007 meeting. The draft outreach program is attached as Item D-3(a)(3). Note that the Ecosystem Committee made several suggestions relating to outreach, which were adopted by the Council. Staff will update the Council at this meeting.

Contacts have been made with individuals associated with a variety of organizations to introduce the Council's intent in an Arctic FMP. These include:

- **North Slope Borough (email)**
- **Northwest Arctic Borough (email)**
- **Maniilaq Association (in-person)**
- **Kawerak, Inc. (in-person)**
- **Kotzebue IRA (email)**
- **Eskimo Walrus Commission (in-person)**
- **Arctic Slope Regional Corporation (in-person)**
- **Norton Sound Economic Development Corporation (in-person)**
- **Alaska Dept. of Fish and Game, Nome (in-person)**
- **Petroleum Industry (BP, Conoco-Phillips, AOGA)(email)**
- **U.S. Coast Guard (in-person)**

Presentations to regional gatherings have included:

- **U.S. Arctic Research Commission**
- **North Slope Science Initiative**

Staff have made a variety of other contacts including media interviews, a booth at the Alaska Federation of Natives convention in Fairbanks, emails or discussions with Arctic researchers, and discussions with conservation organizations. One outreach highlight was participating in a U.S. Coast Guard HC 130 reconnaissance flight over the Arctic on November 8, 2007 which included a stop in Barrow where staff accompanied Coast Guard personnel in meetings with representatives from the North Slope Borough, Arctic Slope Regional Corporation, Barrow Arctic Science Consortium, and others.

In-person discussions and presentations, and/or email exchanges, have focused on the Council process, how FMPs guide fishery management decision making, and the current schedule for developing the draft Arctic FMP and opportunities for public comment. A one-page flyer, approved by the Council in October 2007, was used to aid discussion (Item D-3(a)(4)).

A presentation to Kawerak's Board of Directors is scheduled for December 13 in Nome, and organizations who have expressed an interest in a presentation include the North Slope Borough, Northwest Arctic Borough, Alaska Eskimo Whaling Commission, Eskimo Walrus Commission, and Maniilaq Corporation.

NOAA Alaska Regional Collaboration Team

According to the NOAA website, NOAA has been "working to integrate program activities while working with partners and customers— that is, by combining internal regional *coordination* with external regional *collaboration*. Regional Collaboration will engage diverse programs across the

agency, as well as agency partners in each region, to address regionally-distinct priorities with the full breadth of NOAA's abilities." Background materials relative to this effort are attached as (Item D-3(c)(1)). A representative from the Alaska Regional Collaboration Team will provide a brief report on progress to date.

Neither the **Scientific and Statistical Committee** nor the **Advisory Panel** addressed this agenda issue.

COUNCIL DISCUSSION/ACTION

The Council received the staff report from Bill Wilson (NPFMC) on outreach efforts in connection With developing an Arctic Fishery Management Plan, and oral public comments. No action was required but Council members encouraged staff to continue with the outreach and noted that a draft FMP is scheduled for preliminary review in February 2008.

The Council also heard from Laura Furgione, Regional Director of the National Weather Service, and the leader for NOAA's Alaska Regional Collaborative Team. The Team is part of a national NOAA effort to increase communication and cooperation among NOAA activities in order to improve NOAA's productivity and value to the public. The Council and stakeholders are being asked to participate in development of an assessment of current services in preparation of an integrated services plan.

D-4 Staff Tasking

ACTION REQUIRED

(a) Review tasking and committees and provide direction.
(b) Review the Councils community outreach plan, and discuss actions pursuant to the NMFS Policy on Stakeholder Participation.

BACKGROUND

Committees and Tasking

The list of Council committees is attached as Item D-4(a)(1). Item D-4(a)(2) is the three meeting outlook, and Item D-4(a)(3) and Item D-4(a)(4) respectively are the summary of current projects and tasking. In addition, an updated workplan for implementing the programmatic groundfish management policy is attached Item D-4(a)(5).

At the last meeting, the Council initiated several new projects (BSAI crab rationalization 90/10 evaluation, BSAI crab arbitrator immunity, BSAI crab arbitration regulations, Arctic FMP, GOA fixed gear LLP recency, and GOA salmon and crab bycatch updates) to the tasking list. The Council may wish to discuss tasking priorities to address these projects, as well as potential additions discussed at this meeting, given the resources necessary to complete existing priority projects.

Outreach Plan

The Council revised its BSAI and GOA groundfish management policy in 2004, following a comprehensive programmatic review of the fisheries. The policy contains a management approach and 45 objectives, which are categorized by goal statements. Three of the management objectives exist under the heading "Increase Alaska Native Consultation":

1. ***Continue to incorporate local and traditional knowledge in fishery management.***

2. Consider ways to enhance collection of local and traditional knowledge from communities, and incorporate such knowledge in fishery management where appropriate.

3. Increase Alaska Native participation and consultation in fishery management.

While all of the management objectives resulting from the Programmatic SEIS are part of the overall management policy, there are several that have been identified as priority actions at this time. The Council thus adopted a workplan of priority actions to implement its overall management policy, and the status of the workplan is updated at every Council meeting. The management objectives related to local and traditional knowledge (#35 & #36) are not identified in the workplan at this time. However, one of the priority actions in the workplan is to increase Alaska Native and community consultation, which is directly related to management objective #37. The priority is stated in the workplan as follows:

Increase Alaska Native and Community Consultation

a. Develop a protocol or strategy for improving the Alaska Native and community consultation process

b. Develop a method for systematic documentation of Alaska Native and community participation in the development of management actions

Council staff has prepared a short discussion paper (attached as Item D-4(b)(1)) outlining a potential approach to implementing the Council's groundfish policy workplan priority to increase Alaska Native and community consultation. The action at this meeting is to review the discussion paper and either approve or make recommendations to revise the approach as necessary or direct staff to proceed with implementing this approach in an iterative manner.

Stakeholder Participation

In February 2006, the Government Accountability Office (GAO) published a report on stakeholder participation in Council development of quota-based programs (Executive Summary attached as Item D-4(b)(2)) . Although the GAO found the Councils complied with all legal requirements, they concluded that stakeholder involvement in development of limited access privilege programs (LAPPs) could be enhanced and lead to a more inclusive decision-making process. The NOAA response to the GAO report (attached as Item D-4(b)(3)) committed NMFS and the Councils to establish a more formal policy and framework to enhance stakeholder involvement. Council staff provided feedback to NMFS at the 2006 CCED meeting and through staff teleconferences. In January 2007, NMFS adopted a formal policy on stakeholder involvement (attached as Item D-4(b)(4)). The NMFS policy states that Councils should adopted the core principles on stakeholder involvement to guide their communication strategies and activities. These core principles are:

1. **Use an open and clearly defined decision-making process.**
2. **Make key information readily available and understandable.**
3. **Actively conduct outreach and solicit stakeholder input.**
4. **Involve stakeholders early and throughout the decision-making process.**
5. **Foster responsive, interactive communication between stakeholders and decision-makers.**
6. **Use formal and informal participation methods.**
7. **Include all stakeholder interests.**

While the policy is not a statutory requirement, it will be discussed annually at the Council Coordinating Committee meetings, which will provide a forum to exchange information on this topic and share documents, methods, and media that support this policy. Staff has prepared a

discussion paper that reviews the current practices of the North Pacific Council relative to the seven core principles for stakeholder participation, and provides a list of potential additions that that could be explored. The discussion paper is attached as Item D-4(b)(5).

The Council may wish to adopt these core principles and discuss potential changes to improve stakeholder involvement. In addition, the Council may wish to write a letter to NMFS to let them know that the Council has adopted the core principles on stakeholder involvement to guide its activities, and continues to develop and refine its communication strategies.

The **Scientific and Statistical Committee** did not address this agenda issue.

Report of the Advisory Panel

The AP recommends the Council request a discussion paper that examines the utilization of PSC in the non-amendment 80 BSAI yellowfin sole threshold fishery.

COUNCIL DISCUSSION/ACTION
[NOTE: Ed Dersham and Sue Salveson participated in this discussion for Denby Lloyd and Jim Balsiger, respectively.]

Chris Oliver provided a draft 3-meeting review for the Council and reviewed issues to be addressed as a result of earlier discussions or issues brought up during public comment.

Jig Fishery Management

Duncan Fields moved to request a discussion paper on State management of the jig gear in State and Federal waters for the February Council meeting. The motion was seconded and carried without objection.

Fixed Gear LLP Recency

Gerry Merrigan moved to re-schedule the Gulf of Alaska fixed gear LLP recency analysis for initial review at the April meeting, with final action scheduled for the June meeting. The motion was seconded and carried without objection. Mr. Merrigan noted that this would match up initial review of this action with the cod sector split analysis.

GOA Rockfish Program Review

Sue Salveson moved to schedule the GOA Rockfish Program review for June 2008. The motion was seconded and carried without objection. Ms. Salveson stated that it is assumed that the review will encompass entry-level fishery issues as well as any other issue the Council determines appropriate in the outline to be developed at the February 2008 meeting.

Crab Rationalization Loan Program

Under the B reports a motion was approved to develop definitions to be reviewed by the Council in February and subsequently forwarded to the Financial Services Division in support of the proposed rule to be developed for the loan program.

Gerry moved to include as part of the discussion paper the suggestions presented during public comment by Skippers for Equitable Access in support of the Council's original intent that the loan

program be geared toward entry-level fishermen. The motion was seconded. Mr. Merrigan noted that staff would not be limited to those suggestions in the industry proposal, but that those suggestions should be included in the discussion paper.

Duncan Fields moved to add the following suboption under "active participation" (item #3): 2 of 3 years prior to the loan program. The motion was seconded and carried without objection. The amended main motion carried without objection.

GOA Bycatch Discussion Paper

Duncan Fields moved to schedule review of the GOA bycatch discussion paper for the April meeting. The motion was seconded and carried without objection.

Mr. Merrigan noted that he had reviewed the draft and noticed some numbers that may be incorrect. Staff will review those numbers before the April review.

Gerry Merrigan moved to request SSC review of the discussion paper at the February meeting, in advance of Council review. The motion was seconded.

Mr. Oliver noted that the SSC does not normally review documents until a formal analytical document is prepared.

Mr. Merrigan's motion carried without objection.

D-5 Other Business

During discussion of the agenda at the beginning of the meeting, Mr. Lloyd requested that the Council schedule a discussion of possible ways to make the meetings more efficient and reduce the length over a period of time.

During that discussion, it was pointed out that requirements of NEPA, MSA, ESA, and other laws have added to staff analysis workloads and lengthened Council deliberation and discussions. Additionally, it was pointed out that the Council has addressed some very challenging issues, such as Steller sea lion protection measures and Bering Sea essential fish habitat in the past several years. Some suggestions were made for the Chair and Executive Director to consider when developing draft agendas for future meetings. One subject discussed was the length of 'B' reports and how they may be shortened, with opportunities for questions from the Council. Other suggestions were for Council members to try to keep questions to staff and public to the point. It was also noted that the Council might consider re-initiating its annual amendment proposal cycle which is not currently being utilized. As a result, industry members are asking the Council to consider possible amendments at almost every meeting. Council members have asked the Chair and Executive Director to work together and with any interested Council members to look at ways to reduce meeting lengths by a half day each meeting, with the goal of ending meetings on Sunday. Another goal would be to try to mail as much pre-meeting material as possible to the Council two weeks in advance. Also, Council members will try to address staff tasking under each agenda issue as it is considered, with a review of staff tasking at the end of the meeting, as usual.

ADJOURNMENT

Before adjournment the Chair announced the following appointments to the Advisory Panel and Scientific and Statistical Committee:

Advisory Panel

Reappointments
Joe Childers (3-year term)
Julianne Curry (3-year term)
Tom Enlow (3-year term)
John Henderschedt (3-year term)
Simon Kinneen (3-year term)
Ed Poulsen (3-year term)
Bob Jacobson (2-year term)

New Appointments
Mark Cooper (3-year term)
Chuck McCallum (2-year term)
John Crowley (1-year term)
Beth Stewart (1-year term)

SSC Appointments

All SSC members were reappointed to 1-year terms, with Dr. Kathy Kuletz (USFWS) being appointed as a new member.

Chairman Olson adjourned the meeting at approximately 2:33 p.m. on Tuesday, December 11, 2007.

NOTE: Minutes prepared by Helen Allen, A-Typical Office Support Services, under contract to the NPFMC.

TAPE LOG
North Pacific Fishery Management Council
December 5-11, 2007

Date/Time	SPEAKER	AGENDA ITEM/SUBJECT	ACTION*
12/5/07			
8:06 AM	Eric Olson, Chair	Call to Orde/Agenda/Minutesr	
8:10 AM	Chris Oliver, Executive Director	B-1 ED Report	R
8:29 AM	Jay Ginter, NMFS	B-2 NMFS Management Report	R
8:51 AM	Bill Karp, NOAA/AFSC	B-2 Nat'l Bycatch Report	R
9:16 AM	Glenn Merrill, NMFS-AKR	B-2 Crab Rationalization Loan Program	R
9:47 AM	Rep. Reggie Jewell	D-3(a) Arctic FMP	PC
9:57 AM	Break		
10:35 AM	Jessie Gharrett, NMFS-AKR	B-2 Crab Rationalization Reports	R
11:23 AM	Andy Smoker, NMFS-AKR	B-2 Inseason Management Report	R
12:17 PM	Lunch		
1:11 PM	Jay Ginter	B-2 IFQ Issues	R
1:23 PM	Gregg Williams/Bill Clark	B-2 IPHC Report	R
1:50 PM	ADM Brooks/LCDR Ragone, USCG	Commendation-Jeb Morrow	
1:54 PM	ADM Brooks/LCDR Ragone	B-3 USCG Report	R
2:12 PM	Herman Savikko, ADF&G	B-4 ADF&G Report	R
2:31 PM	Dr. Jim Fall, ADF&G	B-4 Subsistence Halibut Rerport	R
2:59 PM	L. Corin, USFWS	B-5 USFWS Report	R
3:11 PM	Break		
3:37 PM	Bill Wilson, NPFMC	B-6 Protected Species Report	R
4:15 PM	Ed Melvin, Washington Sea Grant	Seabird Avoidance EFP Project Results	R
4:43 PM	Ann Vanderhoven, Bristol Bay Economic Dev Assn	"	PC
4:44 PM	Bob Alverson, Fishing Vessel Owner's Assn	B-2 Constructive Loss Definition	PC
4:46 PM	Paul MacGregor, At-sea Processors Assn.	B-2 Bycatch Report	PC
4:50 PM	Kathy Hansen, SE AK Fishermen's Alliance	B-2 Halibut Issues	PC
4:55 PM?	Don Brenner, SE AK Inter-Tribal Fish & Wildlife Commission	B-2 Halibut Issues; Salmon Bycatch	PC
5:01 PM	Tim Henkel, Deep Sea Fishermen's Assn.	B-2 Crab Rationalization Loan Prgm	PC
5:08 PM	Earl Comstock for Charter Operators	B-2 Halibut Issues	PC
5:11 PM	Donna Parker, Arctic Storm	B-6 SSL	PC
5:16 PM	Linda Behnken, Alaska Longline Fisherman's Assn.	B-2 Halibut Issues	PC
5:20 PM	Recess for Day		
12/6/07			
8:07 AM	Chris Oliver	Review of B Report Items for Council Discussion	
8:08 AM	Council Discussion	B Report Items	CD
8:45 AM	Council Discussion	Operational Issues	CD

*ACTION KEY:
R = Report
PC = Public Comment
CD = Council Discussion

Date/Time	SPEAKER	AGENDA ITEM/SUBJECT	ACTION*
9:33 AM	Glenn Reed, Pacific Seafood Processors Assn.	Council Operations	PC
9:39 AM	Stephen Taufen, Groundswell Fisheries Movement	"	PC
9:43 AM	Donald Westlund	"	PC
9:44 AM	Council Discussion	Council Operational Issues	CD
9:50 AM	Break		
10:16 AM	Jane DiCosimo, NPFMC	C-1 Charter Halibut Management	R
11:00 AM	Roy Hyder, Enforcement Cmtee	C-1 Charter Halibut Management	R
11:02 AM	Jim Smith, Crew Member	C-1 Charter Halibut Management	PC
11:07 AM	Dan Hull, Cordova Fishermen's Assn/Julianne Curry, Petersburg Vessel Owner's Assn.	"	PC
11:18 AM	Tory O'Connell, Halibut Coalition	"	PC
11:23 AM	Alan Reeves, IFQ Holder	"	PC
11:27 AM	Bert Bergman, IFQ Holder	"	PC
11:30 AM	Bob Alverson/Pete Knudsen, FVOA	"	PC
11:33 AM	Paul Burrill, Commercial Fisherman	"	PC
11:35 AM	Charlie Wilber, Seafood Producers Co-op	"	PC
11:41 AM	Yukon River Panel Speakers: Lester Wilde Graig McKinnon John Lamont Chuck Hume Virgil Umphenour Shirley Clark Angie Demientiff	D-1(a) Salmon Bycatch	PC
12:05 PM	Lunch		
1:04 PM	Erik Velsko, IFQ Holder, 3A	C-1 Charter Halibut Management	PC
1:09 PM	Kathy Hanson, SE AK Fishermen's Alliance	"	PC
1:31 PM	Earl Comstock for Charter Industry	"	PC
1:56 PM	Tony Gregorio/Freddie Chrisstianson	"	PC
2:00 PM	Jeff Farver, IFQ Holder	"	PC
2:01 PM	Linda Behnken, ALFA	"	PC
2:19 PM	Break		
2:48 PM	Council Discussion	C-1 Charter Halibut Management	CD
3:31 PM	Break		
3:50 PM	Dr. Bill Hogarth	General Comments	
	Break		
4:15 PM	Diana Stram, NPFMC Staff	D-2 Crab Overfishing Definitions	R
5:19 PM	Recess for Day		
12/7/07			
8:05 AM	John Henderschedt, AP Co-Chair	D-2 Crab Overfishing Definitions	R
8:07 AM	Pat Livingston, SSC Co-Chair	SSC Report in Total	R
8:44 AM?	Steve Minor, Pacific Northwest Crab Industry Committee	D-2 Crab Overfishing Definition	PC

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Date/Time	SPEAKER	AGENDA ITEM/SUBJECT	ACTION*
8:52 AM	Arni Thomson, Alaska Crab Coalition	"	PC
8:56 AM	Frank Kelty, City of Unalaska	"	PC
9:00 AM	Florence Colburn, Crab Group of Independent Harvesters	"	PC
9:04 AM	Council Discussion	D-2 Crab Overfishing Definition	CD
9:14 AM	Mark Fina, NPFMC Staff	C-2(a) C Share Active Participation	R
10:12 AM	Break		
10:33 AM	John Henderschedt, AP Co-Chair	C-2(a) C Share Active Participation	R
10:37 AM	Tom Suryan, SEA/Tim Henkel, Deep Sea Fishermen's Union/Keith Coburn	C-2(a) C Share Active Participation and D-4 Staff Tasking	PC
10:55 AM	Terry Haines, Fish Heads	C-2(a) C Share Active Participation	PC
10:58 AM	James Johnson, Crewmen's Assn	"	PC
11:00 AM	Cheston Clark, Crew Member	"	PC
11:04 AM	Council Discussion	C-2(a) C Share Active Participation	CD
11:41 AM	Mark Fina, NPFMC Staff	C-2(b) C Share 90/10 Exemption	R
11:57 AM	Lunch/Executive Session		
2:30 PM	John Henderschedt, AP Co-Chair	C-2(b) C Share 90/10 Exemption	R
2:31 PM	Tom Suryan/Tim Hinkel/Keith Colburn	"	PC
2:34 PM	Arni Thomson, ACC	"	PC
2:35 PM	James Johnson	"	PC
2:36 PM	Cheston Clark, Crew Member	"	PC
2:40 PM	Steve Branson, Crewmen's Assn.	"	PC
2:47 PM	Troy Huls, Crew Assn	"	PC
2:52 PM	Co-op Coalition	C-2(e) 3-Yr revew-A/B Shares	PC
3:07 PM	Lance Farr, Vessel Owner	" " "	PC
3:09 PM	Terry Haines	C-2(b) C Share 90/10 Exemption	PC
3:13 PM	Steve Minor, North Pacific Crab Assn	"	PC
3:15 PM	Council Discussion	C-2(b) C Share 90/10 Exemption	CD
3:19 PM	Break		
3:33 PM	Mark Fina, NPFMC Staff	C-2(c) Crab Custom Processing	R
4:23 PM	Bob Barnett, Community of King Cove	C-2(c) Crab Custom Processing	PC
4:25 PM	Steve Minor, NPCA	"	PC
4:27 PM	Joe Kyle/Mark Snigaroff, APICDA/Atka Fishermen's Assn	"	PC
4:38 PM	Simeon Swetzof, Jr/Mateo Paz-Soldan, City of St. Paul	"	PC
4:45 PM	Arni Thomson, Alaska Crab Coaliton	"	PC
4:49 PM	Heather McCarty, CBSFA	"	PC
4:51 PM	Mike Stanley for Golden King Crab Harvesters	"	PC
4:55 PM	Dave Fraser, City of Adak/Adak Fisheries	"	PC
5:00 PM	Larry Cotter, Max Malavansky, Aleutians Pribilof Islands Community Dev Assn/City of St. George	Crab Processing Issues	PC

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Date/Time	SPEAKER	AGENDA ITEM/SUBJECT	ACTION*
5:13 PM	Recess for Day		
12/8/07			
8:10 AM	Council Discussion	C-2(c) Crab Custom Processing	CD
9:04 AM	Mark Fina, NPFMC Staff	C-2(d) Crab Post-Delivery Transfers	R
9:19 AM	John Henderschedt, AP Co-Chair	C-2(d) Crab Post Delivery Transfers	R
9:22 AM	Steve Minor, NPCA	C-2(d) Crab Post Delivery Transfers	PC
9:23 AM	Florence Colburn, Crab Group of Independent Harvesters	"	PC
9:27 AM	Council Discussion	C-2(d) Crab Post Delivery Transfers	CD
9:47 AM	Break		
10:05AM	Continue Council Discussion	C-2(d) Crab Post Delivery Transfers	CD
10:12 AM	Frank Kelty, City of Unalaska	C-2(e) Crab Rationalization 3-yr Review Workplan	PC
10:13 AM	Mark Fina, NPFMC	C-2(e) Crab Rationalization 3-yr Review Workplan	R
11:37 AM	Beth Stewart, Aleutians East Borough	C-2(e) Crab Rationalization 3-yr Rev.	PC
11:39 AM	Tom Miller, Fisherman	"	PC
11:40 AM	Steve Branson, Crewmen's Assn.	"	PC
11:43 AM	Alexus Kwachka, Gulf Groundfish Fishermen's Assn	"	PC
11:49 AM	Tim Henkel, DSFU	"	PC
11:55 AM	Shawn Dochtermann, Crew Member	"	PC
12:02 PM	Cheston Clark, Crewman	"	PC
12:06 PM	Lunch		
1:07 PM	Jerry Bongen, Fair Weather Fisheries	C-2(e) Crab Rationalization 3-yr Rev.	PC
1:10 PM	Margaret Hall, Rondy, Inc.	"	PC
1:12 PM	Steve Minor, NPCA	"	PC
1:24 PM	Clem Tillion, Aleut Enterprise Corp.	"	PC
1:27 PM	Terry Haines, Fish Heads	"	PC
1:32 PM	Arni Thomson, ACC	"	PC
1:50 PM	Terry Leitzell, Icicle Seafoods	"	PC
2:00 PM	Mike Stanley, Brown Crab Harvesters	"	PC
2:06 PM	Jeff Stephan, UFMA	"	PC
2:12 PM	Florence Colburn, Crab Group of Independent Harvesters	"	PC
2:22 PM	Heather McCarty/Pat Hardina/Mateo Paz Soldan, St Paul interests	"	PC
2:29 PM	Alyssa McDonald, Harbor Crown Seafoods	"	PC
2:33 PM	David Dennis, Crew Member	"	PC
2:37 PM	Dave Fraser, Adak Fisheries	"	PC
2:39 PM	Stephen Taufen, Groundswell Fisheries Movement	"	PC
2:45 PM	Ilia Kuzmin, K-Bay Fisheries Assn	C-3(a) P Cod Sector Split	PC
2:50 PM	Council Discussion	C-2(e) Crab Rationalization 3-yr Rev.	CD
3:46 PM	Leonard Carpenter, Alaska Jig Assn.	C-3(a) P. cod Sector Split	PC
3:57 PM	Steve Drage, Fisherman	C-3(a) P. cod Sector Split	PC

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CD = Council Discussion

Date/Time	SPEAKER	AGENDA ITEM/SUBJECT	ACTION*
4:01 PM	Bill Wilson, NPFMC	D-3(a) Arctic FMP Update	R
4:13 PM	Chris Krenz, Oceana	D-3(a) Arctic FMP	PC
4:14 PM	David Benton, MCA	D-3(a) Arctic FMP	PC
4:16 PM	Jon McCracken, NPFMC Staff	C-5 Amendment 80 Post-Delivery Transfers/Rollovers	R
4:39 PM	John Henderschedt, AP Co-Chair	C-5 Amendment 80 Post-Delivery Transfers/Rollovers	R
4:41 PM	Lori Swanson, Groundfish Forum Bill Orr, Best Use Cooperative	C-5 Amendment 80 Post-Delivery Transfers/Rollovers	PC
4:43 PM	Mike Szymanski/Mike McGill, Fishing Co of Alaska	"	PC
4:50 PM	Recess for Day		
12/9/07			
8:06 AM	Council Discussion	C-5 Amendment 80 Post Deliver Transfers/Rollovers	CD
8:21 AM	Jeannie Heltzell, NPFMC Staff	C-3(a) P. cod Sector Allocation	R
8:47 AM	John Henderschedt, AP Co-Chair	C-3(a) P. cod Sector Allocation	R
9:01 AM	Darius Kasprzak, F/V Malke	C-3(a) P. cod Sector Allocation	PC
9:07 AM	Dustin Dickerson, UNFA	" and C-4 LLP Trawl Latency	PC
9:12 AM	Paul Gronholdt, F/V St. Francis	C-3(a) P. cod Sector Allocation	PC
9:15 AM	Todd Hoppe, F/v Deliverance	"	PC
9:22 AM	Julie Bonney, Alaska Groundfish Data Bank	"	PC
9:44 AM	Craig Cochran, Midwater Trawlers Cooperative	"	PC
9:51 AM	Jeff Stephan, UFMA	"	PC
10:01 AM	Alexus Kwachka, GGFA	"	PC
10:05 AM	Stoian Iankov, Trawl Fisherman	"	PC
10:13 AM	Curt Waters, F/V Mar del Norte	"	PC
10:19 AM	Break		
10:37 AM	Council Discussion on Agenda		CD
10:54 AM	Kurt Cochran, F/V Marathon	C-3(a) P. cod Sector Allocation	PC
10:57 AM	Bob Krueger, F/V Mar del Norte	"	PC
11:00 AM	Theresa Peterson, AMCC	"	PC
11:08 AM	Mark Chandler, F/V Topaz	"	PC
11:13 AM	Linda Kozak, Kozak & Assoc.	"	PC
11:16 AM	Mike Alfieri/Joe Childers, Western Gulf of Alaska Fishermen	C-3(a) P. cod Sector Allocation	PC
11:25 AM	Lori Swanson, Groundfish Forum	"	PC
11:32 AM	Gale Vick/Freddie Christianson, GOAC3	"	PC
11:40 AM	Council Discussion	C-3(a) P. cod Sector Allocation	CD
12:28 PM	Lunch		
1:27 PM	Council Discussion on Agenda		CD
1:32 PM	John Henderschedt, AP Co-chair	Remaining Advisory Panel Report	R
The following people were given the opportunity to provide comments on Agenda item C-4, LLP Trawl Receny (delayed until February) because they would be unable to attend the Feb. mtg.			
2:15 PM	Kurt Cochran, F/V Marathon	C-4 LLP Trawl Recency	PC

*ACTION KEY:
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CD = Council Discussion

Date/Time	SPEAKER	AGENDA ITEM/SUBJECT	ACTION*
2:19 PM	Peter McCarthy, F/V Stella	"	PC
2:25 PM	Paddy O'Donnell, F/V Caravelle	"	PC
2:29 PM	Mark Chandler, F/V Topaz	"	PC
2:33 PM	Dave Olney, Arctic Sole Seafoods/Ocean Cape	"	PC
2:37 PM	Mike Alfieri, WGOAF	"	PC
2:43 PM	Alexus Kwachka, GGFA	"	PC
2:45 PM	Thorn Smith, North Pacific Longline Assn.	C-6 Observer Program (delayed until Feb. meeting)	PC
2:49 PM	Russell Pritchett, Chuck Burrece/Steve Arvik Clem Tillion/Dave Fraser	C-4 LLP Trawl Recency	PC
3:09 PM	Break		
3:34 PM	Jon McCracken, NPFMC Staff	C-3(b) GOA Sideboards	R
4:19 PM	John Roher/Joe Sullivan, F/V Alaska Dawn	C-3(b) GOA Sideboards	PC
4:22 PM	Kurt Cochran, /V Marathon Stoian Iankov, Trawl Fisherman	"	PC
4:28 PM	Jennifer Vickstrom F/V Irene H	"	PC
4:34 PM	Lori Swanson, Groundfish Forum	"	PC
4:42 PM	Todd Loomis, Cascade Fishing, Inc.	C-3(b) GOA Sideboards & D-1(d) BSAI Groundfish Specs	PC
4:52 PM	Susan Robinson, Fishermen's Finest	C-3(b) GOA Sideboards	PC
4:55 PM	Craig Gustafson, F/V Providence	"	PC
4:59 PM	Mike Szymanski, Fishing Co. of AK	"	PC
5:02 PM	Mike Alfieri, F/V Ocean Storm	"	PC
5:05 PM	Beth Stewart, AEB; Kiley Thompson, Fisherman	"	PC
5:12 PM	Jeff Stephan, UFMA	"	PC
5:15 PM	Recess for Day		
12/10/07			
8:04 AM	Jane DiCosimo, NPFMC Staff	D-1(d) BSAI SAFE/Specs	R
8:09 AM	Dr. Loh-lee Low, AFSC	D-1(d) BSAI SAFE/Specs	R
8:28 AM	Dr. Jim Ianelli, AFSC	Status of pollock Stocks-BSAI	R
8:47 AM	Dr. Loh-lee Low, AFSC	Continue Plan Team Report	R
9:33 AM	Dave Wood, U.S. Seafoods	D-1(d) BSAI SAFE/Specs	PC
9:34 AM	John Gauvin, H&G Workgroup	"	PC
9:46 AM	Mike Szymanski/Bill McGill	"	PC
10:02 AM	Jim Richardson, Pollock Conservation Cooperative	"	PC
10:18 AM	Break		
10:33 AM	Lori Swanson, Groundfish Forum	D-1(d) BSAI SAFE/Specs	PC
10:44 AM	Giles Larson, Capt. O'Hara Corp	"	PC
10:46 AM	Brent Paine, United Catcher Boats	"	PC
10:58 AM	Bubba Cook, World Wildlife Fund	"	PC
11:04 AM	Jon Warrenchuk, Oceana	"	PC
11:22AM	Mike Hyde, American Seafoods Morgen Crow, Coastal Villages	"	PC

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Date/Time	SPEAKER	AGENDA ITEM/SUBJECT	ACTION*
	Regional Fisheries		
11:33 AM	Glenn Reed, PSPA	"	PC
11:36 AM	George Pletnikoff, Greenpeace	"	PC
11:42 AM	Dave Fraser, Adak Fisheries	"	PC
11:48 AM	Council Discussion	D-1(d) BSAI SAFE/Specs	CD
11:55 AM	Lunch		
1:04 PM	Continue Council Discussion	D-1(d) BSAI SAFE/Specs	CD
1:55 PM	Break		
2:05 PM	Continue Council Discussion	D-1(d) BSAI SAFE/Specs	CD
2:11 PM	Diana Stram/Jim Ianelli	D-1(e) GOA SAFE/Specs	R
2:47 PM	Jon Warrenchuk, Oceana	D-1(e) GOA SAFE/Specs	PC
2:54 PM	Julie Bonney, AGDB	"	PC
2:59 PM	Council Discussion	D-1(e) GOA SAFE Specs	CD
3:05 PM	Break		
3:30 PM	Diana Stram, NPFMC Staff	D-1(a) BSAI Salmon Bycatch	R
4:16 PM	Jason Anderson, NMFS-AKR	D-1(a) BSAI Salmon Bycatch NOI	R
4:22 PM	Don Bremner, SE AK Inter-Tribal Fish and Wildlife Commission	D-1(a) BSAI Salmon Bycatch	PC
4:27 PM	Billy Charles/Gerry Davis, Yukon Delta Fisheries Development Assn.	"	PC
4:33 PM	Jennifer Hooper, Alaska Village Council Presidents	"	PC
4:38 PM	John Matt Joe	"	PC
4:41 PM	Glenn Reed, PSPA	"	PC
4:46 PM	John Gruver, AFA Inter-Cooperative	"	PC
5:00 PM	Becca Robbins-Gisclair, YKFDA	"	PC
5:05 PM	Bubba Cook, WWF	"	PC
5:12 PM	Robin Samuelson, Bristol Bay Economic Development Corp.	"	PC
5:22 PM	Council Discussion	D-1(a) BSAI Salmon Bycatch	CD
5:45 PM	Recess for Day		
12/11/07			
8:20 AM	Council Discussion	D-1(g) Draft SIR, Groundfish Specs	CD
8:21 AM	Council Discussion	C-3(b) GOA Sideboards	CD
9:14 AM	Jim Richardson, NPFMC Staff	C-3(c) Pollock Trip Limit	R
9:25 AM	Julie Bonney, AGDB	C-3(c) Pollock Trip Limit	PC
9:29 AM	Council Discussion	C-3(c) Pollock Trip Limit	CD
9:36 AM	Mark Fina, NPFMC Staff	C-3(d) Rockfish Post-Delivery Transfers	R
9:48 AM	Julie Bonney, AGDB	C-3(d) Rockfish Post-Delivery Transfers	PC
9:53 AM	Council Discussion	C-3(d) Rockfish Post-Delivery Transfers	CD
9:59 AM	Break		
10:20 AM	Diana Evans, NPFMC Staff	D-3(c) AK Regional Collaborative Team Report	R
10:22 AM	Laura Furgione, NOAA Weather Service/NOAA Team Leader; Steve Davis, NMFS-AKR	D-3(c) AK Regional Collaborative Team Report	R
10:46 AM	Chris Oliver, NPFMC Staff	C-7 AFA Permit Application	R
10:51 AM	Roger Rowland, Unalaska City	C-7 AFA Permit Application	PC

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Date/Time	SPEAKER	AGENDA ITEM/SUBJECT	ACTION*
	Council		
10:53 AM	Frank Kelty, City of Unalaska	"	PC
11:00 AM	Joe Plesha, Trident Seafoods	"	PC
11:08 AM	Terry Leitzell, Icicle Seafoods	"	PC
11:15 AM	Dave Fraser, Adak Fisheries	"	PC
11:24 AM	Brent Paine, UCB	"	PC
11:36 AM	Kjetil Solberg, Adak	"	PC
11:46 AM	Glenn Reed, PSPA	"	PC
11:50 AM	Council Discussion	C-7 AFA Permit Application	CD
11:58 AM	Lunch		
1:21 PM	Chris Oliver, NPFMC Staff	D-4 Staff Tasking	R
1:49 PM	Dustin Dickerson, Unalaska Native Fishermen's Assn.	D-4 Staff Tasking	PC
1:57 PM	Joe Sullivan, Mundt MacGregor	"	PC
1:57 PM	Theresa Peterson, AMCC	"	PC
2:02 PM	Alexus Kwachka, Fisherman	"	PC
2:03 PM	Heather McCarty, Islsand Sesafods	"	PC
2:05 PM	John Gruver, United Catcher Boats	"	PC
2:10 PM	Council Discussion	D-4 Staff Tasking	CD
2:33 PM	Adjourn		

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MEETING ATTENDEE SIGN-IN SHEET
DECEMBER 2007 N.P.F.M.C. MEETING

PLEASE REGISTER ATTENDANCE FOR MEETING RECORDS

PLEASE PRINT - THANK YOU!

NAME	AFFILIATION
Ed Hansen	commercial fisherman
Kathy Hansen	SEAK Fishermen's Alliance
[illegible]	Alaska Crab Coalition
Paul MacGregor	At-Sea Possessor
Frank Kelty	City of Unalaska
Simeon Swetzof JR.	City of ST. PAUL
Thom Smith	NPCA
Tim Hyatt	Deep Sea Fishermens Union
Ruby Dee	Kenai River Sportfishing Assoc.
Linda Kozak	Kozak + Assoc.
KEITH COLBURN	F/V WIZARD
Stephen Taufen	Groundswell Fisheries Movement
Oystein Lone	Comercial Fisherme
CRAIG CROSS	ALEUTIAN SPRY FISHERIES
freddie christiansen	KODIAK ISLAND
SHAWN C. DOCHTERMANN	CREWMAN'S ASSOCIATION COMMERCIAL FISHERMAN & AK JIG ASSOC.
Howard Torsen	Quinkie, Alaska
GLENN ROSS	PSPA
Donna Parker	Arctic Storm

MEETING ATTENDEE SIGN-IN SHEET
DECEMBER 2007 N.P.F.M.C. MEETING

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NAME	AFFILIATION
Vern Hall	Fishing Gofer
Heather McCarty	McCarty & Assn., Juneau
Earl Comstock	Comstock Consulting
JOE PLESHA	TRIDENT
JOE KYLE	APICDA
Bob Alverson	FVOA-Seattle
Donald E Westlund	Ketchikan Charter Boats Inc.
Dan Bremner	S.E. Alaska Inter-Tribal
Tory O'Connell	Halibut Coalition
Dick Curran	F/V Cherokee
Margie Bauman	AJOC & Fisherman's News
Florence Colburn	Crab Group Independent Harvesters
STEVE GRABACKI	GRAYSTAR
Phillip Lestenkof	CBSFA
Steve Manley	CBSFA
Yakov Reytov	K-Bay Fisheries Assoc.
Jeff Stephan	UFMA Kodiak
Lenny Down	Alaska Frontier Co
TERRY HAINES	FISH HEADS

MEETING ATTENDEE SIGN-IN SHEET
DECEMBER 2007 N.P.F.M.C. MEETING

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NAME	AFFILIATION
Tom Suryan	SEA
Alyssa McDonald	Harbor Crown Seafoods
Kris Norosz	Icicle Seafoods
Chris Krenz	Oceana
TIM KENNEDY	F/V MYSTERY BAY
Brent Paine	UCB
C L LOWENBERG	KBO
Pat Hardina	TDX
Beth Stewart	Aleutians East Borough
SINCLAIR WILT	ALYESKA SEAFOODS
STOIAN IANKOV	F/V Michelle Renee GOA fisherman
Alyssa McDonald	Harbor Crown S.F.
SHAWN GRIGGS	BAKER MOYNIHAN JOHNSON
Robert Mikol	Self
Luci Roberts	APICDA
Craig Cochran	M.T.C.
Kurt Cochran	F/V MARATHON
Todd Loomis	Cascade Fishing Inc.
Diana Stram	Saltwater Inc.

MEETING ATTENDEE SIGN-IN SHEET
DECEMBER 2007 N.P.F.M.C. MEETING

PLEASE REGISTER ATTENDANCE FOR MEETING RECORDS

PLEASE PRINT - THANK YOU!

NAME	AFFILIATION
MARCUS ALDEN	WESTWARD FISHING CO
Al Burch	Kodiak,
Russell Pritchett	Indep. Gd Trawlers Assn.
Joe Childs	Juneau, Ak
Alyssa McDonald	Harbor Comm Seafood &
Richard Lauber	AOI -
Lori Swanson	Groundfish Forum
Dick Tremaine	NSEDC
John Lee Law	AFSC, NMFS
Jennifer Hooper	APICDA
John Walsh	YDFDA & BSEDC
GLENN REED	PSPA
Joe Sullivan	Mundt MacGregor LLP
Roger Rowland	Unalaska City Council

December 2007 Council Action
Corrected
Charter Halibut Interim Measures: Initial Allocation and Future Reallocation between charter sector and commercial sector in Area 2C and Area 3A
Initial Review in April 2008
Final Action in October 2008
Implementation scheduled after Charter Halibut Limited Entry Program

Problem Statement *The absence of a hard allocation between the longline and the charter halibut sectors has resulted in conflicts between sectors and tensions in coastal communities dependent on the halibut resource. Unless a mechanism for transfer between sectors is established, the existing environment of instability and conflict will continue. The Council seeks to address this instability while balancing the needs of all who depend on the halibut resource for food, sport, or livelihood.*

Management Objectives *In establishing this catch sharing plan for the commercial and sport charter halibut sectors, the Council intends to create a management regime that provides separate accountability for each sector. The management of the commercial sector remains unchanged under the plan, and new management measures are provided for the sport charter sector.*

These new measures for the sport charter sector are designed to address the specific need of the sport charter sector for advance notice and predictability with respect to the management tools and length of season that will be used to achieve the allocation allotted to that sector under the plan. In order to achieve the allocation, it is the Council's intent that management tools and season length would be established during the year prior to the year in which they would take effect, an d that the tools selected and season length would not be changed in season.

The Council will evaluate its success in achieving the sport charter sector allocation, and specific needs for predictability, advance notice, and season length each year, and will adjust its management tools as needed. In designing this regime for the sport charter sector the Council recognizes that providing advance notice and predictability may result in a charter harvest that does not precisely meet the sector allocation for that particular year. Therefore, the Council intends to adjust its management measures as needed to ensure that the sport charter sector is held at or below its allocation on average over a rolling five-year period. In meeting its conservation mandate while accommodating the charter industry's need for predictability and stability, the Council will necessarily err on the side of conservation in the selection of management tools and season length, with the result that the sport charter sector may not be able to harvest its entire allocation.

Alternatives for Analysis

Alternative 1. No Action.

Alternative 2. Establish a catch sharing plan that includes sector accountability

Element 1. Initial allocation

Option 1: Fixed percentage.

	Area 2C	Area 3A	based on:
a.	13.1 %	14.0%	125% of the 1995-1999 avg charter harvest (current GHL formula)
b.	17.3 %	15.4 %	125% of the 2001-2005 avg charter harvest (GHL formula updated thru 2005)
c.	11.7 %	12.7%	current GHL as percent of 2004
d.	15.1 %	12.7%	2005 charter harvest

Option 2: Fixed pounds.

	Area 2C	Area 3A	based on:
a.	1.43 Mlb	3.65 Mlb	125% of the 1995-1999 avg charter harvest (current GHL)
b.	1.69 Mlb	4.01 Mlb	125% of the 2000-2004 avg charter harvest (GHL updated thru 2004)
c.	1.90 Mlb	4.15 Mlb	125% of the 2001-2005 avg charter harvest (GHL updated thru 2005)

Option: Stair step up and down. The allocation in each area would be increased or reduced in stepwise increments based on a change in the total CEY. If the halibut stock were to increase or decrease from 15 to 24 percent from its average total CEY of the base period selected for the initial allocation at the time of final action, then the allocation would be increased or decreased by 15 percent. If the stock were to increase or decrease from at least 25 to 34 percent, then the allocation would be increased or decreased by an additional 10 percent. If the stock increased or decreased by at least 10 percent increments, the allocation would be increased or decreased by an additional 10 percent.

Option 3. 50% fixed/50% floating allocation.

	Area 2C			Area 3A		
	50% of:	and	50% of:	50% of:	and	50% of:
a.	13.1 %		1.43 Mlb	14.1 %		3.65 Mlb
b.	16.4 %		1.69 Mlb	15.9 %		4.01 Mlb
c.	17.3 %		1.90 Mlb	15.4 %		4.15 Mlb

Element 2. Annual regulatory cycle

The initial charter allocation would be a common harvest pool for all charter limited entry permit holders. It would not close the fishery when the charter allocation is exceeded. Instead, the allocation would be linked to an annual regulatory analysis of management measures (delayed feedback loop) that take into account the projected CEY for the following year and any overages by the charter industry in the past year(s). This system would work best if there is not a time lag between the overage year and the payback year. The Council will not revisit or readjust the sector split. An allocation overage would trigger the regulatory process automatically, in contrast with current GHL management. Any underages would accrue to the benefit of the halibut biomass and would not be reallocated or paid forward. The Council assumes (and would request) that the International Pacific Halibut Commission set a combined charter and commercial sector fishery catch limit and would apply the allocations between the two sectors that would be recommended by the Council in a type of catch sharing plan to the combined fishery catch limit.

Element 3. Management toolbox.

Tier 1 measures will be utilized by the Council to try to manage the charter common pool for a season of historic length and a two-fish daily harvest limit. Tier 2 measures will be utilized if Tier 1 measures are inadequate to constrain harvest by the charter common pool to its allocation. Due to the delayed feedback loop in implementation of management measures, management measures will, in general, be more restrictive to ensure that the charter sector allocation is not exceeded. In providing predictability and stability for the charter sector, it is likely that charter fish may be left in the water.

Tier 1 management measures include:

- 1 trip per vessel per day
- No retention by skipper or crew
- line limits
- Second fish of minimum size
- Second fish at or below a specific length.

Tier 2 management measures include:

- Annual catch limits
- 1 fish bag limit for all or a portion of the season
- Season closure
  Suboption: seasonal closures on a monthly or sub-seasonal basis

Element 4. Timeline. The current timeline for the proposal is as described below. [Staff should discuss what would be needed to implement February Council action for June (the same year)]

Example scenario 1: 4–year feedback loop

- Charter fishery ends 2007
- October 2008: Council receives ADF&G report on final charter halibut harvest estimates for 2007. If the ADF&G report indicates that an allocation overage occurred in 2007, the Council will initiate the analysis of management measures necessary to restrict charter halibut harvests to its allocations.
- December 2008: Council reviews staff analysis (possibly in the form of a supplement) that updates the previous year's analysis with final 2007 harvest estimates.
- January 2009: IPHC adopts combined catch limits for 2009.
- February 2009: Council takes final action on management measures that would be implemented in year 2010.
- Winter 2009: NMFS publishes the rule that will be in effect for 2010.

Example Scenario 2: 3–year feedback loop

- Charter fishery, with in-season monitoring, ends 2007
- October 2007: Council receives ADF&G report on final charter halibut harvest estimates for 2007. If the ADF&G report indicates that an allocation overage occurred in 2007, the Council will initiate the analysis of management measures necessary to restrict charter halibut harvests to its allocations.
- December 2007: Council reviews staff analysis (possibly in the form of a supplement) that updates the previous year's analysis with final 2007 harvest estimates.
- January 2008: IPHC adopts combined catch limits for 2008.
- February 2008: Council takes final action on management measures that would be implemented in year 2009
- Winter 2008: NMFS publishes the rule that will be in effect for 2009

Element 5. Supplemental individual use of commercial IFQ to allow limited entry permit holders to lease commercial IFQ in order to provide anglers with additional harvesting opportunities, not to exceed limits in place for unguided anglers

A. Leasing commercial IFQ for conversion to Guided Angler Fish (GAF).
   1. A LEP (Limited Entry Permit) holder may lease IFQ for conversion to GAF for use on the LEP.
   2. Commercial halibut QS holders may lease up to 1500 pounds or 10% (whichever is greater) of their annual IFQ to LEP holders (including themselves) for use as GAF on LEPs. A CQE may lease up to 100% of its annual IFQ for use as GAF on their own LEPs.
   3. LEP holder per vessel may not lease more than 200-400 fish.
      Suboption: vessels with LEP w/endorsement for more than 6 clients may not lease more than 400-600 fish.

B. LEP holders harvesting GAF while participating in the guided sport halibut fishery are exempt from landing and use restrictions associated with commercial IFQ fishery, but subject to the landing and use provisions detailed below.

C. GAF would be issued in numbers of fish. The conversion between annual IFQ and GAF would be based on average weight of halibut landed in each region's charter halibut fishery (2C or 3A) during the previous year as determined by ADF&G. The long-term plan may require further conversion to some other form (e.g., angler days).

D. Subleasing of GAF would be prohibited.
E. Conversion of GAF back to commercial sector
    1. GAF holders may request NMFS convert unused GAF into IFQ pounds for harvest in compliance with commercial fishing regulations provided the GAF holder qualifies under the commercial IFQ regulations.
    2. Unused GAF may revert back to pounds of IFQ at the end of the year and be subject to the underage provisions applicable to their underlying commercial QS.
F. Guided angler fish derived from commercial QS may not be used to harvest fish in excess of the non-guided sport bag limit on any given day.
G. Charter operators landing GAF on private property (e.g., lodges) and motherships would be required to allow ADF&G samplers/enforcement personnel access to the point of landing.
H. Commercial and charter fishing may not be conducted from the same vessel on the same day.

Element 6. Catch accounting system

1. The current Statewide Harvest Survey and/or logbook data would be used to determine the annual harvest.
2. A catch accounting system will need to be developed for the GAF fish landed in the charter industry.
3. As part of data collection, recommend the collection of length measurements when supplemental IFQs are leased for use and compare to the annual average length to make sure that accurate removable poundage is accounted for and to allow length measurement information gathered to be used in the formulation of the average weight used in the conversion of IFQs to GAF.

Recordkeeping and Reporting *One of the critical issues for successful implementation of a successful interim management regime for charter halibut operators is to shorten the feedback loop for collection of data regarding charter harvests. The Council has requested that staff include in their report a discussion of options for shortening the feedback loop.*

It is also the intent of the Council in proposing these options that the real time collection of data should not be used for in-season management changes or in-season closures; rather it is the intent of the Council that these options be used to shorten the data collection feedback loop to facilitate the timely advance adoption of management tools designed to achieve the charter sector allocation without in-season changes or in-season closures in order to maintain, to the extent possible, a season of historic length with a minimum two fish bag limit.

Option 1. Electronic Reporting. Each GSM permit holder would be assigned a unique reporting number and would use that number to electronically report the number of halibut caught by clients that day on a daily basis. The electronic reporting would be done either through an Internet website or a dial-in telephone system. As additional verification each client would sign the mandatory logbook next to the entry containing their name, license number, number and type of fish caught, and any other required information. Logbooks would continue to be submitted weekly.

Option 2. Harvest Tag. Uniquely numbered harvest tags would be distributed to each GSM permit holder at the beginning of the season and additional tags would be available throughout the season if needed. The number of harvest tags would be greater than the number of fish allocated to the charter sector for that year (i.e., the tags are not a management tool for restricting or closing charter fishing in-season). When a halibut is landed the harvest tag would be required to be inserted in the jaw and the harvest tag number recorded in the log book entry for the angler license number of the person who caught the fish. When the fish is processed the tag would be removed and mailed in using pre-addressed, stamped envelopes supplied for that purpose. GSM operators would pay a fee to cover the cost of the envelopes and tags. Harvest tags would preferably be bar coded to enable machine reading, with peel off bar code stickers for placement in the log book.

Option 3. Punch Cards. Each GSM permit holder would be issued a supply of uniquely numbered punch cards with punch outs equal to any daily bag limit for that year or six halibut (whichever is fewer). The cards would issued at the beginning of the season and additional cards would be available as needed (i.e., the cards are not a management tool for restricting or closing charter fishing in-season). Each day every client angler would be assigned a punch card and that punch card number would be entered in the log book next to the license number. As each halibut is landed by a client their respective card would be punched, and at the end of the day the client would sign the punch card in the space provided. The punch card would then be sealed in a supplied stamped and addressed envelope, which would be mailed by the permit holder. GSM permit holders would pay a fee to cover the cost of the punch cards and mailing envelopes. Any log book entry for which a signed punch card is not received would be corrected to read the maximum number of fish printed on a punch card (i.e., the daily bag limit or six fish).

Draft Council Motion
BSAI Crab Rationalization Program
December 2007

C-2(a) – Preliminary Review of revisions to active participation requirements for use and acquisition of C shares

The following alternatives are advanced for analysis:

Options for revision of active participation requirements for C share holders:

To receive an annual allocation of IFQ, a C share holder must have participated in:
Option A: at least one delivery in a fishery subject to the crab rationalization program in the 3 years preceding the application for IFQ.
Option B: 30 days of State of Alaska or Federal fishing in the 3 years preceding the application for IFQ.

Suboption: Establish a mechanism for the annual allocation of C share IFQ to ensure that 3 percent of the TAC is available to active C share holders

Suboption: If a C share holder has not participated in at leas one delivery in a rationalized crab fishery in the preceding 5 seasons, that C share holder will be required to divest of all C share holdings. This provision will not require individuals to divest of Quota Share until 5-10 years after implementation of the crab program.

Options to address current transition:
For a period of 5 or 7 years from the implementation of the program, C shares can also be acquired by an individual who:
1) is a U.S. citizen,
2) has at least 150 days of sea time as part of a harvesting crew in any U.S. commercial fishery (historic participation), and

Option 1: received an initial allocation of C shares
Option 2: demonstrates participation in a rationalized crab fishery during
a. 3 of the 5 seasons or
b. 2 of the 3 seasons
immediately preceding implementation of the crab rationalization program.

C-3(b) – Final Action to exempt C shares from the 90/10 A share/B share split and all regional and processing share landing requirements.

The Council identified the following as its preferred alternative:

Alternative 2: C shares are indefinitely exempt from the 90/10 A share/B share split, with all C shares exempt from regional and processing share landing requirements.

C-3(c) – Final action to exempt certain custom processing from processing share use caps

The Council identified the following as its preferred alternative:

Fisheries and Regions:
Custom processing will be exempt from use caps in the following regions and fisheries:
The North region of the Bering Sea *C. opilio* fishery (analyzed here for regulation change from MSA reauthorization – not optional)
Option 1) the Western Aleutian Islands golden king crab fishery,

Suboption 2: West designated or Undesignated shares processed in the West region
Option 2) the Western Aleutian Islands red king crab fishery,
Option 3) the Eastern Aleutian Islands golden king crab fishery,
Option 4) the St. Matthew Island blue king crab fishery, and
Option 5) the Pribilof Islands red and blue king crab fishery

Definition of custom processing exemption:
Option 1) Physical processing of crab at a facility owned by an entity does not count toward the cap of the entity (only processor share holdings count toward an entity's cap).

Locations qualified for the exemption:
Custom processing will qualify for the exemption provided that processing is undertaken in the applicable fishery and region at:
Option 2) a shore plant, or a floating processor that is moored at a dock or docking facilities (e.g. dolphins, permanent mooring buoy) in a harbor in a community that is a first or second class city or home rule city, except for the community of Atka, where a floating processor may anchor at any location, provided that it is within the municipal boundary.

Facility cap
Outside of the West region, no facility may process more than 60% of
a) EAI golden king crab
b) WAI red king crab

Provisions to protect interests of the community of origin
Option 2) In the event that processing shares currently or formerly subject to a right of first refusal are transferred from the initial recipient, custom processing of shares in the community of origin will not be counted toward cap of the processing plant (the shares would only count toward the cap of the share holder).

C~~3~~4(d) – Final action to allow for the post-delivery transfer of IFQ

The Council identified the following as its preferred alternative:

Purpose of post-delivery transfers
Post-delivery transfers would be allowed exclusively to cover overages.

Shares used for post-delivery transfers
Post-delivery transfers of the following shares are permitted:
B share IFQ
A share IFQ (provided a processor simultaneously commits matching IPQ)
C share IFQ
Catcher processor IFQ
IPQ

Limits on the magnitude of a post-delivery transfer
None

Limits on the number of post-delivery transfers
None
No person shall be permitted to begin a fishing trip, unless the person holds unused IFQ.

Limits on the time to undertake a post-delivery transfer
All post-delivery transfers must be completed by the end of the crab fishing year (June 30th).

Eligibility for post-delivery transfers
All harvesters

C-3(e) – Review of the workplan for the 3 year review of the crab rationalization program

The Council received this report and chose to take no action on this matter.

D-4 – Staff tasking

BSAI Crab Rationalization Loan Program

The Council requests staff to provide a discussion paper on the definition of terms for the pending BSAI crab rationalization loan program. NMFS Financial Services Division requires recommendation of terms defined in the MSA and analysis for use in the rule making process.

According to the original BSAI crab rationalization program motion passed by the Council, these funds are to be available for captains and crew and for active participants only.

Crew definition:
Define crew as currently in regulation. Under the existing definition, crew encompasses captains and crew.

Active participation definition:

1. is a U.S. citizen
2. has at least 150 days of sea time as part of a harvesting crew in any U.S. commercial fishery (historic participation) and
3. has made at least one delivery in a fishery subject to the crab rationalization program in
    a. the 3 years prior to the loan, or
    b. 2 of the 3 years prior to the loan.

Additional terms in the MSA requiring definition:

Fishermen who fish from small vessels:
In the BSAI rationalized crab fisheries this is to be defined as "fishermen who fish from any or all vessels."

First time purchase of individual fishing quota by entry level fishermen is to be defined through analysis of the following options:

Maximum threshold quota share holdings to qualify for the loan program, by fishery:

Bristol Bay red king crab, Bering Sea *C. opilio*, and Eastern and Western Bering Sea *C. bairdi* fisheries ownership thresholds:

a) 0.05%, b) 0.1%, c) 0.25%, or d) 0.5%

Pribilof red and blue king crab and Saint Matthew Island blue king crab fisheries ownership thresholds:

a) 0.1%, b) 0.2%, c) 0.5%, or d) 1.0%

Aleutian Islands red and golden king crab fisheries ownership thresholds:

a) 0.5%, b) 1.0%, c) 2.5%, or d) 5.0%

Loan cap amounts per individual:

a) $150,000/year
b) $300,000/year
c) $450,000/year

Additionally, the Council directs staff to develop a range of possible loan cap amounts per individual, across all fisheries and years. A program-wide loan cap amount per individual would limit the total loan amount an individual could receive under the BSAI crab rationalization loan program across the life of the program.

North Pacific Fishery Management Council
December 2007
C-3(a) – GOA Pacific Cod Sector Split

The Council directed staff to continue the analytical process for an amendment to allocate the Western and Central Gulf of Alaska Pacific cod TACs among the various sectors. The Council modified the components and options for analysis:

Purpose and Need Statement

The limited access derby-style management of the Western Gulf and Central Gulf Pacific cod fisheries has led to competition among the various gear types (trawl, hook-and-line, pot, and jig) and operation types (catcher processor and catcher vessel) for shares of the total allowable catch (TAC). Competition for the GOA Pacific cod resource has increased for a variety of reasons, including increased market value of cod products, rationalization of other fisheries in the BSAI and GOA, increased participation by fishermen displaced from other fisheries, a reduced federal TAC due to the state waters cod fishery, and Steller sea lion mitigation measures including the A/B seasonal split of the GOA Pacific cod TAC. Competition among sectors in the fishery may contribute to higher rates of bycatch, discards, and out-of-season incidental catch of Pacific cod.

Participants in the fisheries who have made long-term investments and are dependent on the fisheries face uncertainty as a result of the competition for catch shares among sectors. Allocation of the catch among sectors may reduce this uncertainty and contribute to stability across the sectors. Dividing the TAC among sectors may also facilitate development of management measures and fishing practices to address Steller sea lion mitigation measures, bycatch reduction, and prohibited species catch (PSC) mortality issues.

Component 1
The Western and Central Gulf of Alaska Pacific cod TACs will be allocated among the various gear and operation types, as defined in Component 2.

Component 2: Sector definitions
The Western and Central GOA Pacific cod TACs will be allocated among the following sectors:

- Trawl catcher processors
  Option: Trawl catcher processors <125 ft
  Trawl catcher processors ≥125 ft
- Trawl catcher vessels
- Hook-and-line catcher processors
  Option: Hook-and-line catcher processors <125 ft
  Hook-and-line catcher processors ≥125 ft
- Hook-and-line catcher vessels
  Option: Hook-and-line catcher vessels <60 ft
  Hook-and-line catcher vessels ≥60 ft
- Pot catcher processors
- Pot catcher vessels
  Option: Pot catcher vessels <60 ft
  Pot catcher vessels ≥60 ft
- Jig vessels

Additional option: Combined allocation to the pot and hook-and-line catcher vessel sectors.
Component 3: Definition of qualifying catch

Option 1 All retained legal catch of Pacific cod in the federal and parallel waters fisheries in the Western and Central Gulf of Alaska.

Option 2 All retained legal catch of Pacific cod harvested during the directed Pacific cod fisheries in the federal and parallel waters in the Western and Central Gulf.

Catch will be calculated using Fish Tickets for catcher vessels and Catch Accounting/Blend data for catcher processors.

Under all options, allocations to the trawl sectors will deduct incidental catch allocated to the trawl sector for the Central Gulf Rockfish program.

Further, all sector allocations will be managed to support incidental and directed catch needs.

Component 4: Years included for purposes of determining catch history

Option 1 Qualifying years 1995-2005: average of best 5 years
Option 2 Qualifying years 1995-2005: average of best 7 years
Option 3 Qualifying years 2000-2006: average of best 3 years
Option 4 Qualifying years 2000-2006: average of best 5 years

Component 5: Allocation of Pacific cod to jig sector

Options include setting aside 1%, 3%, 5%, or 7% of the Western and Central GOA Pacific cod TACs for the jig vessel sector, with a stairstep provision to increase the jig sector allocation by 1%, 2%, or 3% if 90% of the federal jig allocation in an area is harvested in any given year.

Subsequent to the jig allocation increasing, if the harvest threshold criterion described above is not met during three consecutive years, the jig allocation will be stepped down by 1% in the following year, but shall not drop below the level initially allocated.

The jig allocation could be set aside from the A season TAC, the B season TAC, or divided between the A and B season TACs.

The Council requests that staff work with the State of Alaska and NOAA General Counsel to explore possible options for the jig fishery management structure (both federal and State) that creates a workable fishery that will minimize the amount of stranded quota in the state managed fishery.

Possible solutions that could be explored are as follows:

1. Separate State and federal allocations- manage accounting by seasonal structure.
2. State managed jig Pacific cod fishery- federal management authority goes to the state of Alaska to manage a state gear specific fishery.

Component 6: Management of unharvested sector allocations

Any portion of a CV, CP, or Jig allocation determined by NMFS to remain unharvested during the remainder of the fishing year will become available as soon as practicable to either:

Option 1 Other respective CV or CP sectors first, and then to all sectors as necessary to harvest available TAC, or

Option 2 All sectors

Component 7: Apportionment of hook-and-line halibut PSC (other than DSR) between catcher processors and catcher vessels

Option 1 No change in current apportionments of GOA halibut PSC

Option 2 Apportion the GOA hook-and-line halibut PSC to the CP and CV sectors in proportion to the total WGOA and CGOA Pacific cod allocations to each sector. No later than November 1, any remaining halibut PSC not projected by NMFS to be used by one of the hook-and-line sectors during the remainder of the year would be made available to the other sector.

Option 3 Other apportionment (select amount for each sector). No later than November 1, any remaining halibut PSC not projected by NMFS to be used by one of the hook-and-line sectors during the remainder of the year would be made available to the other sector.

Suboption (can be applied to Options 1, 2, or 3): Change seasonal apportionment by sector.

Other Issues for Analysis

The Council requested that staff include a discussion of cumulative economic and socioeconomic effects of the proposed action, including an analysis of vessel ownership, skipper residency, potential impacts on crew and processors, economic dependency of participants on GOA Pacific cod in comparison to other fisheries, and potential changes in the distribution of landings. Analysis will include a discussion of the likelihood of voluntary harvest cooperative formation within each sector, and the expected effects of cooperative fishing under sector allocations.

The Council also requested that staff discuss interactions between sector allocations and GOA Pacific cod sideboards. The analysis will also include a comparison of the options for defining sectors and qualifying catch in the sector split action and the trawl and fixed gear recency actions and a discussion of the implications of these differences on sector allocations.

The Council requested that staff provide a summary of discarded incidental Pacific cod harvests by year. Finally, the Council requested a description of the State-managed Pacific cod fisheries and a discussion of the overlap in participation in the federal and State-managed GOA Pacific cod fisheries.

GOA Sideboard Analysis Options
December 2007

Crab Rationalization Program

Exempted Vessel Status of GOA Pacific cod

Option 1: No changes to exempted status requirements
Option 2: To receive exempted status, the vessel/LLP would forfeit all BS opilio shares.

> Suboption: To receive exempted status, vessel LLP would forfeit their BS opilio shares that are in excess of the 100,000 pound landing threshold during the qualifying years 1996-2000.

Option 3: Exempt non-AFA crab vessels from GOA Pacific cod sideboards if the vessel's Bering Sea opilio catch history is less than 0.22% and the vessel landed more than 500 mt of GOA Pacific cod from 1996-2000.

> Suboption: To receive exempted status, vessel LLP would forfeit their BS opilio shares that are in excess of the 100,000 pound landing threshold during the qualifying years 1996-2000.

Option 4: Exempt non-AFA crab vessels from the GOA Pacific cod sideboards if the vessel's Bering Sea opilio catch history is less than 500,000 pounds and the vessel landed more than 2,500 mt of GOA Pacific cod from 1996-2000.

Option 5: Exempt non-AFA crab vessels from the GOA Pacific cod sideboards if the vessel's Bering Sea opilio catch history is less than 500,000 pounds and the vessel has landed 680 mt of GOA Pacific cod landings from 1996-2000.

> Suboption: In addition to above, must also have 20 GOA pollock trawl landings during 1996-2000.

All these exemptions only apply to those non-AFA crab vessels/LLPs that are eligible to participate in the GOA Pacific cod fishery (have appropriate LLP).

Exempted Vessel Status for GOA Pollock

Option 1: No exempted status
Option2: Exempt non-AFA crab vessels from GOA pollock sideboards if the vessel's Bering Sea catch history is less than 0.22% and the vessel had: 1) five pollock deliveries, 2) 10 pollock deliveries, and 3) 20 pollock deliveries from 1996-2000.

All these exemptions only apply to those non-AFA crab vessels/LLPs that are eligible to participate in the GOA groundfish fisheries (have appropriate LLP).

Proposed Exemption from B season Pacific cod sideboard limit after November 1

Options to include lifting sideboard restriction from 1) those that have a GOA Pacific cod sideboard and 2) those that have GOA groundfish sideboard.

This exemption only applies to those non-AFA crab vessels/LLPs that are eligible to participate in the GOA Pacific cod fishery (have appropriate LLP).

The analysis should include how this November 1 exemption may interact with GOA Pacific cod sector splits.

Rockfish Pilot Program

Initiate an analysis for a regulatory amendment to exempt catcher processors that participate in the CGOA rockfish pilot program cooperative or limited access sectors and also belong to a cooperative in the BSAI fisheries under Amendment 80 from the July stand-down period.

Amendment 80 Program

Initiate an analysis for a regulatory amendment to add an amount of halibut PSC to the Amendment 80 3rd quarter deep-water halibut PSC sideboard proportionate to the halibut available to the rockfish catcher-processor limited access and opt-out fisheries.

AFA

Initiate an analysis for a regulatory amendment to the GOA AFA CV groundfish harvest sideboards for Pacific cod and pollock.

Option 1. Status quo
Option 2. Limit harvest to the average 2005-2007 catch history
Option 3. Limit harvest to the average 2001-2005 catch history
Option 4. No sideboard limits
Option 5. No harvest allowed

DRAFT REPORT
of the
SCIENTIFIC AND STATISTICAL COMMITTEE
to the
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
December 3-5, 2007

The SSC met during December 3-5, 2007 at the Hilton Hotel, Anchorage, Alaska. Members present were:

Pat Livingston, Chair *NOAA Fisheries—AFSC*	Keith Criddle, Vice Chair *University of Alaska Fairbanks*	Robert Ames *Oregon Department of Fish and Wildlife*
Bill Clark *International Pacific Halibut Commission*	Sue Hills *University of Alaska Fairbanks*	Anne Hollowed *NOAA Fisheries—AFSC*
George Hunt *University of Washington*	Franz Mueter *SigmaPlus Consulting*	Lew Queirolo *NMFS—Alaska Region*
Terry Quinn II *University of Alaska Fairbanks*	Farron Wallace *Washington Dept of Fish and Wildlife*	Doug Woodby *Alaska Department of Fish and Game*

Members absent were:

Gordon Kruse *University of Alaska Fairbanks*	Seth Macinko *University of Rhode Island*

C-4 LLP Trawl Recency (Queirolo, Criddle, Hunt)

Jim Richardson (NPFMC) presented an overview of the revised draft RIR/IRFA. The proposed amendment contains a suite of alternatives designed to extinguish LLP permits that have not been actively employed in the authorized fishery in recent years (i.e., latent licenses). A second component of this amendment package bears on a perceived shortfall in the number of authorized LLPs available in the AI management area with which to prosecute groundfish fisheries for P.cod, Atka mackerel, POP, and, perhaps to a lesser extent, pollock. Mr. Dave Fraser (Adak Fisheries), offered public testimony.

The SSC recommends that the draft analysis be released for public review after it has been revised to address the following:

- Inclusion of diametrically opposed management actions (i.e., extinguishing LLP licenses, on one hand, while creating new fishing permits, on the other) creates some incongruity in the analytical presentation and supporting discussion. The rationale for combining these actions should be discussed.
- The proposed delegation of authority to the Aleut Corporation to exempt 4-10 trawl vessels from the otherwise required AI endorsement appears to create a *de facto* "limited access program", albeit somewhat dissimilar in structure to other Limited Entry programs the Council has considered. The proposed alternative creates, in effect, a closed-class of authorized participants, to be selected solely by the Aleut Corporation and solely upon the criteria that the Aleut Corporation selects. The SSC notes that the proposed alternative, in effect, establishes a "sole owner" use structure in significant portions of the AI groundfish fisheries for Atka mackerel, POP, P.cod, and, perhaps to a lesser degree, pollock. The draft analysis should be expanded to include analyses required by the MSA for creation of a Limited Access Program, or explain why such analyses are not required in this instance.

C-5 Amendment 90

Jon McCracken (NPFMC) presented an overview of the initial review draft RIR/IRFA for Amendment 90 to allow post-delivery transfer of shares and amendment 80 limited access rollovers in the BSAI Amendment 80 program. There was no public testimony on this agenda item.

The SSC recommends that the draft analysis be released for public review after it has been revised to address the following:

- The analysis should include a discussion of the potential undesirable incentives associated with provision of post-delivery transfer authorization.
- The absence of a numerical "threshold" associated with the current proviso that a fishing trip may not begin unless the operator "... has quota" could be problematic. The analysis should include a discussion of possible alternative threshold levels.
- The analysis should note that the proposed action may increase the overall amount of Amendment 80 species harvested, because it will transfer unharvested iTAC to sectors that have not yet exceeded bycatch caps.
- Add language to clarify that this is intended as a minor modification of Amendment 80 and that as such, it does not consider management alternatives that would alter the basic structure of the co-ops created under Amendment 80.
- Additional discussion to explain whether the discards referenced on page 10 are regulatory or economic in nature.
- Table 2-7 needs to identify the units of value.
- General editing for grammatical errors.

C-6 Observer Program

Nicole Kimball (NPFMC) and Jason Anderson (NMFS AKR) presented the RIR/IRFA for a regulatory amendment to revise administrative and procedural aspects of the North Pacific Groundfish Observer Program. Martin Loefflad (AFSC) and Bill Karp (AFSC) assisted in answering SSC question. No public testimony was given. The SSC thanks the authors for including a complete history of the issue in a particularly readable document.

The SSC considers this document ready to be released for public review after minor additions and some reformatting. The addition of a cross-walk summary table of issues and alternatives would help to orient the reader. The SSC felt that including NMFS comments with the analysis of the alternatives was awkward and requests that the material be removed to an appendix of NMFS comments. The Observer Advisory Committee (OAC) minutes should also be included as an appendix, as should the additional data from the national bycatch report as soon as it is available. It is not the intent of the SSC that release of the document be delayed to wait for the national bycatch report data but its inclusion as soon as it is available would be helpful. The rationales for the alternatives, including the new alternative 4, were clearly presented, as were the pros and cons. The fact that the OAC's May 2007 recommendations were taken into account strengthens the document. Table 13; page 56, is a useful way of comparing the alternatives.

This progress on a long-standing issue is welcome. The SSC reviewed alternatives for restructuring the observer program in June 2005 and a revised analysis of that document in February 2006, but has had numerous additional discussions about the quality of the data from the observer program over the years. Two fundamental external obstacles to the program were identified whose resolution was necessary before further substantive progress could be made. The issues were: 1) legislative authority needed to be established for fee-based alternatives, and 2) Fair Labor Standards Act (FLSA) issues needed to be clarified to make it possible to estimate costs associated with the fee-based alternatives. The first issue

was addressed in the January 2007 reauthorization of the MSA, which included language authorizing the NPFMC to adopt fee-based observer program. The second issue of lack of cost data remains unresolved but the actions analyzed in this document would begin the process of adequate data collection. The present document details administrative, operational and procedural changes to the existing observer program that are considered necessary regardless of observer program restructuring.

The document is formulated as seven issues with alternatives for each. Four of the seven—(Issue 1) remove the appeals process for observer candidates for certification; (Issue 2) remove NMFS oversight of observer behavior, (Issue 3) clarify that observers from observer providers are allowed to provide coverage for EFPs and other research activities; and (Issue 7) several minor housekeeping corrections—seem straightforward. After consultation, NMFS has recommended withdrawal of the proposed change, issue (Issue 6), regarding debriefing observers whose deployments span the end of the calendar year. The remaining two issues—(Issue 4) revise the definition of a fishing day and (Issue 5) require observer providers to submit detailed economic data to NMFS—are more substantive.

Issue 4, which revises the definition of a fishing day, addresses but does not fix the issue of non-representative fishing behavior (and perhaps location) when an observer is on board. This issue has long been a concern of the SSC. In March 2003, the SSC suggested:

> **"an experimental approach may be of value in evaluating the potential bias that may occur in observer data.** Currently, there are concerns about possible bias in the data from the segment of the fleet that has only 30% observer coverage. Because the fishers have some choice over when they will have an observer on board, the observed trips probably are not representative of the unobserved trips in terms of fishing locations. Furthermore, there may be subtle differences in fishing operations when vessels have observers onboard. Modifying the observer system so that NMFS staff chooses the trips that will be observed may provide more uniform representation of fishing locations but this change will not rectify the problem of observed vessels having modified fishing behavior. For the revised observer system there may be merit in conducting some experiments that attempt to directly measure the bias of the current system. A portion of the new system could have the fishers selecting the trips that would be observed and a separate portion would have the observed trips selected by NMFS staff. An additional portion of the fleet could have 100% observer coverage for extended periods; say several months, with the idea that these vessels would be more likely to behave as if they were unobserved. Contrasts amongst these three portions might provide some indication of the two kinds of bias that are probably inherent in the current observer system."

On Issue 4, the SSC is concerned that there does not appear to be a viable solution to the identified problem of "fishing for observer coverage," until such time as there is a full revision of NMFS' Observer Program (a result that is not likely to be achieved in the near-term). This observer coverage compliance "loop-hole" has been recognized as a problem for many years for coverage of the 30% fleet sector; the abusive behavior continues to the present; and the adverse impacts of this behavior on observer data quality remains indeterminate, but cannot be impact-neutral. Correcting this deficiency should be an immediate priority. The proposed change to the definition of a fishing day begins to address the issue. While the proposed change does not quantifying the bias, it will provide some idea of the magnitude of the problem. **As stated many times before, the SSC considers good representative data essential for proper management of the fisheries and urges that additional information be gathered on how "fishing for coverage" affects the data.** Rather than waiting for the entire observer programs to be restructured, the SSC suggests that NMFS seek additional funds to conduct something like the experimental approach outlined above.

Issue 5, the requirement that observer providers provide detailed economic data, is in line with an increased emphasis by NPFMC and NMFS on the collection of social and economic data. It is an attempt to begin to accumulate the data needed to addresses the second obstacle to a fundamental restructuring of the observer program. However, the SSC questions the wisdom of the proposed "sunset provision" in the collection of economic data. The management process has waited more than 20 years to acquire the authority under MSA to require submission of economic data. Now that this authority has been provided to the Council and NMFS, it is counter-intuitive and counter-productive to suggest a 3-year duration for collection of these economic data. There are scientific and analytical justifications for acquiring data on a consistent and systematic basis, over time. **The SSC recommends that there be no sunset provision on the economic data collection outlined in Issue 5.** The SSC also suggests that sub-sampling vessel operators to verify data reported by observer providers would be advisable.

D-1 Groundfish Management

Recommendations to Assessment Authors of stocks subject to the $B_{20\%}$ threshold

The SSC requests that if stocks drop below tier 3a and they are subject to the B20% stopping rule (pollock, cod and Atka mackerel), that the analysts evaluate the probability that the stock will drop below the $B_{20\%}$ threshold. This calculation is currently produced in the GOA pollock assessment. In this assessment the author projects the stock forward for five years and removes catches based on the spawning biomass in each year and the author's recommended fishing mortality schedule. This projection incorporates uncertainty in stock status, uncertainty in the estimate of $B_{20\%}$, and variability in future recruitment.

Recommendation to all assessment authors with respect to calculations for biological reference points

The SSC notes that the approach for calculating ABC and other biological reference points is not fully described in the SAFE's. It would be desirable to have a general description in the introduction of the SAFE. In each SAFE chapter, specific details could be provided, if the calculation is done differently. For example, the range of years that is used to calculate average recruitment for converting SPR to B_{40} should be given.

D-1 (d) BSAI SAFE and Harvest Specifications for 2008/09

Grant Thompson (AFSC,) presented the BSAI plan team report and recommendations for BSAI groundfish with support from Jim Ianelli (AFSC). The following table (Table 1) summarizes the SSC recommendations for ABC and OFL for 2008/09 for BSAI groundfish. Specific SSC comments on the assessments follow the table.

Table 1. SSC recommendations for BSAI Groundfish OFL and ABC for the 2008-2009 fisheries (mt). (Text in bold indicates where SSC recommendations differ from the plan team recommendations.)

Stock/Assemblage	Area	2007				2008		2009	
		OFL	ABC	TAC	Catch	OFL	ABC	OFL	ABC
Pollock	EBS	1,640,000	1,394,000	1,394,000	1,350,000	1,440,000	1,000,000	1,320,000	1,000,000
	Aleutian Islands	54,500	44,500	19,000	2,488	34,000	28,200	26,100	22,700
	Bogoslof District	48,000	5,220	10	0	58,400	7,970	58,400	7,970
	BSAI Total	1,742,500	1,443,720	1,413,010	1,352,488	1,532,400	1,036,170	1,404,500	1,030,670
Pacific cod	BSAI	207,000	176,000	171,000	172,655	**207,000**	**176,000**	**207,000**	**176,000**
Sablefish	BS	3,520	2,980	2,980	1,090	3,380	2,860	2,910	2,610
	AI	3,320	2,810	2,810	1,080	2,890	2,440	2,510	2,230
	BSAI Total	6,840	5,790	5,790	2,170	6,270	5,300	5,420	4,840
Yellowfin sole	BSAI	240,000	225,000	136,000	119,332	265,000	248,000	296,000	276,000
Greenland turbot	BS		1,680	1,680	1,435		1,750		1,750
	AI		760	760	511		790		790
	Total	15,600	2,440	2,440	1,946	15,600	2,540	16,000	2,540
Arrowtooth flounder	BSAI	193,000	158,000	20,000	11,700	297,000	244,000	300,000	246,000
Northern rock sole	BSAI	200,000	198,000	55,000	37,013	304,000	301,000	379,000	375,000
Flathead sole	BSAI	95,300	79,200	30,000	19,500	86,000	71,700	83,700	69,700
Alaska plaice	BSAI	241,000	190,000	25,000	19,411	248,000	194,000	277,000	217,000
Other flatfish	BSAI	28,500	21,400	10,000	5,840	28,800	21,600	28,800	21,600
Pacific ocean perch	BS		4,160	2,160	811		4,200		4,140
	WAI		7,720	7,720	7,421		7,590		7,490
	CAI		5,050	5,050	4,423		4,970		4,900
	EAI		4,970	4,970	5,116		4,890		4,820
	AI total		17,740	17,740	16,960		17,500		17,200
	BSAI Total	26,100	21,900	19,900	17,771	25,700	21,700	25,400	21,300
Northern rockfish	BSAI	9,750	8,190	8,190	3,940	9,740	8,180	9,680	8,130
Shortraker rockfish	BSAI	564	424	424	318	564	424	564	424

Stock/Assemblage	Area	2007 OFL	2007 ABC	2007 TAC	2007 Catch	2008 OFL	2008 ABC	2009 OFL	2009 ABC
Rougheye rockfish	BSAI	269	202	202	163	269	202	269	202
Other rockfish	BS		414	414	205		414		414
	AI		585	585	430		585		554
	BSAI Total	1,330	999	999	635	1,330	999	1,290	968
Atka mackerel	WAI		20,600	9,600			16,900		13,200
	CAI		29,600	29,600			24,300		19,000
	EAI/BS		23,800	23,800			19,500		15,300
	BSAI Total	86,900	74,000	63,000	56,620	71,400	60,700	50,600	47,500
Squid	BSAI	2,620	1,970	1,970	1,190	2,620	1,970	2,620	1,970
Other species									
Sharks						617	463	617	463
Skates						**50,100**	**37,600**	**50,100**	**37,600**
Sculpins						53,100	39,800	53,100	39,800
Octopus						324	243	324	243
Other Total		91,700	68,800	37,400	26,500	**104,000**	**78,100**	**104,000**	**78,100**
BSAI Total		3,188,973	2,676,035	2,000,000	1,849,192	3,161,934	2,440,291	3,161,684	2,557,250

Walleye pollock

The SSC received a staff presentation from Jim Ianelli (AFSC). Public testimony was received from Ed Richardson (Pollock Conservation Cooperative), Brent Paine (United Catcher Boats), Jon Warrenchuk (Oceana), and Joe Plesha (Trident Seafoods). Richardson and Paine suggested setting ABC at 1.17 million t, the maximum permissible, because they felt the assessment is already precautionary and is working well. Paine noted that the loss in revenue in going down to 1 million t would be about $150 million. Warrenchuk felt that the Plan Team ABC was too high, given the importance of pollock in the ecosystem. He also thought that female spawning biomass was getting too close to the B_{20} harvest threshold, which would close directed fishing for pollock under the SSL protection measures. Plesha supported the Plan Team recommendation, because he was concerned about the pollock resource and wants it to be sustained.

This assessment is a straightforward update of last year's assessment with some model enhancements related to sample size, use of length data, and development of an age 1 index of abundance. Results show that pollock biomass will drop below the target B_{MSY} level in 2008. This is due to a series of poor recruitments in recent years and some other factors. This year's new data suggests that neither the 2000 nor 2005 year-classes are as strong as they appeared to be in prior years. Also, average weight-at-age was much lower than average in 2006, suggesting that forage for pollock such as zooplankton was reduced. Unfortunately, it has not been possible to obtain zooplankton data for the recent time period. Finally the arrowtooth flounder population continues to grow, which may increase juvenile mortality. Another concern is that the 2008 female spawning biomass of 1.38 million t is not that much larger than the B_{20} level of 1.00 million t (taking 20% of B_0=5.013 as given on page 85).

However, the 2006 year-class appears strong based on age-1 abundance in both the EIT and bottom trawl surveys, although it uncertain whether this will prevail as the year-class ages. If it does not remain strong, the population could decline further in the future. Projections suggest that the population can rebuild to the MSY level by 2010, although it should be noted that there is much uncertainty in those projections.

The assessment model and the harvest policy to determine ABC for pollock is precautionary in a number of ways: a constraint on the spawner-recruit steepness parameter, the use of geometric mean biomass instead of average biomass, a quadratic downward adjustment as biomass decreases, a larger buffer between ABC and OFL as uncertainty increases, and the use of the harmonic mean harvest rate rather than the average harvest rate.

As in past years, the SSC recommends that this stock be considered in Tier 1 and agrees with the authors and Plan Team that the maximum permissible ABC is 1.17 million t under Tier 1b, the harmonic mean of the ratio of MSY and its corresponding biomass. For the reasons and concerns stated above, the SSC believes that extra conservatism is desirable and agrees with the authors and Plan Team that the 2008/09 ABC should be further lowered to 1 million t. This corresponds to the harvest rate that would lower female spawning biomass to about 39% of the unfished level, which is similar to what this value has been in the past. The OFL for 2009 using the Tier 1b calculation is 1.44 million t. Table 1 has the 2008/09 SSC recommendations for ABC and OFL.

Economic implications

The reduction proposed by the Plan Team, from the 1.17 M t Tier 1b ABC, to the recommended 1.0 M t figure, has been asserted to pose a *potentially* adverse economic threat to the Bering Sea commercial pollock industry. Empirical economic data necessary to critically evaluate this assertion at a disaggregated, net performance level are not available at present. The use of sector-wide 'gross' fishery data that are presented in the 2007 Economic SAFE, nonetheless, may provide some insights into the

likely economic implications of selecting the Plan Team recommendation, versus the Tier 1b model projection.

By comparing historic economic performance of the EBS pollock sector with equivalent data for the most recent year's fishery (2006), the following emerges. Since implementation of the AFA, aggregate industry-wide operating costs per unit output have (according to industry sources) decreased, as excess capacity has been removed (or idled) and pollock co-ops have availed themselves of the operational and management flexibility engendered in AFA. Cooperatives have the authority to more nearly optimize net returns, by matching quota to available productive capacity (e.g., utilizing the 'best' combination of inputs – vessels, plants/lines – for the physical conditions, quota, markets, etc.). The Economic SAFE reveals that, in the aggregate, participants in this fishery have benefited substantially by slowing the pace of pollock fishing. Since implementation of the AFA, the industry has significantly improved product recovery rates and, simultaneously, total gross product value. Production data reveal increasing output of traditional product forms, as well as development and production of new pollock products.

From the 2007 Economic SAFE, Figures 1 and 2, page 170, the following may be discerned (in the aggregate, for the EBS pollock industry). When 2000 pollock fishery data are compared to 2006 data, wholesale prices for pollock products have increased for all but two product forms (i.e., meal/oil, and 'other') and prices for these two are unchanged. Final product output has increased, in most instances quite significantly, for all pollock product forms. Higher unit prices, combined with increased total output, yield substantial increases in estimated sector-wide gross receipts.

It appears that over this same period, global retained harvest of walleye pollock has declined, while the U.S. retained harvest has risen (Figure 4, Economic SAFE). The result is that U.S. pollock market-share has increased, both relatively and absolutely, vis-à-vis other pollock suppliers. Clearly, pollock competes it a broader world whitefish marketplace and, therefore, may not benefit from supply-driven price increases that might otherwise be expected in response to reduced global pollock supplies. At present, this remains an empirical question.

What is apparent from these aggregate data is that, on the whole, the EBS pollock industry is far better positioned, economically, to weather the recent and near-term projected pollock ABC reductions, post-AFA, than would have otherwise been the case. The implication of this for conservation and management of the EBS pollock resource is important. At present, the 1.0 M t ABC (in contrast to the 1.17 M t alternative ABC), while likely to have some adverse impact on 'net revenue' performance for the sector, would not be expected to result in wide-spread economic failure and dislocation, as would have been the expectation, pre-AFA. At the individual operator's level, the economic implications of the 170,000 t difference between the two alternatives may be greater for some than for others. Nonetheless, the AFA has made possible a degree of economic stability in the EBS pollock industry that, in effect, may substantially 'buffer' the sector as a whole from the most severe economic impacts of ABC reduction.

Aleutian Islands Walleye Pollock

This is a straightforward update of last year's assessment. Estimated biomass increased from 1999 to 2004 and has remained stable since then. Model 2B is similar to the model accepted last year.

The SSC concurs with the Plan team for assignment to Tier 3a and the resulting 2008/09 ABCs and OFLs recommended by the author and plan teams (Table 1).

Bogoslof Walleye Pollock

This is a straightforward update of last year's assessment. Estimated biomass has been stable and low for several years.

The SSC has determined that this stock qualifies for Tier 5 management. The recommended ABC comes from a formula similar to a Tier 3 calculation substituting a reference biomass level of 2 million t for $B_{40\%}$ and is below the maximum permissible. The recommended 2008/09 ABCs and OFLs are in Table 1.

Pacific Cod

Grant Thompson presented the assessment, which included four candidate models, and the Plan Team's ABC recommendation, based on Model 1. Mark Maunder of Quantitative Resource Assessment LLC, appearing for the Freezer Longliner Coalition, gave public testimony. His main points were (i) that Model 1 overestimated historical recruitment and therefore present depletion; and (ii) that the natural mortality rate (0.34) chosen for the model was just one of a wide range of other possible values.

This assessment has been through a number of evolutions over the last 15 months. An industry group requested an external review in the fall of 2006, and this was conducted along with the 2006 assessment. Following the November plan team meeting an external reviewer located an improved fit of the model adopted by the team. The assessment author produced a revised assessment for the December 2006 Council meeting, which the SSC declined to endorse because the Plan Team had not reviewed it. The SSC did recommend that AFSC hold a workshop to examine a number of standing concerns about the assessment, including weak convergence, modeling of growth and selectivity, and procedures for estimating survey catchability (q) and/or natural mortality (M).

These issues and others were examined at the subsequent workshop in April, and at the September and November plan team meetings. A number of alternative models were fitted in advance of each meeting and examined at the meeting. The SSC reviewed a suite of models at the October meeting. At that time the most serious concern about the assessment was the validity of the age data. The Age and Growth Unit at AFSC expressed confidence about the accuracy of the ages, but model fits including the age data failed to match the first few modes in survey length distributions, suggesting that some of the ages of young fish were being read a year too high. A second issue in October was whether or not to estimate M within the model. The SSC expressed skepticism about these estimates and asked to see one model fit with the old fixed value M=0.37 and another fit with a fixed value based on life history theory.

The four candidate models in the 2007 SAFE differ in a number of ways from the ones reviewed in October. Perhaps most importantly, changes in the method of incorporating survey age data (from joint age/length compositions to marginal age compositions) and survey CPUE (from CPUE in weight to CPUE in number) have produced good agreement between predicted and observed survey length compositions of young fish. The authors have not yet investigated why this is the case, but doubts about the validity of the age readings are lessened. Models 1-3 are similar to previous assessments in terms of population trends and predictions. They differ only in regard to natural mortality: in Model 1, M is fixed at 0.34, a value based on life history theory as suggested by the SSC; in Model 2, M is fixed at 0.37, the previous fixed value, also as suggested by the SSC; and in Model 3, M is estimated internally to be M=0.22. Model 4, developed in response to public comment, differs from the others in a number of ways. Most importantly, it does not include the age composition data in the fit and it models some of the selectivities differently. None of the models uses commercial CPUE or longline survey CPUE data for abundance estimation, but some catchability parameters are calculated analytically so that the model

predictions can be compared with the data. Model fit with longline data is poor, meaning that the longline data show different trends from the commercial and survey trawl data.

This is a challenging assessment. Several kinds of data are available and they are inconsistent in some respects. In this situation the model estimates of biomass inevitably depend on what data are included and how they are weighted. This is not uncommon in stock assessments. The cod assessment is still a work in progress, but the present assessment is the result of a lot of hard work by a number of highly qualified people.

The author and the Plan Team prefer Model 1, and the SSC agrees. All the other models have internal estimates of natural mortality, and we remain doubtful about the reliability of estimates of M obtained by model fitting when catchability is also a free parameter. Experience has shown that such estimates can be highly variable, and the range of values displayed by Models 3 and 4 (0.22-0.46) illustrates the hazard in this case. In fits of any given model, biomass estimates are usually quite sensitive to the value of natural mortality, as is the calculated value of target fishing mortality rates such as $F_{40\%}$. Adopting a policy of estimating natural mortality by model fitting is therefore likely to lead to large year-to-year variations in ABC, to no purpose. We favor the previous policy of choosing a reasonable value and sticking with it. The value chosen for Model 1 is reasonable, and is very close to the old fixed value.

Another reason for preferring Model 1 over Model 4 is that it makes use of the age data (although not fitting them very well). Age data are usually much more informative than size data and therefore should not be set aside absent clear evidence of bias. Some questions have been raised about the cod age data, but the readings have been reconsidered and rechecked by the AFSC age readers, and they stand by them. We rely on ages read the same way in other assessments. We should continue to rely on the cod ages until we find something more than circumstantial evidence of a bias.

While endorsing Model 1 in principle, we accept the point made in public testimony that Model 1 overestimates historical recruitment because the recruitment time series effectively includes the estimates of recruitment used to construct initial conditions, and therefore are outside the intended range of recruitments (1977-present). In addition, estimates are complicated by other features of the way that the SS2 software initializes the 1977 stock. **An accurate estimate of average recruitment would reduce the estimate of present depletion of the stock and raise the ABC by 20-30%, to around the level of the 2007 ABC (176,000 mt).**

While the recent trawl survey trend has been downward and present biomass is low relative to the mid 1980s, the model indicates that the spawning biomass will be on an upward trend from 2008. This suggests keeping ABC where it is for the time being and the SSC therefore recommend that ABC remain at 176,000 t in 2008/09 and OFLs for 2008/09 also rollover the 2007 OFL value of 207,000 t (Table 1).

The SSC continues to support the idea of estimating a fixed natural mortality rate external to the assessment on the basis of life history theory. In the next assessment we would like to see some discussion of the alternatives considered for estimating M outside the model and the rationale for the author's choice.

Flatfish

The SSC acknowledges the authors of the flatfish assessments for their responsiveness to previous SSC comments and applauds the considerable amount of work that has been devoted to improving the models over the past year.

With the notable exception of Greenland turbot, all flatfish stocks are currently at high levels of abundance and are either stable or increasing. Age-structured models are used to assess all flatfish stocks except the "other flatfish" category. In most cases, the models appear to provide a reasonable fit to the data and both yellowfin and rock sole currently qualify for Tier 1 management. For these Tier 1 stocks, authors examined sensitivity to various assumptions about selectivity, catchability, natural mortality, and recruitment variability. While F_{MSY} within any given model appears to be very well estimated (particularly for rock sole), estimates vary considerably among models. In particular, assumptions about recruitment variability and the length of spawner-recruit data series included in the analysis affect both the estimates of F_{MSY} and its uncertainty.

The SSC notes that flatfish assessments were reviewed in 2007 by the Center of Independent Experts and we request that results from the review and the authors' responses be presented to the SSC at a future meeting, if possible as a special agenda item at the February SSC meeting in Seattle.

SSC comments to all flatfish authors

- Structural uncertainty and uncertainty about recruitment trends in several flatfish species highlight the need for management strategy evaluations, which are under development for several species. The SSC encourages further development of the MSE analyses and looks forward to seeing their results.
- As noted last year, an examination of the relationship between bottom temperature and q for all flatfish species would be useful to standardize the treatment of bottom temperatures in the assessments. The recent cold years should provide additional contrast for this analysis.

Yellowfin Sole

The assessment is a straightforward update of the 2006 assessment. Different configurations of last year's preferred model were used to examine the sensitivity of Tier 1 reference points (F_{MSY} and its uncertainty) to different assumptions about selectivity, catchability, natural mortality, and recruitment variability. Uncertainty in F_{MSY}, as measured by the proportional reduction in the harmonic mean relative to the geometric mean, was most sensitive to recruitment variability.

The base model with M fixed at 0.12 and survey catchability q modeled as an exponential function of average annual bottom temperature was selected by the authors and the Plan team for ABC calculations. The SSC determined in December 2006 that the stock qualifies for management under Tier 1a, which resulted in a substantial increase in the ABC over the previous year. Further increases in ABC are seen in this year's 2008/09 Tier 1a estimates.

The SSC concurs with the Plan Team's recommended 2008/09 ABC and OFL estimates (Table 1) but, as noted last year, the potential for significant increases in TAC has implications for bycatch in other fisheries.

SSC comments to the assessment authors:

- The SSC appreciates the author's efforts to continue an exploration of the robustness of Tier 1 management when changes in productivity occur and looks forward to reviewing results of these MSE analyses in the future.
- The SSC last year suggested the need for separating the dynamics of male and female yellowfin sole in the model and looks forward to results from a split-sex model that is slated to be developed next year.

- The SSC notes that selectivity is assumed to be constant over time and encourages the authors to evaluate the assumption of constant selectivity
- The ecosystem considerations table (p. 461) erroneously refers to rock sole instead of yellowfin sole
- Table 4.9: q should have a subscript for year (q_t) and the terms for 'qlike' and 'mlike' should be labeled as priors rather than likelihood components.
- See comments to all flatfish authors

Greenland Turbot

The assessment was a straightforward update of the 2006 assessment with recent catch and survey data. Survey data include biomass estimates from the shelf and slope trawl surveys and an aggregated longline survey index for the EBS and Aleutian Islands region. The slope trawl survey, last conducted in 2004, has been assumed to index 75% of the Greenland turbot stock in US waters based on earlier analyses. Compared to most flatfish assessments, model fits to the size composition data are relatively poor. The reasons for this are not well understood but could include small sample sizes, variability in the availability of different size classes to the surveys, or variability in natural mortality.

While the stock qualifies for Tier 3 assessment, the authors and Plan Team for several years have recommended a more conservative approach than the maximum permissible ABC that bases F_{ABC} on the 5-year average catch and computes the OFL under Tier 3.

The SSC concurs with the Plan Team's recommended 2008/09 OFLs and ABCs using this approach (Table 1). The SSC also supports the recommendations for regional ABC apportionments. However, the SSC requests strengthening the rationale for the more conservative approach in next year's assessment or considering the maximum permissible ABC under Tier 3.

The SSC re-iterates the potential importance of the slope trawl survey and concurs with the Plan Team recommendation that the survey be conducted in 2008.

Comments to the assessment authors:

- The SSC notes several lack-of-fit issues such as the poor fit to size data, and residual patterns in survey abundances. We encourages the authors to explore differences in availability to the surveys over time, for example by examining the spatial distribution of different size classes to the extent data are available.
- The Plan Team notes that the author will attend a workshop on management strategy evaluation for Greenland turbot in the Atlantic. As this is the same species in both the Atlantic and Pacific, a brief comparison of management strategies may be a useful addition to next year's assessment.
- The SSC requests that the author evaluate the importance of the slope survey data to the current model.
- The SSC appreciates the inclusion of archival tag data showing extensive daily vertical migrations of Greenland turbot.
- See comments to all flatfish authors

Arrowtooth Flounder

The assessment is a straightforward update of the 2006 assessment to include new data from the 2007 EBS shelf trawl survey. The assessment for the first time includes Aleutian Island survey data, thereby increasing abundance estimates. Recent survey and model estimates have been the highest in the time series and continue the increasing biomass trend. Although Kamchatka flounder have been separated from arrowtooth flounder in the survey in recent years, the two species are not distinguished in the fishery and

are assessed as a single stock. As in previous assessments, a range of natural mortality values for males was explored and the author and Plan Team recommend a higher natural mortality for males (0.33/yr) compared to females (0.2/yr) to account for the preponderance of females in the surveys and fishery.

Considerable structural uncertainty in the model remains and several data components are poorly fit by the model. For example, the magnitude of the observed increase in shelf survey biomass from 1982 to 1994 is greatly underestimated in the model. The SSC concurs with the author and Plan Team's recommendation that some of the structural uncertainties should be resolved before further considering Tier 1 management for arrowtooth.

The author and Plan Team recommend management under Tier 3 using a model with a higher male than female mortality (M = 0.33 and 0.2, respectively) and a survey catchability that was fixed at 1 overall and partitioned among three survey areas (shelf, slope, Aleutians). The model results suggest that the stock is at a high and increasing level of biomass. **The SSC concurs with the authors' and Plan Team's recommended 2008/09 ABCs and OFLs under Tier 3a (Table 1).**

The authors included an expanded ecosystem considerations section in response to a previous SSC request. The SSC appreciates the author's summary of the trophic role of arrowtooth flounder and their role in the ecosystem. The high trophic level of arrowtooth flounder highlights their importance as a predator on both juvenile and adult walleye pollock, as well as on juvenile Atka mackerel in the Aleutians.

Comments to the assessment authors:

- The SSC looks forward to further development of the model along the lines suggested by the authors to resolve some of the structural uncertainties. In particular, reasons for the model consistently underfitting shelf survey biomass in the mid-1990s should be explored. For example, change in the relative proportions of arrowtooth flounder on the shelf and slope (in addition to those accounted for by a temperature effect) may account for a much more rapid increase in survey biomass estimates relative to the model.
- see also comments to all flatfish authors

Northern Rock Sole

The assessment this year is a straightforward update of last year's assessment. When both M and q were estimated in the model, as in last year's preferred model, an unrealistic estimate for q was obtained. Therefore q was fixed at last year's estimate (q = 1.5, M = 0.15). Unlike for other flatfish species, no apparent temperature effect was found on survey catchability. The stock is lightly fished and appears to be in good condition overall.

Last year, the SSC determined that this stock qualifies for management under Tier 1 based on MSY and F_{MSY} values calculated from a spawner-recruit relationship. The authors examined 3 different time periods for fitting a spawner-recruit relationship (1978-1988, 1989-2001, 1978-2002), which results in quite different estimates of F_{MSY}. **As for yellowfin sole, F_{MSY} and uncertainty in F_{MSY} are quite sensitive to changes in the assumptions about recruitment variability, emphasizing the need for management strategy evaluation.** The author and Plan Team recommend using the full period of spawner-recruit data (1978-2002) for estimating F_{MSY} because using a shorter recent period resulted in unrealistic estimates of B_{MSY}. The SSC concurs with this recommendation and notes that this is consistent with the use of post-1977 regime shift recruitments in other stocks. **The SSC concurs with the author's and Plan Team recommended 2008/09 ABCs and OFLs under Tier 1a (Table 1).**

Comments to assessment authors:

- The SSC appreciates the author's discussion of the trophic role of rock sole in the Eastern Bering Sea and other ecosystem considerations.
- We look forward to seeing a split-sex model in the future
- Because of the very small buffer between ABC and OFL, reflecting very little uncertainty in the estimates of F_{MSY} from a single model, the SSC emphasizes the continuing need for considering several alternative models in future assessments and in MSE analyses.
- Table 7.8 should be updated to include 2007 data.
- Table 7.9 should clarify that the terms for q and m reflect priors, not likelihood components!
- see also comments to all flatfish authors

Flathead Sole

The new assessment was a straightforward update of the 2006 assessment to include new 2007 survey and fishery data. The authors considered four models that differed with respect to whether they included a Ricker SR curve (v.s. assuing that recruitment is independent of stock size) and whether they allowed q to vary with temperature or not. The model with no spawner-recruit relationship and with a temperature-dependent q was the preferred model.

This was one of the stocks recommended for Tier 1 by the SSC. The authors discussed the potential confounding between environmental effects and density-dependent effects and felt that a reasonable estimate of F_{MSY} could not be obtained. The SSC concurs with the authors and Plan Team that further work is necessary before the stock can be considered for Tier 1 management.

This stock qualifies for management under Tier 3 and the SSC concurs with the authors' and Plan Team's recommended OFLs (based on $F_{35\%}$) and ABCs (based on $F_{40\%}$) under Tier 3a for 2008/09 (Table 1).

The Plan Team recommended removing Bering flounder from the assessment and including it in the "other flatfish" category, although Bering flounder cannot be distinguished in older catch and survey data. This would address concerns over excessive harvest rates on Bering flounder, although the authors found little indication that the fishery overlaps with the northerly distribution of this species. **Nevertheless, the SSC supports the removal of Bering Flounder from this assessment to address any concerns about relative productivity of the two species.** However, we note that the Bering flounder has a more Arctic distribution than most of the species in the 'other flatfish' group. Therefore, the Plan Team should consider breaking out an "Arctic other flatfish group" from the 'other flatfish' group, which primarily contains species found in subarctic waters.

Comments to assessment authors:

- See comments to all flatfish authors

Alaska Plaice

This year's assessment is a straightforward update of last year's assessment with updated input data. In response to a previous SSC request, length bins and the length-age transition matrix were extended from 45 to 60 cm.

The authors evaluated the use of stock-recruit models within the assessment but found large uncertainties in estimates of stock productivity and F_{MSY}. The SSC concurs with the author's conclusion that it is

premature to use estimates of F_{MSY} for management under Tier 1 at this point. The stock is lightly exploited and variability in biomass is primarily a function of recruitment trends.

The stock qualifies for management under Tier 3. The SSC concurs with the author's and Plan Team recommendations for OFL (based on $F_{35\%}$) and ABC (based on $F_{40\%}$) under Tier 3a for 2008/09 (Table 1).

Comments to the assessment authors:

- The SSC looks forward to results from a split-sex model in 2008.
- See also notes to all flatfish authors

Other Flatfish

Survey biomass estimates are the principal data sources for assessing this complex, which consists of 15 species, including Dover sole, rex sole, longhead dab, Sakhalin sole, starry flounder and butter sole in the EBS and Dover sole, rex sole, starry flounder, butter sole, and English sole in the AI.

Starry flounder dominates the survey catch in the EBS, while rex sole is the major species in the AI. The dominant species differ between the BS and AI, but the complex is managed with a single TAC. The SSC re-iterates suggests monitoring the relative composition of the harvest versus the survey in each area.

This complex qualifies for management under Tier 5. The assumed rates of natural mortality are based on the best available data (rex sole = 0.17, Dover sole = 0.085, remaining species estimated at 0.20). **The SSC concurs with the authors' and Plan Team's recommended OFLs (based on F = M) and ABCs (based on F = 0.75 M) for 2008/09 (Table 1).**

Comments to the assessment authors:

- See also comments to all flatfish authors and the discussion of moving Bering flounder from the flathead sole assessment to the other flatfish group (see "Flathead sole" section above.

Rockfish

Full assessments of rockfish in the Bering Sea/Aleutian Islands area are now conducted on a biennial basis, coinciding with even year surveys in the Aleutian Islands and the eastern Bering Sea slope; hence, full assessments were not conducted in 2007 for these stocks. For this reason, responses to the December 2006 SSC comments, with one exception, are being deferred by the SAFE authors to next year's assessment documents.

Pacific Ocean Perch (POP)

Projections for spawning stock biomass for BSAI POP for 2008 and 2009 have been revised from last year with addition of 2006 and 2007 fishery catch data. Female spawning biomass is projected to decline slightly (about 1%) each year for the next two years, resulting in slightly lower ABC and OFL levels for 2008 and 2009. **The SSC agrees with the Plan Team's recommendation for tier 3a status and the projected ABC and OFL levels for 2008 and 2009, as well as the area apportionments of ABC to the four areas (eastern Bering Sea, as well as the eastern, central, and western Aleutian Islands), which are based on the same percentages approved in 2006 (Table 1).**

In December 2006 the SSC noted with concern that the depth distribution of fishing effort was shown to increase. The authors investigated this anomaly and discovered that this was simply a result of an error in the way in which data were accessed in the Observer database. The SSC appreciates the authors' efforts to resolve this issue.

Northern Rockfish

The projection model of total stock biomass for BSAI northern rockfish was run with updated estimates of fishery catch for 2006. Biomass is projected as quite stable in the next two years. **The SSC agrees with the Plan Team's recommendation for tier 3a status and the projected ABC and OFL levels for 2008/09 (Table 1).**

Shortraker and Rougheye Rockfish

There are no new survey results for shortraker and rougheye rockfish for 2007; hence, the specifications for 2008 and 2009 are based on the biomass projected in 2006 for 2007 and 2008. The stock assessment authors consider information on genetics as well as size and age structure that appear to indicate stock separation for rougheye rockfish between the Aleutian Islands and the eastern Bering Sea. However, the authors note that rougheye rockfish are taken in proportion to biomasses in each area, suggesting that area apportionments are not needed as long as the catches remain proportional to area biomass estimates. Stock separation for shortraker rockfish across the management areas is not apparent.

The SSC agrees with the Plan Team recommendations to continue with tier 5 management with area-wide specifications. The SSC also supports the 2008/09 rollover estimates for ABC and OFL levels for both species (Table 1).

Other Rockfish

Biomass estimates are rollovers from last year, such that the catch specifications are unchanged from last year. **The SSC agrees with the Plan Team recommendation to continue with tier 5 management for this group, comprised primarily of short-spined thornyheads and dusky rockfish. The SSC supports the continuation of area-wide OFL and separate ABCs for the eastern Bering Sea and Aleutian Island areas. The SSC agrees with the Plan Team recommendations for OFL and ABC levels for 2008 and 2009 (Table 1), noting that the 2009 area-wide OFL and the Aleutian Islands ABC are lower than the 2008 levels due to the removal of dark rockfish, which is expected to occur by that year.**

Atka Mackerel

The assessment completed in 2007 for Atka mackerel in the Aleutian Islands is based on the same model used in the past 2 years (Model 4). The SSC notes that NMFS has submitted a proposal to the Center for Independent Experts to conduct a review of the Aleutian Islands Atka mackerel assessment, and that this is the reason for staying with Model 4 for another year.

New information incorporated for this assessment includes 2006 catch data, 2006 age data from the fishery and the AI trawl survey, and 2006 fishery and survey weight at age data. Selectivity at age for population projections was updated from a series based on 2001-2005 to a series based on 2002-2006 data. As in the GOA SAFE, the BSAI SAFE includes an expanded section on ecosystem considerations, and the SSC commends the authors for including both the narrative and the table of ecosystem effects (Table 15.14)

Female spawning biomass in 2008 is projected to decline about 15% from the 2007 projection to 110,200t, but to remain above $B_{40\%}$ (94,100t) such that the AI stock remains in tier 3a. Spawning biomass is projected to continue to decline to 89,900t in 2009, placing the stock in tier 3b in that year. **The SSC concurs with the designations of tier 3a in 2008 and tier 3b in 2009, and supports the recommendations of the Plan Team and stock assessment authors for ABC and OFL levels in 2008 and 2009 (Table 1). The SSC also supports the area apportionment of ABCs to the three AI management areas based on the 4 most recent surveys.**

SSC Comments to the Atka mackerel stock assessment authors:

The SSC asks that the stock assessment authors refer to the request above for assessment of the stock status relative to the $B_{20\%}$ reference point set as part of Steller sea lion conservation measures.

Squid

The SSC accepts Plan team and authors' recommendations for squid using Tier 6 for establishing 2008-2009 ABCs and OFLs (Table 1). The SSC supports, setting the OFL equal to the average catch over the period 1978-1995, and the ABC equal to 75% of this value. The SSC recognizes that reliable biomass estimates do not exist, but that catch data on the squid complex are reliable.

Other Species

Sculpins, skates, sharks, and octopus comprise the "other species" group. The SSC supports the Plan Team recommendation for using tier 5 criteria for sculpin and tier 6 criteria for sharks and octopus. The assessment authors proposed the use of the maximum incidental catch for octopus in the proposed "other species" plan amendment so as not to constrain fisheries that unintentionally take octopus as bycatch. Octopus contributes only a small portion of the complex ABC and OFL, and therefore the SSC felt it was unnecessary to make changes to current methods. **The SSC disagrees with the Plan Team and authors' recommendation to move Alaska skate under Tier 3 due to ongoing skate assessment concerns SSC discussed during the October, 2006 meeting.** In particular, the lack of fit of the model to survey biomass trends and growth are the main concerns. The SSC recommends using the tier 5 criteria to specify skate harvest levels. Thus, the ABC and OFL contributions of skates to the "other species" ABC and OFL for 2008/09 are 37,600 t and 50,100 t, respectively. **The SSC recommends setting the 2008 and 2009 OFL and ABC for other species category to 104,000 and 78,100 respectively.**

D-1 (e) GOA SAFE and Harvest Specifications for 2008/09

Diana Stram (NPFMC) and Jim Ianelli (NMFS-AFSC) presented the GOA plan team report and recommendations for GOA groundfish. The following table (Table 2) summarizes the SSC recommendations for ABC and OFL for 2008/09 for GOA groundfish. Specific SSC comments on the assessments follow the table.

Table 2. SSC recommendations for GOA groundfish OFL and ABC for the 2008-09 fisheries (mt). (Text in bold indicates where SSC recommendations differ from the plan team recommendations.)

Stock/Assemblage	Area	2007				2008		2009	
		OFL	ABC	TAC	Catch	OFL	ABC	OFL	ABC
Pollock	W (61)		25,012	25,012	18,012		17,602		23,700
	C (62)		20,890	20,890	19,366		19,181		25,821
	E (63)		14,850	14,850	14,315		13,640		18,367
	WYAK		1,398	1,398	86		1,517		2,042
	Subtotal	87,220	62,150	62,150	51,779	72,110	51,940	95,940	69,930
	EYAK/SEO	8,209	6,157	6,157	0	11,040	8,240	11,040	8,240
	GOA Total	95,429	68,307	68,307	51,779	83,150	60,180	106,980	78,170
Pacific Cod	W		26,855	20,141	13,227		25,932		25,932
	C		37,873	28,405	23,404		37,901		37,901
	E		4,131	3,718	65		2,660		2,660
	GOA Total	97,600	68,859	52,264	36,696	88,660	66,493	88,660	66,493
Sablefish	W		2,470	2,470	1,996		1,890		1,727
	C		6,190	6,190	5,536		5,500		5,026
	WYAK		2,280	2,280	1,769		1,950		1,782
	SEO		3,370	3,370	3,238		3,390		3,098
	GOA Total	16,906	14,310	14,310	12,539	15,040	12,730	12,924	11,633
Deep-water flatfish	W		420	420	8		690		707
	C		4,163	4,163	247		6,721		6,927
	WYAK		2,677	2,677	2		965		995
	EYAK/SEO		1,447	1,447	10		527		543
	GOA Total	10,431	8,707	8,707	267	11,343	8,903	11,583	9,172
Rex sole	W		1,147	1,147	413		1,022		948
	C		5,446	5,446	2,432		6,731		6,241
	WYAK		1,037	1,037	1		520		483
	EYAK/SEO		1,470	1,470	0		859		796
	GOA Total	11,900	9,100	9,100	2,846	11,933	9,132	11,065	8,468

Stock/Assemblage	Area	2007				2008		2009	
		OFL	ABC	TAC	Catch	OFL	ABC	OFL	ABC
Shallow-water flatfish	W		24,720	4,500	281		26,360		26,360
	C		24,258	13,000	7,761		29,873		29,873
	WYAK		628	628	0		3,333		3,333
	EYAK/SEO		1,844	1,844	0		1,423		1,423
	GOA Total	62,418	51,450	19,972	8,042	74,364	60,989	74,364	60,989
Flathead sole	W		10,908	2,000	696		12,507		13,001
	C		26,054	5,000	2,407		28,174		29,289
	WYAK		2,091	2,091	2		3,420		3,556
	EYAK/SEO		57	57	0		634		659
	GOA Total	48,658	39,110	9,148	3,105	55,787	44,735	57,962	46,505
Arrowtooth flounder	W		20,852	8,000	3,134		30,817		31,080
	C		139,582	30,000	21,808		167,936		169,371
	WYAK		16,507	2,500	63		15,245		15,375
	EYAK/SEO		7,067	2,500	68		12,472		12,579
	GOA Total	214,828	184,008	43,000	25,073	266,914	226,470	269,237	228,405
Pacific Ocean Perch	W	4,976	4,244	4,244	4,428	4,376	3,686	4,397	3,704
	C	8,922	7,612	7,612	7,125	9,717	8,185	9,764	8,225
	WYAK		1,140	1,140	1,242		1,100		1,105
	SEO	3,260	1,640	1,640	0		2,028		2,038
	E(subtotal)	3,260	2,780	2,780	1,242	3,714	3,128	3,732	3,143
	GOA Total	17,158	14,636	14,636	12,795	17,807	14,999	17,893	15,072
Northern rockfish	W		1,439	1,439	1,107		2,141		2,047
	C		3,499	3,499	2,982		2,408		2,302
	E		0	0	0		0		0
	GOA Total	5,890	4,938	4,938	4,089	5,430	4,549	5,120	4,349
Rougheye rockfish	W		136	136	71		125		124
	C		611	611	175		834		830
	E		241	241	153		327		325
	GOA Total	1,148	988	988	399	1,548	1,286	1,540	1,279

Stock/Assemblage	Area	2007				2008		2009	
		OFL	ABC	TAC	Catch	OFL	ABC	OFL	ABC
Shortraker rockfish	W		153	153	193		120		120
	C		353	353	155		315		315
	E		337	337	244		463		463
	GOA Total	1,124	843	843	592	1,197	898	1,197	898
Other Slope Rockfish	W		577	577	252		357		357
	C		386	386	319		569		569
	WYAK		319	319	49		604		604
	EYAK/SEO		2,872	200	45		2,767		2,767
	GOA Total	5,394	4,154	1,482	665	5,624	4,297	5,624	4,297
Pelagic shelf rockfish	W		1,466	1,466	595		1,003		986
	C		3,325	3,325	2,440		3,626		3,566
	WYAK		307	307	293		251		247
	EYAK/SEO		444	444	1		347		341
	GOA Total	6,458	5,542	5,542	3,329	6,400	5,227	6,294	5,140
Demersal rockfish	SEO	650	410	410	178	611	382	611	382
Thornyhead rockfish	W		513	513	338		267		267
	C		989	989	247		860		860
	E		707	707	184		783		783
	GOA Total	2,945	2,209	2,209	769	2,540	1,910	2,540	1,910
Atka mackerel	GOA Total	6,200	4,700	1,500	1,441	6,200	4,700	6,200	4,700
Big Skate	W		695	695	68		632		632
	C		2,250	2,250	1,218		2,065		2,065
	E		599	599	8		633		633
	GOA Total	4,726	3,544	3,544	1,294	4,439	3,330	4,439	3,330
Longnose Skate	W		65	65	46		78		78
	C		1,969	1,969	814		2,041		2,041
	E		861	861	240		768		768
	GOA Total	3,860	2,895	2,895	1,100	3,849	2,887	3,849	2,887

Stock/Assemblage	Area	2007				2008		2009	
		OFL	ABC	TAC	Catch	OFL	ABC	OFL	ABC
Other Skates	GOA Total	2,156	1,617	1,617	1,617	2,806	2,104	2,806	2,104
Other Species	GOA Total	NA	NA	4,500	2,695	NA	NA	NA	NA
GOA Total		615,879	490,327	269,912	171,310	665,642	535,704	690,888	555,687

Walleye Pollock

Public testimony was received from Jon Warrenchuk (Oceana). He was concerned about an increase in bycatch of several species in the pollock fishery, suggesting that harvesters were fishing closer to the bottom this year. In particular, he felt that eulachon is an important forage species and perhaps should be considered as a candidate for PSC status.

This assessment is a straightforward update of last year's assessment. The authors responded to the SSC concern last year about retrospective patterns in assessments and concluded that deviations can be both positive and negative. Indices of abundance send mixed signals, with the Shelikof Strait survey showing a decrease and the NMFS and ADF&G trawl surveys showing increases.

The assessment model is the same as the one used last year. Catchability is fixed at 1 for added precaution; previous attempts to estimate this parameter result in estimates near 0.75. There have been no significant recruitment events since 2000, so the stock has been declining. However, the strength of the two most recent year-classes may be at least average, although those estimates are highly uncertain. The 2008 female spawning biomass is about 26% of the unfished level.

As in past years, the SSC recommends that this stock be considered in Tier 3b and agrees with the constant buffer approach recommended by the authors and Plan Team, which reduces ABC from the maximum permissible. Projected ABC and OFL for 2008/09 are given in Table 2. For EYK/SEO, the calculations are done using Tier 5 methodology using natural mortality and survey biomass from the bottom trawl survey.

Pacific Cod

Work on the Bering Sea/Aleutian Islands cod assessment during 2007 preempted a fully-developed Gulf cod assessment. An abbreviated assessment was reported at the end of the Plan Team meeting in November, but the author had little time to examine it thoroughly and the Plan Team had little opportunity to review it. The Team therefore opted to revert to a Tier 5 calculation for determining ABC and OFL. That procedure was preferred over a rollover because the tier 5 calculations included the most recent biomass estimate from the 2007 bottom trawl survey and the 2007 ABC and OFL was already a rollover from the previous assessment.

The SSC discussed several alternatives for calculating an interim ABC, including a rollover of the 2007 ABC and OFL and applying a scalar correction to the 2007 bottom trawl survey biomass based on the ratio of 2005 ABC and trawl survey biomass. It seemed inappropriate to place great reliance on the 2005 Gulf assessment. The SSC concurs with the Team's comments about the importance of this assessment and the pressing need to do a full and timely assessment in 2008.

The SSC agreed with the Plan Team decision to use a Tier 5 calculation for determining 2008/09 ABC and OFL (Table 2).

Sablefish

The present assessment updated the data and considered three models. Model 1 provides an update from the 2006 split sex model where growth was only modeled in one time period with partial data from 1981-1993. Model 2 examines the implications of considering new, randomly collected samples from 1996-2004 and corrections for bias in older length-stratified data (1981-1993), as well as revised estimates of

length-at-age and weight-at-age parameters. Model 3 added informative prior distributions on the catchability coefficients for each abundance index. The authors recommend using Model 3 for the basis of setting ABCs and OFLs for 2008 and 2009 under Tier 3b.

The present assessment introduced an alternate projection model that accounts for uncertainty in the assessment. This projection propagates uncertainty throughout the assessment based on MCMC estimation and Tier 3 harvest control rules. **The SSC appreciates inclusion of this projection and encourages the continuation of research on projection methods.**

The author notes that the results of Model 3 suggest that previous assessments overestimated growth and therefore biomass, resulting in a recommended harvest rate that was higher than it should be.

The SSC endorses the use of a split by sex model configuration, the use of female spawning biomass, flexible selectivity, and the use of trawl survey data. All of these changes provide a more realistic representation of the sablefish fishery and the sablefish population. **The SSC endorses the authors' and Plan Team recommendations to accept Model 3 as the base model for estimation of biological reference points. The SSC appreciates the author's response to their request to incorporate the available growth information into the model.**

The author recommends using an alternative weighting scheme for area apportionments. The Plan Team recommended continued use of the current weighting scheme. The current method applies a 5-year exponential weighting of longline survey and fishery relative abundance indices with the survey data weighted twice as heavily as the fishery data. The SSC agrees with the Plan Team and recommends no change to the weighting scheme. The SSC echoes the Plan Team recommendation that the author should explore models that incorporate the spatial dynamics of the population to assess to what extent the change in apportionment could be incorporated into the assessment.

The stock currently qualifies for management under Tier 3b. **The SSC also agrees with the author's recommendation on a Tier 3b assignment.** The SSC agrees with the plan team's recommended 2008/09 ABC and OFLs and area apportionments for BSAI/GOA sablefish (Tables 1 and 2).

Additional SSC suggestions for the author:

- The authors note that retrospective analyses show an apparent bias in the model. The SSC requests that the authors explore this trend to determine what is causing the trend.
- The authors acknowledge that the catch rates under a IFQ system may provide an inferior index of abundance in comparison to the catch rates estimated under the previous derby fishery. The SSC agrees with the author's speculation that the IFQ system could have resulted in more selective fishing that could lead to hyperstability in the fishery CPUE. The SSC requests that the authors conduct a sensitivity analysis with and without the recent fishery CPUE data to assess the impact of inclusion of recent fishery CPUE on the assessment of stock status.
- The SSC appreciates the inclusion of forecasts for future spawning biomass and the associated uncertainty in these forecasts (Figure 3.24) and encourages continued development of this methodology.

Flatfish

All of these assessments are straightforward updates of last year's incorporating the latest data. Except for deepwater flatfish and rex sole, 2007 TAC was far below ABC. In all cases 2007 catch was well below TAC.

Rex sole is unusual in that the commercial selectivity schedule lies well to the right of the maturity schedule, so an inconceivable level of fishing mortality would be required to reduce spawning biomass per recruit to 40% of the unfished value ($F_{40\%}$=4.87). At this level of fishing mortality, ABC is the entire fishable stock, consisting approximately of age 10+ fish, amounting to some 50,000 mt. The authors and the plan team take this result to mean that there is no reliable estimate of $F_{40\%}$ because if the catch quota were set anywhere near this level the commercial selectivity schedule would surely shift to the left by some unknown amount. In view of this uncertainty, the plan team performed a Tier 5 calculation, using the maturity schedule to calculate an "adult biomass" and applying 0.75M to that to set ABC. In effect this calculation uses the maturity schedule as a commercial selectivity schedule to define a fishable biomass. It would therefore be possible to calculate $F_{40\%}$ using this schedule and move this stock into Tier 3.

The SSC endorses the plan team's 2008/09 ABC and OFL recommendations, apportionments and tier assignments for all flatfish stocks (Table 2).

Additional SSC suggestions for the author:

- The SSC recommends that the authors consider the above alternative for calculating $F_{40\%}$ and a Tier 3 ABC in the next assessment.

Rockfish

SSC suggestions for all rockfish assessment authors:
For all of the rockfish assessments, the SSC recognizes the efforts of the stock assessment authors to respond fully to the 2006 CIE review comments. The SSC requests that the draft response to the CIE review be finalized and made available.

The SSC agrees with the plan team that the shallow water strata be included in the area apportionments. However, the SSC requests that authors evaluate the impacts of this change on the apportionments for next year, along with the rationale for the change.

Pacific Ocean Perch (POP)

Gulf of Alaska Pacific Ocean Perch are assessed on a biennial assessment cycle. The assessment was conducted this year using the same modified generic rockfish model that was used in 2003 and 2005, but with new survey biomass and fishery catch data, as well as survey and fishery age data. The following changes were made to the assessment model used in 2006: 1) fishery age compositions and associated likelihood components were added, 2) the spawner-recruit relationship was removed from the estimation of beginning biomass (B_0), and 3) survey catchability q was estimated. The estimated catchability from the preferred model was 2.1.

The Gulf of Alaska POP stock qualifies for management as a tier 3 stock. The 2008 and 2009 projections of spawning biomass are both larger than $B_{40\%}$, placing the stock in Tier 3a. **The SSC concurs with the determination of tier 3a management for this stock. The SSC also supports the Plan Team and SAFE authors' recommendation for 2008/09 OFL and ABC levels, as well as the area apportionments of ABC and OFL for both years to the western, central and eastern areas, including the eastern GOA split of the ABCs to the West Yakutat and Southeast Outside areas (Table 2).**

SSC Comments to the POP stock assessment authors:

- Estimates of spawning stock biomass of POP have been increasing steadily, at least since the early 1990s, despite large variations in recruitment. The SSC appreciates the discussion of uncertainty in the estimates of M and q (Figs. 9-8 and 9-9) and the inclusion of confidence intervals on biomass (Figures 9-10 and 9-11). The SSC encourages the authors continue to project uncertainty in future spawning biomass, as shown in Figure 9-18. Given the longevity of POP, the author might consider running the projection through 2040.
- The SSC agrees with the authors that the Central Gulf Alaska Rockfish Pilot program has the potential to change the spatial distribution of fishing effort within the Central GOA. **The SSC requests that the authors include plots of the spatial distribution of the catch in future assessments. The SSC also requests that the tables of commercial catch should include estimates of discard as well as retained catch.** It was noted that the Economic SAFE provides these estimates.
- The SSC encourages continued research to collect data to verify the estimated catchability coefficient.

Northern Rockfish

Assessment of northern rockfish in the Gulf of Alaska was conducted with essentially the same model as last year with updated survey biomass data, catch data, and fishery age data. One change in model configuration was an increase in the assumed coefficient of variation from 15% to 45% for the prior on survey catchability. Another change was a change in the fishery weights for fishery age composition.

Estimates of spawning biomass have been decreasing slowly but steadily since the early 1990s, with a projected point estimate of 29,170 t in 2008 and 28,180 t in 2009. Both estimates are above the projections for $B_{40\%}$. Northern rockfish qualify for management under Tier 3a in 2008 and 2009. The authors recommend changing the apportionment methodology to include the shallow strata. The Plan Teams agreed with these recommendations. **The SSC agrees with the determination of Tier 3a for this stock, and supports the Plan Team's recommendations for ABC and OFL levels for 2008 and 2009, as well as the area apportionments for the western and central Gulf, with no allocation to the eastern Gulf (Table 2).**

SSC Comments to the northern rockfish stock assessment authors and Plan Team:

As recognized last year, the SSC again notes that the estimates of spawning biomass have low precision, as shown by the very wide confidence bounds around both the survey and model estimates (Figures 10.4 and 10.11). The SAFE authors recognize this in their remarks that the stratified random survey design does a poor job of assessing the stock, and that the issue of untrawlable survey grounds is an added concern. Given this imprecision, we suggested in our minutes from December 2006 that an evaluation of the appropriate tier level may be needed. In response, the SAFE authors suggest that the model continues to improve as more data accumulates, and that tier 3a is appropriate. The SSC accepts this rationale and looks forward to future opportunities to evaluate the performance of the assessment.

Rougheye Rockfish

The assessment model used this year is unchanged from the model used last year, but there was a substantial increase in new data added to the model. In addition to the usual updates of ongoing data, including recent fishery catch and survey biomass data, an extensive series of trawl survey age composition data extending back to 1984 was added. The additions have provided apparently more

accurate estimates of biomass, which are increased substantially from last year not because the stock size has undergone dramatic increases, but because catchability estimates for both the trawl and longline surveys have declined.

The SSC agrees with the determination of tier 3a management for this stock. The SSC supports the Plan Team and SAFE authors' recommendation for 2008/09 OFL and ABC levels, as well as the area apportionments of ABC and OFL for both years to the western, central and eastern areas of the Gulf (Table 2.

SSC Comments to the rougheye rockfish stock assessment authors and Plan Team:

- The SSC wishes to thank the assessment authors for their continued efforts to address a request we first made in our December 2005 minutes for a sensitivity analysis of the influence of the weighting of trawl and longline surveys on model fits to the data. This was done last year and this year the authors conducted further analyses with the more data enriched model. Results of this new analysis (Appendix 11A) are explained in very informative detail, with a conclusion that no changes in the weighting scheme are warranted at this time, recognizing that the trawl and longline surveys provide information on different aspects of the population. **The SSC agrees with this decision.**
- The SSC notes that the assessment approach used for mixed species groups differs in the Gulf of Alaska. In the case of northern and southern rock sole, the authors have recommended that the stock is managed in tier 4, while in the case of the two species of rougheye rockfish an age structured assessment is used and ABC and OFL is based on a tier 3 recommendation. **The SSC requests that the assessment authors work to bring forward a rationale for decisions regarding assessment of mixed species groups with attention to the potential for overfishing the weaker stock.**

Shortraker and Other Slope Rockfish

The shortraker and "Other Slope" rockfish assessments are updated with the 2007 trawl survey biomass estimates that now include the 1-100 m stratum. Information in the current assessment shows the exclusion of the 1-100 m stratum from the exploitable biomass computations for these groups is unnecessary. The assessment also uses a revised natural mortality value for silvergray rockfish due to a recent publication by Malecha et al. (2007). The SSC notes that new age results are available for shortraker, redstripe, harlequin, and silvergray rockfish and that these species could potentially be moved into Tier 4. The SSC agrees with Plan Team recommendations not to consider adjustment in tier levels until additional research and better verification of the new ages is available, along with additional age results.

The SSC agrees with Plan Team and SAFE authors recommended 2008/09n ABC and OFL for both shortraker and "Other Slope" rockfish (Table 2) along with the respective area apportionments.

Pelagic Shelf Rockfish

Pelagic shelf rockfish includes dark, widow, yellowtail and dusky rockfish. As in previous years, an age structured assessment was used to assess dusky rockfish. This year represented an update form last year's model. The authors and the Plan Team recommend that these species continue to be managed as a complex. The authors estimate the reference points for the complex as the sum of species specific ABCs and OFLs for the members of the complex. Using this practice, ABCs for dark rockfish, widow rockfish and yellowtail rockfish were estimated using a tier 5 approach, while a tier 3 approach was used to for

dusky rockfish. **The SSC agrees with this approach to management of the Pelagic shelf rockfish complex.**

The SSC notes that management of dark rockfish will be moved to the State of Alaska in 2009. This will necessitate removal of this species from the 2009 ABC and OFL calculations. The SSC agrees with the plan team recommendations for Tier assignment, area apportionment and 2008/09 ABC and OFLs for this group (Table 2).

Demersal Shelf Rockfish (DSR)

The biomass estimate for the DSR complex is estimated from a habitat-based stock assessment based on yelloweye rockfish density derived using line transects conducted from submersibles. This year's assessment incorporates new survey data from the CSEO management area and new average weight data from SEO using fish sampled from the 2007 IPHC survey. **The SSC agrees with authors and Plan Team to establish a harvest rate lower than maximum under tier 4 by applying F=M=0.02 to survey biomass and agrees with the resulting 2008/09 ABCs and OFLs and area apportionments (Table 2).**

The SSC remains concerned that the DSR stock is at risk of overfishing due to unreported discard in both the sport and commercial halibut fishery and an apparent decline in yelloweye abundance in the CSEO area. It was noted that the yelloweye survey might be discontinued or only occur intermittently. Given SSC concerns, it is unlikely that management of DSR will remain in tier 4 and this would result in lower ABC's and OFL's. The SSC strongly recommends that yelloweye survey continue on a sufficient basis to maintain a series of biomass estimates to inform management of stock status for this important complex.

SSC recommendations to authors:

- If possible, obtain yelloweye length estimates for the video survey to develop length compositions and average weight as an alternative to using mean weight from samples collected from the IPHC survey.
- Evaluate potential bias resulting from current expansion methods and investigate other alternatives.

Thornyhead Rockfish

In past years, the average of the last two trawl surveys was used to compute apportionment and ABC. In the current assessment, both authors and Plan Team recommended using only the most current survey biomass (2007). Concern was expressed that averaging would not appropriately account for the area specific decrease observed in the western GOA. It was noted that thorneyheads have relatively low CV's (4-5%) and the survey covered all depths and areas. **The SSC agrees with the Plan Team recommendations and continues to support the tier 5 calculations. The SSC also concurs with Plan Team 2008/09 ABCs, OFLs, and area apportionments (Table 2).**

It was brought to the SSC's attention that age and growth research on shortspine thornyhead is being conducted and we look forward to results following completion of this study. The SSC encourages development of an age structured assessment for shortspine thornyhead.

Atka Mackerel

Public testimony was provided by Jon Warrenchuk (Oceana), who raised the concern that the ABC calculation was based on historic catches that may have been excessive, and that the stock needs protections as an important component of the diet of Steller sea lions. For these reasons he suggested that the SSC alert the Council for the need to continue with a much reduced TAC relative to ABC.

Stock assessment for Atka mackerel in the Gulf of Alaska is on a biennial assessment schedule to coincide with the survey schedule. A new assessment was conducted this year using 2007 NMFS trawl survey data, fishery catch data (2005, 2006 as well as partial data for 2007), age data from 2006 GOA fisheries, and age data from the 2005 NMFS trawl survey. The SAFE included an expanded section on ecosystem considerations, and the SSC commends the authors for including both the narrative and the table of ecosystem considerations (Table 16.5).

Atka mackerel in the GOA have been managed as a tier 6 stock since 1996 because the biomass estimates have been judged to be unreliable for purposes of estimating allowable catches. The species is difficult to assess given its preference for rocky bottom substrates that are not well represented in the NMFS bottom trawl survey, and given the highly patchy nature of their distribution in the GOA. Lacking a swim bladder, they are also not easily assessed with standard acoustic methods.

The SSC concurs with the continued management of GOA Atka mackerel in tier 6, and supports the Plan Team and stock assessment author recommendations for ABC and OFL for 2008 and 2009 (Table 2). Recognizing the limitations of the biomass estimates and the potential that the historic catches do not represent sustainable harvest levels, the SSC encourages the Council to continue to set a conservative TAC in the GOA.

Skates

The current assessment incorporated the 2007 GOA bottom trawl survey biomass value for tier 5 calculations of ABC and OFL's. GOA bottom trawl survey biomass estimates declined for both big and longnose skate from 2005 to 2007, while other skate survey biomass increased slightly over the same time period. **The SSC supports the Plan Team's recommended apportionment of ABCs to the western, central, and eastern Gulf of Alaska and Gulf-wide OFLs for 2008 and 2009 (Table 2).**

Other Species

The SSC accepts Plant Team reasoning for setting a 4000 t catch level to meet incidental catch needs. In anticipation of a future analysis to separate other species, five preliminary stock assessments were review by the Plan Team. These assessments together with the full assessments will be used for the forthcoming FMP amendment analysis to evaluate the impact of establishing separate harvest specifications for the complex by species or in aggregate. No specifications will be established based on these assessments until the FMP amendment is finalized.

D-1 Appendix C: Ecosystem Considerations for 2008

Kerim Aydin (AFSC) provided an overview of the ecosystem considerations appendix and some additional work that was done as a result of discussions of the pollock assessments at the November plan team meetings. No public testimony was given on this agenda item.

As usual, the ecosystem chapter presents interesting "big picture" analyses. The SSC commends Dr. Aydin on his presentation and the continually developing ecosystem assessment. As more material is added to the chapter, good summaries are increasingly important; the SSC found the summary bullets in the presentation helpful. Nine new sections were added: ice seal and bowhead whale population status, groundfish pelagic trawl effort in the AI and GOA, distribution and abundance of the human population in the GOA area, response to the AI FEP, strength of eddies in the AI, distribution of rockfish along environmental gradients in GOA and AI bottom trawl surveys, trends in jellyfish bycatch from BASIS, and pot fishing effort in all areas.

The SSC appreciates the clear timeline of updated and new information on pages 13 and 14 and the responses to previous SSC comments. In December 2005, the SSC suggested that in the future the principal discussion of the Ecosystem Considerations chapter be conducted during the October SSC meeting, that there should be a brief review of the most salient points in December, with an emphasis on those findings that could impact decisions about the setting of ABCs. In practice, having all the ecosystem discussions at the December meeting is more efficient and the SSC agrees with the revised schedule. We also note that some of the 2006 SSC requests were not fulfilled and request that they continue to be listed under "responses to SSC comments" until they are dealt with. In particular, the SSC again requests that condition indices (weight-at-length, age-1 weights) be included.

The recent trends of fishing effects on the ecosystem show that no significant adverse impacts of fishing on the ecosystem relating to predator/prey interactions, energy flow/removal, or diversity were noted either in observed trends or ecosystem level modeling results. Of concern is the increased bycatch of Chinook salmon in the Bering Sea pollock fishery, and the increased bycatch of forage fish. For the first time ever, the Chinook Salmon Savings Area was closed to fishing during the pollock A season in 2006. Also the catch of forage fish increased in the BSAI and decreased in the GOA. The SSC notes that Table 1.2 of the GOA pollock chapter shows increased bycatch in that fishery but those data were not discussed in the Ecosystems chapter nor were the ecosystem implications of these removals discussed.

Recent trends in climate effects on ecosystems shows that the Bering Sea was relatively cold in winter and spring 2007 with warming in late spring and above normal upper water temperatures by summer. For a second year in a row, an extensive cold pool was present, resulting in strong thermal stratification. Despite late spring ice in the Bering Sea and probably the first ice edge bloom since 1999, the amount of sea ice in the Arctic was at a record low in summer 2007. A weak La Nina may develop for 2007/08. In the Gulf, anomalous mixing on the shelf resulted from SW winds in winter and low SLP in spring.

In this year's assessment, an extended analysis of forage production and predation vs. fishing mortality combines model results and data. The SSC agrees with the general strategy of focusing on different indices each year for fuller analysis and treatment. The ultimate goal of this strategy is to develop a set of indices to describe ecosystem status and the direction of possible future interactions.

The SSC suggests that the findings from the BEST/BSIERP programs may be useful and interesting and requests that at least a summary of that work be included in future ecosystems appendices (BEST/BSIERP start in 2008, NPRB and NSF will combine resources for three years of field research on the eastern Bering Sea Shelf, from St. Lawrence Island to the Aleutians, followed by two more years for

analysis and reporting). In last year's ecosystem chapter, the SSC was pleased to see the new zooplankton index but noted that it was not updated for this year. Zooplankton are important and yearly update of this information is desirable. Also, it would be interesting to estimate the production of forage fish in addition to their standing stock.

D-1 Appendix D: Economic Status of the Groundfish Fisheries in 2006

Kerim Aydin (NMFS-AFSC) presented an overview of the draft Economic Status of the Groundfish Fisheries in 2006. There was no public testimony on this agenda item.

The SSC commends the authors of the Economic SAFE for the obvious efforts made to expand and enhance the content of this important document—these changes are responsive to SSC requests. The SSC is encouraged about the future contribution the revised Economic SAFE format may offer to the Council and public understanding of the economic and social impacts attributable to alternative management actions.

In particular, it is important to correctly distinguish between fisheries occurring in Federal waters off Alaska, and fisheries occurring in Alaska State-waters (i.e., 0-3nm seaward of the baseline). Imprecision invites confusion. References to the "Alaska EEZ," "groundfish fisheries of Alaska," "Alaskan catch," and the like should be avoided when making references to Federal EEZ fisheries, resources, or management programs. Casual or careless use of terms may result in undesirable and avoidable misunderstandings.

D-2 Crab Overfishing

The staff presentation was given by Diana Stram (NPFMC). Public testimony was given by Frank Kelty (City of Unalaska). The revision of crab overfishing definitions has been a four-year process with many meetings, novel scientific research, a workshop, several reviews and a major commitment of time by the Crab Plan Team and Crab Workgroup. The SSC congratulates the Team and Workgroup for work well done and for bringing the revision to fruition. **The document has been revised in response to previous SSC comments and is well written and complete. It is clearly sufficient for aiding the Council in making its decision.**

The SSC usually does not participate in "final action" items, because it does not deliberate on policy decisions. However, in this case, the policy decision involves the use of science in defining overfishing and tasking for the SSC in the future, so the SSC involvement is appropriate. **First and foremost, the SSC is convinced that the current overfishing definitions do not provide sufficient flexibility, so Alternative 1 is clearly unacceptable.**

The choice between Alternative 2 (five-tier system) versus Alternative 3 (six-tier system) essentially involves how to handle data-poor species. Stock structure, genetics, and stock status for many of these species are poorly understood, making it difficult to come up with a standard way to specify OFL. However, the document does show that it is possible to develop OFL levels for all of these stocks, particularly under a 6-tier system. Option A removes 12 stocks from the FMP for which there is either: 1) no directed fishery, 2) harvest occurs incidentally during fisheries targeting crab stocks, 3) harvest only occurs in limited exploratory fisheries, or 4) the majority of catch occurs in State waters. The main advantage of this option is that it simplifies the consideration of OFL, in that Alternative 3 (the six-tier system), would no longer be required. The selection of Option A reduces the amount of scarce staff and Council time that will be needed in the future to prepare and review assessments and the SAFE. If these stocks are removed from the FMP, the SSC does not foresee any conservation concerns arising in the near-term.

The potential downside of selecting Option A is that it takes away the ability of the Council and the Federal government to be involved in management of these stocks unless a plan amendment is adopted to bring some stocks back into the FMP. As an example, future tagging or genetic studies might demonstrate that some of these 12 stocks are parts of a FMP stock. The FMP stock management strategy might have to be adjusted to account for removals in both segments of the population. There would also be less incentive to measure bycatch of these stocks in Federal fisheries. **Ultimately, the choice of Option A versus Option B is primarily a policy call involving management authority and not one involving a conservation concern. If Option A is selected then there is no need for a six-tier system (Alternative 3).**

If Option A is not adopted, then a choice needs to be made between Alternative 2 and Alternative 3. The additional tier 6 in Alternative 3 sets a default OFL of 0 in terms of retained catch for data-poor stocks with insufficient catch history. Thus, Alternative 3 provides a system that eases the OFL determinations for the stocks listed in Option A.

There is also a decision to be made about timing for stocks that rely on trawl survey abundance. Option 1 would set OFLs in June before the trawl survey using last year's information, while Option 2 would set OFLs in the fall before the state of Alaska sets GHLs on October 1. Because of the volatility in crab population size from year to year, setting an accurate OFL can only be done if the data from the trawl survey in the same year are available. Otherwise, the population could easily be projected too high or too low. **Therefore, the SSC recommends that Option 2 be adopted.**

In discussion with staff, it is clear that there are implementation issues still to be resolved. Adoption of this amendment will create additional work for Council, NMFS, and State staff, as well as creating a more involved process for the Council family. The SSC recommends that Council, NMFS, and State develop an implementation plan as soon as possible that details the phasing-in of assessments, how the review process will work, and what additional staff resources may be required.

ADVISORY PANEL MINUTES
North Pacific Fishery Management Council
December 3-8, 2007, Hilton Hotel, Anchorage, Alaska

Approved_____ **Date**_____

The following members were present for all or part of the meeting:

Lisa Butzner	Bob Jacobson	John Moller
Joe Childers	Simon Kinneen	Jeb Morrow
Craig Cross	Kent Leslie	Ed Poulsen
Julianne Curry	Chuck McCallum	Michelle Ridgway
Tom Enlow	Tina McNamee	Lori Swanson
John Henderschedt	Mike Martin	*Bob Gunderson was absent*
Jan Jacobs	Matt Moir	

The AP unanimously approved the minutes of their October 2007 meeting.

C-1 Charter Halibut Management

The AP recommends the Council adopt the Stakeholder Committee's recommended revisions to the staff revisions to the Council's October motion on allocation and interim solution, with the following additional changes:

1. In Alternative 2, Element 1 (on page 1 Stakeholder version):
   A. revise the percentages so they are round number percentages
   B. revise the 50% fixed / 50% floating allocation option (Option 3) so that it reads as follows:

Option 3. 50% fixed/50% floating allocation of the combined charter and commercial catch limit.

Area 2C
a. **50% of 13% and 50% of 1.43Mlb**
b. **50% of 16% and 50% of 1.69Mlb**
c. **50% of 17% and 50% of 1.90Mlb**

Area 3A
a. **50% of 14% and 50% of 3.65Mlb**
b. **50% of 15% and 50% of 4.01Mlb**
c. **50% of 15% and 50% of 4.15Mlb**

2. In Alternative 2, Element 5 (on pages 3 and 4 of the Stakeholder version)
A. change "GSM" (which stood for Guided Sport Moratorium) and "moratorium" to "LEP" (for Limited Entry Permit) *so that the terms are used consistently throughout Element 5 because the Stakeholder Committee opted to use LEP rather than GSM but the document as posted by the Council does not reflect that; and*
B. incorporate as new item "I" in Element 5 the restriction that "Commercial and charter fishing may not be conducted from the same vessel on the same day."

Additionally, the AP recommends inclusion of the following:

- Reinstate Alternative 2, Element 5 Number 3 Option 1 back into the analysis –
  Option 1. May convert all or a portion of their commercial QS to GAF on a yearly basis if they own and fish it on their own GSM permit vessel(s)
- Add to Element 5 (leasing of commercial QS) A suboption that allows commercial QS holders that hold less than 500 lbs to 1000 lbs to lease up to 50 to 100% of their IFQs to the charter sector
- As part of data collection, require the collection of length measurements when supplemental IFQs are leased for use and compare to the annual average length to make sure that accurate removable poundage is accounted for and to allow length measurement information gathered to be used in the formulation of the average weight used in the conversion of IFQs to GAF.
  Motion passed 19/0

Main motion passed 19/0.

C-2 (a) BSAI Crab 'C' share active participation

The AP recommends the Council make the following changes to the document prior to initial review in February:

Options for revision of active participation requirements for C share holders:

Option 1: To receive an annual allocation of IFQ, a C share holder must have participated in

Option A; at least one delivery in a fishery subject to the crab rationalization program in the ~~365 days~~ **3 years** preceding the application for IFQ and/or

Option B: 30 days of Alaska State or Federal fishing in the **3 years** preceding the application for IFQ

Suboption: Establish a mechanism for the annual allocation of C share IFQ to ensure that 3 percent of the TAC is available to active C share holders

Option 2: If a C share holder has not demonstrated active participation in a rationalized crab fishery for a period of 3 consecutive seasons, that C share holder will be required to divest of all C share holdings. This provision will not require individuals to divest of Quota Share until a) 5 b) 7 years after implementation of the crab program.

Options to address current transition:

For a period of ~~3,~~ 5, or 7 years from the implementation of the program, C shares can also be acquired by an individual who:

1) is a U.S. citizen,
2) has at least 150 days of sea time as part of a harvesting crew in any U.S. commercial fishery (historic participation), and

Option 1: received an initial allocation of C shares

Option 2: demonstrates participation in a rationalized crab fishery during

a. 3 of the 5 seasons or

b. 2 of the 3 seasons immediately preceding implementation of the crab rationalization program

Motion passed 19/0.

C-2 (b) BSAI Crab: C share 90/10 exemption

The AP recommends Alternative 2 be selected as the preferred alternative for final action. *Motion passed 19/0.*

C-2 (c) BSAI Crab: Custom processing

The AP recommends the Council select the following alternatives and options as its preferred alternative:

Custom Processing Cap Exemption

Fisheries and Regions:

Custom processing will be exempt from use caps in the following regions and fisheries:

The North region of the Bering Sea *C. opilio* fishery (analyzed here for regulation change from MSA reauthorization – not optional)

Option 1) the Western Aleutian Islands golden king crab fishery,
Suboption 2: West designated or Undesignated shares processed in the West region

Option 2) the Western Aleutian Islands red king crab fishery

Option 3) the Eastern Aleutian Islands golden king crab fishery

Option 4) the St. Matthew Island blue king crab fishery

Option 5) the Pribilof Islands red and blue king crab fishery

Definition of custom processing exemption:

Option 1) Physical processing of crab at a facility owned by an entity does not count toward the cap of the entity (only processor share holdings count toward an entity's cap).

Locations qualified for the exemption:

Custom processing will qualify for the exemption provided that processing is undertaken in the applicable fishery and region at:

Option 2) a shore plant, or a floating processor that is moored at a dock or docking facilities (e.g. dolphins, permanent mooring buoy) in a harbor in a community that is a first or second class city or home rule city.

Facility cap

Outside of the West region, no facility may process more than 60% of

a) EAI golden king crab
b) WAI red king crab

Provisions to protect interests of the community of origin

Option 2) In the event that processing shares currently or formerly subject to a right of first refusal are transferred from the initial recipient, custom processing of shares in the community of origin will not be counted toward cap of the processing plant (the shares would only count toward the cap of the share holder).

Motion passed 19/0

C-2 (d) BSAI crab post-delivery transfers

The AP recommends the Council select Alternative 2 as its preferred alternative.

Alternative 2 – Unlimited post-delivery transfers (Preferred alternative in bold text)

Purpose of post-delivery transfers

Post-delivery transfers would be allowed exclusively to cover overages.

Shares used for post-delivery transfers

Post-delivery transfers of the following shares are permitted:

B share IFQ
A share IFQ (provided a processor simultaneously commits matching IPQ)
C share IFQ
Catcher processor IFQ
IPQ

Limits on the magnitude of a post-delivery transfer

None

Limits on the number of post-delivery transfers

None

No person shall be permitted to begin a fishing trip, unless the person holds unused IFQ.

Limits on the time to undertake a post-delivery transfer

Suboption: All post-delivery transfers must be completed by the end of the crab fishing year (June 30th).

Eligibility for post-delivery transfers:

1. All harvesters

Motion passed 19/0

C-2 (e) BSAI Crab Rationalization 3 year review

The AP recommends the Council encourage the industry to work with staff in developing the 8 datasets outlined in the letter from the North Pacific Crab Association in support of developing the 36 month review. *Motion passed 19/0*

Further, the AP recommends the Council work with staff to develop a 3 year review as outlined in the workplan on the projected schedule. Additionally the AP recommends that staff thoroughly examine issues regarding CDQ and crew participation in the BSAI crab fisheries.
Motion passed 19/0

C-3 (a) GOA Pacific cod split

The AP recommends the Council move forward in developing an EA/RIR/IRFA regarding Pacific cod sector splits with the following changes:

In Component 2:

1. Delete all CP less than 125 and all CP greater or equal to 125ft.
2. Establish pot catcher vessels less than 60' and pot catcher greater than or equal to 60' as an option under pot catcher vessels

In Component 5:

Delete current language and replace with October AP motion with an addition as follows:

Component 5: Allocation of Pacific cod to jig sector

The AP recommends Component 5 read as follows:

Options include 1%, 3%, 5%, or 7% of the Western and Central GOA Pacific cod allocations for the jig catcher vessel sector, with a stairstep provision to increase the allocations by:

- 1%
- 2%
- 3%

If 100% of the Federal jig allocation and 90% of one of the Central Gulf state waters district GHLs or the Western Gulf state waters GHL is harvested. Subsequent to the jig allocation increasing by a stairstep up, if the harvest threshold criteria described above are met, the jig allocation will be stepped down by 1% in the following year, **but shall not drop below 1%.** *Motion passed 17/1*

The jig allocation could be set aside from the A season TAC, the B season TAC, or divided between the A and B season TACs.

Main motion passed 18/0.

Additionally:
The AP recommends Council task the State of Alaska, NOAA GC and council staff to explore possible solutions for the jig fishery management structure (both federal and State) that creates a workable fishery that will minimize the amount of stranded cod quota.

Possible solutions that could be explored are as follows:

1. Separate State and federal allocations – manage accounting by seasonal structure
2. No State managed jig fishery – State allows federal management for both the state jig GHL and federal quota as one federal quota fishery.
3. State managed jig Pcod fishery – federal management authority goes to the state of Alaska to manage a state gear specific fishery.

Motion passed 18/0.

C-3 (b) GOA sideboards
The AP wishes to reiterate its motion from the October 2007 minutes:

The AP recommends that the Council initiate an analysis for a regulatory amendment to exempt CP trawl vessels that participate in the CGOA Rockfish pilot program cooperative or limited access sectors and also belong to a cooperative in the BSAI fisheries under Amendment 80 from the July stand-down period.

The AP recommends that the Council initiate an analysis for a regulatory amendment to add an amount of halibut PSC to the Amendment 80 3rd quarter deep-water halibut PSC sideboard proportionate to the halibut available to the rockfish catcher-processor limited access and opt-out fisheries.

The AP recommends the Council initiate an analysis for a regulatory amendment to address crab rationalization sideboards with the following revisions to the options provided in the discussion paper:
Option 2 – Replace "allocation" with "catch history"

Amend Option 3: Exempt non-AFA crab vessels from GOA Pcod sideboards if the vessel's BS opilio catch history is less than 500,000 lbs and the vessel landed more than 2,500 mt of GOA Pcod from 1996-2000 **OR if a vessel has less than 500,000 lbs of BS Opilio catch history and 20 GOA Pollock trawl landings and 1,500,000 mlbs of GOA pcod landings during the years 1996-2000.**

The AP wishes to re-affirm that this exemption would apply only those non-AFA crab vessels/licenses that are eligible to participate in the GOA Pacific cod fishery.

The AP recommends that Council task staff with further developing the discussion addressing the Council's policy that requires vessels to fish their BSAI pollock allocation to maintain their exempted status.

Motion passed 18/0

C-3 (c) Gulf of Alaska Pollock Trip Limit

The AP recommends the Council adopt Alternative 2 as its preferred alternative.
Motion passed 18/0

C-3 (d) Gulf of Alaska Rockfish Post Delivery Transfers
The AP recommends the Council select the following as its preferred alternative.

Alternative 2 – Unlimited post-delivery transfers

Purpose of post-delivery transfers
Post-delivery transfers would be allowed exclusively to cover an overages.

Shares used for post-delivery transfers
Post-delivery transfers of the following shares are permitted:
catcher vessel CQ
catcher processor CQ

Limits on the magnitude of a post-delivery transfer
None

Limits on the number of post-delivery transfers
None

Limits on the time to undertake a post-delivery transfer
Suboption: All post-delivery transfers must be completed by December 31st.

Motion passed 18/0.

C-4 BSAI and GOA Trawl LLP recency

The AP recommends the Council release the GOA and BSAI Trawl recency analysis document for final action with the following clarifications and revisions:

1. On page 7, paragraph 2, revise language to read … "exemption and inclusion statements that the Council will include in their preferred action."
2. Replace AFA CP with AFA CV using an LLP with a CP endorsement
3. Clarify in the analysis that non-Amendment 80, Non-AFA CP - Licenses are likely to enter the fishery placed on a CV
4. Delete component 4, Option C *Motion passed 14/5*
5. For component 1, Option 3, refine the Option to extend the qualification period to include landings made in 2006 in the BSAI only.

Motion passed 19/0

The minority believes option C of component 4 should be retained. Keeping it in the analysis provides contrast and highlights concerns over non- severability of area endorsements exacerbating the tendency of access privileges to migrate away from small communities. Contrary to the majority opinion, there is precedent for tying access privileges to communities in BSAI CDQ and GOA CQE programs. The AP heard public comment that a number in the low end of the range (the option uses the words "up to") would be adequate to guarantee a minimum level of community access in combination with a 4B option. Signed: John Moller, Chuck McCallum, Michelle Ridgway, Craig Cross, Simon Kinneen, Lori Swanson

C-5 Amendment 80

The AP recommends the Council release the analysis for public review and final action in February. The AP further recommends the Council adopt the following as its preliminary preferred alternative:

Post Delivery Transfers: Alternative 2

Rollovers: Alternative 2
No 5% deduction at time of rollover

Motion passed 14/0/1

C-6 Observer Program

The AP recommends the Council direct staff to release the EA/RIR/IRFA for public review with the following changes:

In issue 4: Delete existing alternative 3 and replace the following:
Revise the definition of "fishing day" in Federal regulations as follows:
Fishing day means (for purposes of subpart E) a 24-hour period from 1200 ALT through 1200 hours ALT, in which fishing gear is retrieved and groundfish are retained. An observer must be on board for all gear retrievals during the 24 hour period in order to count as a day of observer coverage. Days during which a vessel only delivers unsorted codends to a processor are not fishing days.

In issue 4, add a suboption under alternatives 2 and 3: Exempt CPs from fishing days definition.

Strike Issue 6

Motion passed 17/0/2

D-1 (a) Salmon Bycatch

The AP recommends the Council adopt the problem statement and move forward the analysis and alternatives proposed by the Salmon Bycatch Workgroup in their May and August 2007 meetings and as described on pages 1 and 2 of D-1 (a)(1) and pages 3 and 4 of D-1 (a) (3) with the following changes:

Option B) Cap formulation based on:

1. Establish cap based on:
    - 1- Average historical bycatch;
        - i. 3 years (2004-2006)
        - ii. 5 years (2002-2006)
        - iii. 10 years (1997-2006)
            - ~~Option: Drop 2000~~
                - **Suboption: drop lowest year**
                - **Suboption: drop highest year**
    - 2- Percentage increase of :
        - i. Historical average
            1. 10%
            2. 20%
            3. 30%
        - ii. Highest year
            1. 10%
            2. 20%
            3. 30%
2. Set cap relative to salmon returns:
   Recommend that analysts prepare draft language to better characterize on-going investigations by analysts here for presentation to the Council in October
3. Incidental Take Permit amount
4. International treaty considerations
    - 1- Average historical bycatch pre-2002
        - i. 3 years (1999-2001)
        - ii. 5 years (1997-2001)
        - iii. 10 years (1992-2001)
    - 2- Percentage decrease of historical averages:
        - i. 10% decrease
            1. 3 years (1999-2001)
            2. 5 years (1997-2001)
            3. 10 years (1992-2001)
        - ii. 20% decrease
            1. 3 years (1999-2001)
            2. 5 years (1997-2001)
            3. 10 years (1992-2001)
        - iii. 30% decrease
            1. 3 years (1999-2001)
            2. 5 years (1997-2001)
            3. 10 years (1992-2001)

The AP also recommends adding an option to the alternatives for new closures that would allow for an exemption such as the one currently implemented under amendment 84 for the fleet to these new closures.

Delete Element 4 from the elements and options.

Additionally, the AP recommends adding an option to divide the final cap by sectors (50% shore based CV fleet; 10% for the mothership fleet and 40% for the offshore CP fleet). The sector allocations of Chinook salmon bycatch will be divided up by Pollock coops within each sector based upon the percent of total sector Pollock catch their coop allocation represents. When the Chinook salmon coop cap is reached, the coop must stop fishing for pollock and may lease their remaining Pollock to another coop (inter-cooperative transfer) within their sector for that year (or similar method to allow Pollock harvest with individual coop accountability.) *Motion passed 10/8*

The analysis will consider equal treatment by the CDQ program under each alternative. The intent is that any alternative under consideration would be no more restrictive than the other options to CDQ.

Motion carries 13/6.

The minority feels that the alternatives contained within the Council's October motion provides better direction and is more responsive to both the alarming increase in Chinook bycatch and the testimony provided in person and by letter. The range of alternatives in the Council's motion more than adequately provides for industry's Chinook bycatch needs from a historical perspective with the appropriate exception of 2007. The October motion demonstrates to the public the Council's responsiveness to their concerns by moving more expeditiously towards a cap on bycatch. It also more directly addresses our responsibility to reduce bycatch under the MSA as well as meet our obligations under the U.S.-Canada Pacific salmon treaty. We understand that Yukon River treaty issues have sparked the State Department to initiate an investigation that will largely focus on the outcome of this particular amendment. We feel the range of alternatives recommended by the majority of the AP is too broad and contains salmon bycatch levels that have no merit for inclusion.
Signed, Simon Kinneen, Michelle Ridgway, Tina McNamee, Julianne Curry, Jeb Morrow, John Moller

D-1 (b) VMS requirement for dinglebar gear

The AP recommends the Council direct staff to develop the current dinglebar discussion paper into an EA focused on providing an exemption to VMS requirements for this fleet. *Motion passed 17/0.*

D-1 (d) BSAI Groundfish Specifications

The AP recommends the Council approve the SAFE and adopt final specifications for 2008-2009 OFLs ABCs and TACs as shown in the attached table.

Additionally, the AP recommends rolling over the 2008 TACs for 2009, and in cases where the 2008 TAC exceeds the 2009 ABC, TAC shall be set at ABC.

Motion passed 16/1.

The AP recommends the Council adopt the:

- 2008-2009 apportionment of PSC allowances to non-trawl gear, CDQ, AM 80 and the BSAI trawl limited access sectors
- 2008-2009 herring and red king crab sub-area PSC allowances for all trawl sectors
- 2008-2009 PSC allowances for the BSAI trawl limited access sector and non-trawl fisheries,
- 2008-2009 PSC allowances for the BSAI AM 80 limited access sector

As noted in the attached tables. *Motion passed 16/0.*

D-1 (e) GOA Groundfish Specifications

The AP recommends the Council adopt the GOA SAFE report and final GOA specs for 2008-2009 OFLs, ABCs and TACs as shown in the attached tables.

Summary:
Set the 2008 and 2009 GOA proposed specifications where TAC is equal to ABC for all stocks with the following exceptions:

The Pacific cod TAC is reduced according to the table in the action memo to account for the apportionment to the State waters fishery in 2008 and 2009.

Rollover the 2007 TAC for 2008 and 2009 for:

a. Shallow water flatfish and flathead sole in the Central and Western GOA
b. Arrowtooth flounder for all areas
c. Other slope rockfish in the EYAK/SEO
d. GOA Atka mackerel
e. GOA other species

Motion passed 18/1

Additionally, the AP recommends the Council adopt the GOA halibut PSC apportionments annually and seasonally, as indicated in D-1 (e) for 2008-2009.

Motion passed 19/0

D-1 (g) GOA Salmon and Crab bycatch

The AP feels that the available data in the GOA does not provide adequate reliability to support developing bycatch limitation programs. Therefore, the AP recommends the Council delay further action on this agenda item and focus on development of more reliable observer coverage and a feasible electronic monitoring program. We further recommend that the bycatch document should be updated annually so the Council maintains awareness of bycatch issues in the GOA.
Motion passed 12/2

Minority Report on Failed Substitute Motion
The minority believes that analysis of a GOA bycatch analytical package should be advanced at this time, and recommends the following refinements to the draft alternatives in the 2007 discussion paper (pg 14).
1. Strike Alternative 4 under all sections 2. Apply analysis to all sectors (all trawl and jig for salmon, all trawl and pot for crab) 3. add to tanner and king crab sections: consider areas of scientifically documented biological importance for analyzing triggered or year around closures 4. analyze applying VMS requirements for any sector to which management measures may be applied. Michelle Ridgway, Ed Poulson, Chuck McCallum, John Moller

D-2 Crab overfishing definitions

The AP recommends the council select Alternative 2, Option 2, Option A as its preferred alternative. *Motion passed 18/0.*

D-4 Staff Tasking

The AP recommends the Council request initiate a discussion paper that examines the utilization of PSC in the non-amendment 80 BSAI YFS threshold fishery. *Motion passed 16/0.*

Advisory Panel recommended GOA TACs for 2008 and 2009 and SSC recommendations for OFLs and ABCs

Stock/ Assemblage		2007				2008			2009		
	Area	OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
	W (61)		25,012	25,012	18,012		17,602	17,602		23,700	23,700
	C (62)		20,890	20,890	19,366		19,181	19,181		25,821	25,821
	C (63)		14,850	14,850	14,315		13,640	13,640		18,367	18,367
	WYAK		1,398	1,398	86		1,517	1,517		2,042	2,042
	Subtotal	87,220	62,150	62,150	51,779	72,110	51,940	51,940	95,940	69,930	69,930
	O	8,209	6,157	6,157	0	11,040	8,240	8,240	11,040	8,240	8,240
Pollock	Total	95,429	68,307	68,307	51,779	83,150	60,180	60,180	106,980	78,170	78,170
	W		26,855	20,141	13,227		25,932	19,449		25,932	19,449
	C		37,873	28,405	23,404		37,901	28,426		37,901	28,426
	E		4,131	3,718	65		2,660	2,394		2,660	2,394
Pacific Cod	Total	97,600	68,859	52,264	36,696	88,660	66,493	50,269	88,660	66,493	50,269
	W		2,470	2,470	1,996		1,890	1,890		1,727	1,727
	C		6,190	6,190	5,536		5,500	5,500		5,026	5,026
	WYAK		2,280	2,280	1,769		1,950	1,950		1,782	1,782
	SEO		3,370	3,370	3,238		3,390	3,390		3,098	3,098
Sablefish	Total	16,906	14,310	14,310	12,539	15,040	12,730	12,730	12,924	11,633	11,633
Deep-water flatfish[1]	W		420	420	8		690	690		707	707
	C		4,163	4,163	247		6,721	6,721		6,927	6,927
	WYAK		2,677	2,677	2		965	965		995	995
	O		1,447	1,447	10		527	527		543	543
	Total	10,431	8,707	8,707	267	11,343	8,903	8,903	11,583	9,172	9,172
Shallow-water flatfish[2]	W		24,720	4,500	281		26,360	4,500		26,360	4,500
	C		24,258	13,000	7,761		29,873	13,000		29,873	13,000
	WYAK		628	628	0		3,333	3,333		3,333	3,333
	O		1,844	1,844	0		1,423	1,423		1,423	1,423
	Total	62,418	51,450	19,972	8,042	74,364	60,989	22,256	74,364	60,989	22,256
	W		1,147	1,147	413		1,022	1,022		948	948
	C		5,446	5,446	2,432		6,731	6,731		6,241	6,241
	WYAK		1,037	1,037	1		520	520		483	483
	O		1,470	1,470	0		859	859		796	796
Rex sole	Total	11,900	9,100	9,100	2,846	11,933	9,132	9,132	11,065	8,468	8,468
Arrowtooth flounder	W		20,852	8,000	3,134		30,817	8,000		31,080	8,000
	C		139,582	30,000	21,808		167,936	30,000		169,371	30,000
	WYAK		16,507	2,500	63		15,245	2,500		15,375	2,500
	O		7,067	2,500	68		12,472	2,500		12,579	2,500
	Total	214,828	184,008	43,000	25,073	266,914	226,470	43,000	269,237	228,405	43,000
Flathead sole	W		10,908	2,000	696		12,507	2,000		13,001	2,000
	C		26,054	5,000	2,407		28,174	5,000		29,289	5,000
	WYAK		2,091	2,091	2		3,420	3,420		3,556	3,556
	O		57	57	0		634	634		659	659
	Total	48,658	39,110	9,148	3,105	55,787	44,735	11,054	57,962	46,505	11,215

Stock/ Assemblage	Area	2007 OFL	2007 ABC	2007 TAC	2007 Catch	2008 OFL	2008 ABC	2008 TAC	2009 OFL	2009 ABC	2009 TAC
Pacific ocean perch	W	4,976	4,244	4,244	4,428	4,376	3,686	3,686	4,397	3,704	3,704
	C	8,922	7,612	7,612	7,125	9,717	8,185	8,185	9,764	8,225	8,225
	WYAK		1,140	1,140	1,242		1,100	1,100		1,105	1,10
	SEO	3,260	1,640	1,640	0		2,028	2,028		2,038	2,03
	E(subtotal)	3,260	2,780	2,780	1,242	3714	3,128	3,128	3732	3,143	3,143
	Total	17,158	14,636	14,636	12,795	17,807	14,999	14,999	17,893	15,072	15,072
Northern rockfish[3]	W		1,439	1,439	1107		2,141	2,141		2,047	2,047
	C		3,499	3,499	2,982		2,408	2,408		2,302	2,302
	E		0	0	0		0	0		0	0
	Total	5,890	4,938	4,938	4,089	5,430	4,549	4,549	5,120	4,349	4,349
Rougheye	W		136	136	71		125	125		124	124
	C		611	611	175		834	834		830	830
	E		241	241	153		327	327		325	325
	Total	1,148	988	988	399	1,548	1286	1286	1,540	1,279	1,279
Shortraker	W		153	153	193		120	120		120	120
	C		353	353	155		315	315		315	315
	E		337	337	244		463	463		463	463
	Total	1,124	843	843	592	1,197	898	898	1,197	898	898
Other slope[3]	W		577	577	252		357	357		357	357
	C		386	386	319		569	569		569	569
	WYAK		319	319	49		604	604		604	604
	O		2,872	200	45		2,767	200		2,767	200
	Total	5,394	4,154	1,482	665	5,624	4,297	1,730	5,624	4,297	1,730
Pelagic shelf rockfish	W		1,466	1,466	595		1,003	1,003		986	986
	C		3,325	3,325	2,440		3,626	3,626		3,566	3,566
	WYAK		307	307	293		251	251		247	247
	O		444	444	1		347	347		341	34
	Total	6,458	5,542	5,542	3,329	6,400	5,227	5,227	6,294	5,140	5,14
Demersal rockfish		650	410		178	611	382	382	611	382	382
	Total			410							
Thornyhead rockfish	W		513	513	338		267	267		267	267
	C		989	989	247		860	860		860	860
	E		707	707	184		783	783		783	783
	Total	2,945	2,209	2,209	769	2,540	1,910	1,910	2,540	1,910	1,910
Atka mackerel	Total	6,200	4,700	1,500	1,441	6,200	4,700	1,500	6,200	4,700	1,500
Big skate	W		695	695	68		632	632		632	632
	C		2,250	2,250	1,218		2,065	2,065		2,065	2,065
	E		599	599	8		633	633		633	633
	Total	4,726	3,544	3,544	1,294	4,439	3,330	3,330	4,439	3,330	3,330
Longnose skate	W		65	65	46		78	78		78	78
	C		1,969	1,969	814		2,041	2,041		2,041	2,041
	E		861	861	240		768	768		768	768
	Total	3,860	2,895	2,895	1,100	3,849	2,887	2,887	3,849	2,887	2,887
Other skates	Total	2,156	1,617	1,617	1,104	2,806	2,104	2,104	2,806	2,104	2,104
Other Species	Total	NA	NA	4,500	2,695			4,500			4,500
Total		**611,153**	**490,327**	**269,912**	**170,797**	**665,642**	**536,201**	**262,826**	**690,888**	**556,183**	**279,264**

AP Recommendations for Bering Sea Aleutian Islands Groundfish Plan Team OFL, ABC, and TAC for the 2008-2009 Fisheries

Species	Area	2007				2008			2009		
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	EBS	1,640,000	1,394,000	1,394,000	1,350,000	1,440,000	1,000,000	1,000,000	1,320,000	1,000,000	1,000,000
	Aleutian Islands	54,500	44,500	19,000	2,488	34,000	28,200	19,000	26,100	22,700	19,000
	Bogoslof	48,000	5,220	10	0	58,400	7,970	10	58,400	7,970	10
Pacific cod	BSAI	207,000	176,000	171,000	172,655	207,000	176,000	170,720	207,000	176,000	170,720
Sablefish	BS	3,520	2,980	2,980	1,090	3,380	2,860	2,860	2,910	2,610	2,610
	AI	3,320	2,810	2,810	1,080	2,890	2,440	2,440	2,510	2,230	2,230
Yellowfin sole	BSAI	240,000	225,000	136,000	119,332	265,000	248,000	205,000	296,000	276,000	205,000
Greenland turbot	Total	15,600	2,440	2,440	1,946	15,600	2,540	2,540	16,000	2,540	2,540
	BS		1,680	1,680	1,435		1,750	1,750		1,750	1,750
	AI		760	760	511		790	790		790	790
Arrowtooth flounder	BSAI	193,000	158,000	20,000	11,700	297,000	244,000	50,000	300,000	246,000	50,000
Northern rock sole	BSAI	200,000	198,000	55,000	37,013	304,000	301,000	75,000	379,000	375,000	75,000
Flathead sole	BSAI	95,300	79,200	30,000	19,500	86,000	71,700	50,000	83,700	69,700	50,000
Alaska plaice	BSAI	241,000	190,000	25,000	19,411	248,000	194,000	50,000	277,000	217,000	50,000
Other flatfish	BSAI	28,500	21,400	10,000	5,840	28,800	21,600	21,600	28,800	21,600	21,600
Pacific Ocean perch	BSAI	26,100	21,900	19,900	17,800	25,700	21,700	21,700	25,400	21,300	21,300
	BS		4,160	2,160	811		4,200	4,200		4,100	4,100
	AI total		17,740	17,740	16,960		17,500	17,500		17,200	17,200
	WAI		7,720	7,720	7,421		7,610	7,610		7,490	7,490
	CAI		5,050	5,050	4,423		4,990	4,990		4,900	4,900
	EAI		4,970	4,970	5,116		4,900	4,900		4,810	4,810
Northern rockfish	BSAI	9,750	8,190	8,190	3,940	9,740	8,180	8,180	9,680	8,130	8,130
Shortraker	BSAI	564	424	424	318	564	424	424	564	424	424
Rougheye	BSAI	269	202	202	163	269	202	202	269	202	202
Other rockfish	BSAI	1,330	999	999	635	1,330	999	999	1,290	968	968
	BS		414	414	205		414	414		414	414
	AI		585	585	430		585	585		554	554
Atka mackerel	Total	86,900	74,000	63,000	56,620	71,400	60,700	60,700	50,600	47,500	47,500
	WAI		20,600	9,600			16,900	16,900		13,200	13,200
	CAI		29,600	29,600			24,300	24,300		19,000	19,000
	EAI/BS		23,800	23,800			19,500	19,500		15,300	15,300
Squid	BSAI	2,620	1,970	1,970	1,190	2,620	1,970	1,970	2,620	1,970	1,970
Other species	BSAI	91,700	68,800	37,400	26,500	91,200	71,800	60,000	91,200	71,800	60,000
Sharks						617	463		617	463	0
Skates						37,200	31,300		36,800	30,900	0
Sculpins						53,100	39,800		53,100	39,800	0
Octopus						324	243		324	243	0
Total	BSAI	3,188,973	2,676,035	2,000,000	1,849,221	3,192,893	2,466,285	1,803,345	3,179,043	2,571,644	1,789,204

**2007 catch is through October 27, 2007 (includes CDQ and state water harvests).

TABLE 7a–2008 AND 2009 APPORTIONMENT OF PROHIBITED SPECIES CATCH ALLOWANCES TO NON-TRAWL GEAR, THE CDQ PROGRAM, AMENDMENT 80, AND THE BSAI TRAWL LIMITED ACCESS SECTORS

PSC species	Total non-trawl PSC	Non-trawl PSC remaining after CDQ PSQ[2]	Total trawl PSC	Trawl PSC remaining after CDQ PSQ[2]	CDQ PSQ reserve[2]	Amendment 80 sector		BSAI trawl limited access fishery
						2008	2009	
Halibut mortality (mt) BSAI	900	832	3,675	3,400	343	2,525	2,475	875
Herring (mt) BSAI	n/a	n/a	1,726	n/a	n/a	n/a	n/a	n/a
Red king crab (animals) Zone 1[1]	n/a	n/a	197,000	175,921	21,079	109,915	104,427	53,797
C. opilio (animals) COBLZ[1]	n/a	n/a	4,350,000	3,884,550	465,450	2,386,668	2,267,412	1,248,494
C. bairdi crab (animals) Zone 1[1]	n/a	n/a	980,000	875,140	104,860	460,674	437,658	411,228
C. bairdi crab (animals) Zone 2[1]	n/a	n/a	2,970,000	2,652,210	317,790	784,789	745,536	1,241,500

[1] Refer to 50 CFR § 679.2 for definitions of areas.

[2] Section 679.21(e)(3)(i) allocates 276 mt of the trawl halibut mortality limit and § 679.21(e)(4)(i)(A) allocates 7.5 percent, or 67 mt, of the non-trawl halibut mortality limit as the PSQ reserve for use by the groundfish CDQ program. The PSQ reserve for crab species is 10.7 percent of each crab PSC limit.

TABLE 7b–2008 AND 2009 HERRING AND RED KING CRAB SAVINGS SUBAREA PROHIBITED SPECIES CATCH ALLOWANCES FOR ALL TRAWL SECTORS

Trawl gear	Herring (mt) BSAI	Red king crab (animals) Zone 1
Yellowfin sole	148	n/a
Rock sole/flathead sole/other flatfish[1]	26	n/a
Turbot/arrowtooth/sablefish[2]	12	n/a
Rockfish	n/a	n/a
July 1 - December 31	9	n/a
Pacific cod	26	n/a
Midwater trawl pollock	1,318	n/a
Pollock/Atka mackerel/other species[3]	187	n/a
Red king crab savings subarea	n/a	n/a
Non-pelagic trawl gear[4]	n/a	49,250
Total trawl PSC	1,726	197,000

[1] "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

[2] Greenland turbot, arrowtooth flounder, and sablefish fishery category.

[3] Pollock other than pelagic trawl pollock, Atka mackerel, and "other species" fishery category.

[4] In December 2007 the Council recommended that the red king crab bycatch limit for non-pelagic trawl fisheries within the RKCSS be limited to 25 percent of the red king crab PSC allowance (see § 679.21(e)(3)(ii)(B)(2)).

TABLE 7c–2008 AND 2009 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL LIMITED ACCESS SECTOR AND NON-TRAWL FISHERIES

BSAI trawl limited access fisheries	Prohibited species and zone				
	Halibut mortality (mt)	Red king crab (animals)	C. opilio (animals)	C. bairdi (animals)	
	BSAI	Zone 1[1]	COBLZ[1]	Zone 1[1]	Zone 2[1]
Yellowfin sole	154	29,938	1,170,367	259,003	1,036,505
Rock sole/flathead sole/other flatfish[2]	0	0	0	0	0
Turbot/arrowtooth/sablefish[3]	0	0	0	0	0
Rockfish	n/a	n/a	n/a	n/a	n/a
June 1 - December 31	3	n/a	2,000	n/a	1,000
Pacific cod	593	23,499	45,677	139,138	188,058
Pollock/Atka mackerel/other species[4]	125	360	30,451	13,087	15,937
Total BSAI trawl limited access PSC	875	53,797	1,248,494	411,228	1,241,500

Non-trawl fisheries	Catcher processor	Catcher vessel
Pacific cod-Total	760	15
January 1-June 10	314	10
June 10-August 15	0	0
August 15-December 31	446	5
Other non-trawl-Total		58
May 1-December 31		58
Groundfish pot and jig		exempt
Sablefish hook-and-line		exempt
Total non trawl PSC		833

[1] Refer to § 679.2 for definitions of areas.

[2] "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

[3] Greenland turbot, arrowtooth flounder, and sablefish fishery category.

TABLE 7d–2008 AND 2009 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI AMENDMENT 80 COOPERATIVES

Year	Prohibited species and zone				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1[1]	C. opilio (animals) COBLZ[1]	C. bairdi (animals)	
				Zone 1[1]	Zone 2[1]
2008	1,837	78,631	1,632,432	340,520	580,311
2009	1,801	74,704	1,550,864	323,507	551,286

[1] Refer to § 679.2 for definitions of areas.

TABLE 7e–2008 AND 2009 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI AMENDMENT 80 LIMITED ACCESS FISHERIES

Amendment 80 trawl limited access fisheries	Prohibited species and zone									
	Halibut mortality (mt)		Red king crab (animals)		C. opilio (animals)		C. bairdi (animals)			
Area	BSAI		Zone 1[1]		COBLZ[1]		Zone 1[1]		Zone 2[1]	
Year	2008	2009	2008	2009	2008	2009	2008	2009	20082	2009
Yellowfin sole	343	336	15,597	14,818	37,6021	357,233	59,902	56,910	101,941	96,843
Jan 20 - Jul 1	214	210	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Jul 1 - Dec 31	129	126	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Rock sole/other flat/flathead sole[2]	220	216	1,137	1,080	27,407	26,037	4,366	4,148	7,430	7,059
Jan 20 - Apr 1	180	178	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Apr 1 - Jul 1	20	19	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
July 1 - Dec 31	20	19	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Turbot/arrowtooth/ sablefish[3]	n/a	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Rockfish	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Jul 1 - Dec 31	50	49	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Pacific cod	25	24	2,274	2,160	54,814	52,075	8,732	8,296	14,860	14,117
Pollock/Atka mackerel/other[4]	50	29	0	0	0	0	0	0	0	0
Total Amendment 80 trawl limited access PSC	688	674	31,284	29,722	754,235	716,548	120,154	114,151	204,477	194,250

[1] Refer to § 679.2 for definitions of areas.

[2] "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

[3] Greenland turbot, arrowtooth flounder, and sablefish fishery category.

[4] Pollock other than pelagic trawl pollock, Atka mackerel, and "other species" fishery category.

NPFMC Motion
December 2007
D-1 (a) Salmon Bycatch

The Council adopts the Advisory Panel's recommendations with the following additions and deletions. Additions are underlined and deletions are shown in strikethrough.

The ~~AP recommends the~~ Council adopts the problem statement and moves forward the analysis and alternatives proposed by the Salmon Bycatch Workgroup in their May and August 2007 meetings and as described on pages 1 and 2 of D-1 (a)(1) and pages 3 and 4 of D-1 (a)(3) with the following changes:

Option B) Cap formulation based on:

1. Establish cap based on:
    - 1- Average historical bycatch:
        - i. 3 years (2004-2006)
        - ii. 5 years (2002-2006)
        - iii. 10 years (1997-2006)
            - Suboption: drop lowest year
            - Suboption: drop highest year
    - 2- Percentage increase of:
        - i. historical average (3 years, 2004-2006)
            1. 10%
            2. 20%
            3. 30%
        - ii. highest year, pre-2007
            1. 10%
            2. 20%
            3. 30%

2. Set cap relative to salmon returns:
   Recommend that analysts prepare draft language to better characterize on-going investigations
3. Incidental Take Permit amount
4. International treaty considerations
    - 1- Average historical bycatch pre-2002
        - i. 3 years (1999-2001)
        - ii. 5 years (1997-2001)
        - iii. 10 years (1992-2001)
    - ~~2- Percentage decrease of historical averages:~~
        - ~~i. 10% decrease~~
            1. ~~3 years (1999-2001)~~
            2. ~~5 years (1997-2001)~~
            3. ~~10 years (1992-2001)~~
        - ~~ii. 20% decrease~~
            1. ~~3 years (1999-2001)~~
            2. ~~5 years (1997-2001)~~
            3. ~~10 years (1992-2001)~~
        - ~~iii. 30% decrease~~
            1. ~~3 years (1999-2001)~~
            2. ~~5 years (1997-2001)~~
            3. ~~10 years (1992-2001)~~

~~The AP also recommends adding~~ Add an option to the alternatives for new closures that would allow for an exemption such as the one currently implemented under amendment 84 for the fleet to these new closures.

~~Delete Element 4 from the elements and options.~~

~~Additionally, the AP recommends adding~~ Add an option to divide the final cap by sectors based upon:

Option 1: 50% shore based CV fleet; 10% for the mothership fleet; and 40% for the offshore CP fleet

Option 2: historical average of percent bycatch by sector

~~The sector allocations of Chinook salmon bycatch will be divided up by Pollock coops within each sector~~ Add another option to further subdivide sector allocation by cooperative based upon the percent of total sector Pollock catch their coop allocation represents. When the Chinook salmon coop cap is reached, the coop must stop fishing for pollock and may lease their remaining Pollock to another coop (inter-cooperative transfer) within their sector for that year (or similar method to allow Pollock harvest with individual coop accountability) or purchase salmon bycatch from other cooperatives. ~~*Motion passed 10/8*~~

The analysis will consider equal treatment by the CDQ program under each alternative. The intent is that any alternative under consideration would be no more restrictive than the other options to CDQ.

The Council adopts the Notice of Intent as presented by the agency.

Enforcement Committee DRAFT Minutes
December 4, 2007, 9 am-noon, Iliamna Room
Hilton Hotel Anchorage, AK

Committee present: Cathy Coon (staff), Ken Hansen, Roy Hyder (Chair), Bill Karp, LCDR Lisa Ragone, Jeff Passer, Sue Salveson, Herman Savikko, and Garland Walker.

Others present: Jane DiCosimo, Gregg Williams, LT Patrick Barelli, Martin Loefflad, John LePore, and Matt Brown.

Agenda B-2 Halibut Charter GHL Area 2C:

The Enforcement Committee received an update from Sue Salveson on the proposed rule to implement halibut GHL management measures for the Area 2C charter vessel fishery. The proposed rule likely will be transmitted to NMFS Headquarters next week for publication in the Federal Register for a 30-day public comment period. The publication date is uncertain, but hopefully will be by the end of this year and certainly before the IPHC meeting in mid January. Given this schedule, the comment period may not span the February 2008 Council meeting.

Concerns previously expressed by the Enforcement committee with respect to monitoring and enforcing the Council's proposed annual catch limit for anglers have been addressed by NMFS and ADF&G staff through additional information collection in the ADF&G Saltwater Sports Fishing Charter Trip Logbook. Other proposed measures such as no harvest by skippers and crew, line limits, and a reduced bag limit do not require changes to the logbook and would be enforced to the extent practicable with existing enforcement resources.

Agenda C-1 Halibut Charter Initial Allocation and Future Reallocation:

The Enforcement Committee received a report from Jane DiCosimo on enforcement aspects of halibut charter initial and future allocation issues. The issue will likely be in front of the Council during the April 2008 meeting, and the Committee will wish to provide comments on that analysis. NOAA Fisheries will provide the Committee with a summary of potential enforcement issues on this analysis during the February 2008 meeting, to allow sufficient time to understand the implementation considerations that may be of concern.

Agenda D-1 (b) Vessel Monitoring System (VMS) dinglebar exemption:

The Enforcement Committee received a report from Cathy Coon regarding a potential VMS exemption for the lingcod dinglebar fishery. A VMS requirement for this fishery was implemented as part of the EFH regulations of 2006.

The Committee concurred that the dinglebar exemption is a policy decision. The Committee had consensus was that VMS is a valuable tool for enforcement personnel, but specific to EFH and these specific coral closure areas enforcement is not an issue due to the closure depths and the depths the fishery occurs at. In general, however, the Committee strongly supports the utilization of an extensive VMS program for enforcing regulations.

Other items discussed:

Herman Savikko updated the Committee on a recently adopted Board of Fisheries action which has Federal enforcement ramifications. The state adopted regulations exempting bulbous bows from being included in vessel length overall (LOA) determinations. Bulbous bows are added to

vessels for fuel efficiency. The adoption of this regulation would conflict with the Federal definition of vessel length, which measures length based on the waterline.

The Committee discussed that these differences to determine LOA have ramifications for vessel vessels exceeding the 60' LOA. Vessels with LOA over 60' are required to have observer coverage if they commercially harvest groundfish. The Committee concurred that the Federal regulations could be adjusted to mirror the State's action by providing a technical fix on the definition of gear and vessel length.

Agenda C-3 (c) Pollock Trip Limit updates:

Ken Hansen provided an update to the Committee on Gulf of Alaska (GOA) pollock trip limits. The regulatory language for the proposed rule on trip limits relies on reporting areas, not regulation areas, in order to better account the location of the harvest.

Scallop Moratorium Sunset

Herman Savikko updated the Committee on an issue with the scallop moratorium being allowed to sunset on December 31, 2008 is that it will create two distinct scallop fisheries in Alaska. The current LLP fishery managed by the SOA under the scallop FMP from 0-200 miles, and a new open access fishery from 0-3 miles. Some scallop beds are bisected by the 3 mile line, making enforcement of open access vessels extremely difficult.

Agenda Items for February 2008:

BS Salmon Bycatch – Closure Configurations/ Sector Splits
Presentations are expected by Council staff and Cooperative representatives.

Halibut – Initial Allocation/ accounting for commercial IFQ for charter anglers.
NMFS staff will provide a list of action items the Committee will want to address in April. Bullets of things of what the Committee should address.

St. George protection measures

Seabird avoidance measures 4E initial review

Scallop fishery- statutory language.

NPFMC Recommendations for Bering Sea Aleutian Islands Groundfish Plan Team OFL, ABC, and TAC for the 2008-2009 Fisheries

Species	Area	2007				2008			2009		
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	EBS	1,640,000	1,394,000	1,394,000	1,350,000	1,440,000	1,000,000	1,000,000	1,320,000	1,000,000	1,000,000
	Aleutian Islands	54,500	44,500	19,000	2,488	34,000	28,200	19,000	26,100	22,700	19,000
	Bogoslof	48,000	5,220	10	0	58,400	7,970	10	58,400	7,970	10
Pacific cod	BSAI	207,000	176,000	171,000	172,655	207,000	176,000	170,720	207,000	176,000	170,720
Sablefish	BS	3,520	2,980	2,980	1,090	3,380	2,860	2,860	2,910	2,610	2,610
	AI	3,320	2,810	2,810	1,080	2,890	2,440	2,440	2,510	2,230	2,230
Yellowfin sole	BSAI	240,000	225,000	136,000	119,332	265,000	248,000	225,000	296,000	276,000	205,000
Greenland turbot	Total	15,600	2,440	2,440	1,946	15,600	2,540	2,540	16,000	2,540	2,540
	BS		1,680	1,680	1,435		1,750	1,750		1,750	1,750
	AI		760	760	511		790	790		790	790
Arrowtooth flounder	BSAI	193,000	158,000	20,000	11,700	297,000	244,000	75,000	300,000	246,000	75,000
Northern rock sole	BSAI	200,000	198,000	55,000	37,013	304,000	301,000	75,000	379,000	375,000	75,000
Flathead sole	BSAI	95,300	79,200	30,000	19,500	86,000	71,700	50,000	83,700	69,700	50,000
Alaska plaice	BSAI	241,000	190,000	25,000	19,411	248,000	194,000	50,000	277,000	217,000	50,000
Other flatfish	BSAI	28,500	21,400	10,000	5,840	28,800	21,600	21,600	28,800	21,600	21,600
Pacific Ocean perch	BSAI	26,100	21,900	19,900	17,800	25,700	21,700	21,700	25,400	21,300	21,300
	BS		4,160	2,160	811		4,200	4,200		4,100	4,100
	AI total		17,740	17,740	16,960		17,500	17,500		17,200	17,200
	WAI		7,720	7,720	7,421		7,610	7,610		7,490	7,490
	CAI		5,050	5,050	4,423		4,990	4,990		4,900	4,900
	EAI		4,970	4,970	5,116		4,900	4,900		4,810	4,810
Northern rockfish	BSAI	9,750	8,190	8,190	3,940	9,740	8,180	8,180	9,680	8,130	8,130
Shortraker	BSAI	564	424	424	318	564	424	424	564	424	424
Rougheye	BSAI	269	202	202	163	269	202	202	269	202	202
Other rockfish	BSAI	1,330	999	999	635	1,330	999	999	1,290	968	968
	BS		414	414	205		414	414		414	414
	AI		585	585	430		585	585		554	554
Atka mackerel	Total	86,900	74,000	63,000	56,620	71,400	60,700	60,700	50,600	47,500	47,500
	WAI		20,600	9,600			16,900	16,900		13,200	13,200
	CAI		29,600	29,600			24,300	24,300		19,000	19,000
	EAI/BS		23,800	23,800			19,500	19,500		15,300	15,300
Squid	BSAI	2,620	1,970	1,970	1,190	2,620	1,970	1,970	2,620	1,970	1,970
Other species	BSAI	91,700	68,800	37,400	26,500	104,000	78,100	50,000	104,000	78,100	60,000
Total	BSAI	3,188,973	2,676,035	2,000,325	1,849,221	3,205,693	2,472,585	1,838,345	3,191,843	2,577,944	1,814,204

**2007 catch is through October 27, 2007 (includes CDQ and state water harvests).

TABLE 7a–2008 AND 2009 APPORTIONMENT OF PROHIBITED SPECIES CATCH ALLOWANCES TO NON-TRAWL GEAR, THE CDQ PROGRAM, AMENDMENT 80, AND THE BSAI TRAWL LIMITED ACCESS SECTORS

PSC species	Total non-trawl PSC	Non-trawl PSC remaining after CDQ PSQ[2]	Total trawl PSC	Trawl PSC remaining after CDQ PSQ[2]	CDQ PSQ reserve[2]	Amendment 80 sector		BSAI trawl limited access fishery
						2008	2009	
Halibut mortality (mt) BSAI	900	832	3,675	3,400	343	2,525	2,475	875
Herring (mt) BSAI	n/a	n/a	1,726	n/a	n/a	n/a	n/a	n/a
Red king crab (animals) Zone 1[1]	n/a	n/a	197,000	175,921	21,079	109,915	104,427	53,797
C. opilio (animals) COBLZ[1]	n/a	n/a	4,350,000	3,884,550	465,450	2,386,668	2,267,412	1,248,494
C. bairdi crab (animals) Zone 1[1]	n/a	n/a	980,000	875,140	104,860	460,674	437,658	411,228
C. bairdi crab (animals) Zone 2[1]	n/a	n/a	2,970,000	2,652,210	317,790	784,789	745,536	1,241,500

[1] Refer to 50 CFR § 679.2 for definitions of areas.

[2] Section 679.21(e)(3)(i) allocates 276 mt of the trawl halibut mortality limit and § 679.21(e)(4)(i)(a) allocates 7.5 percent, or 67 mt, of the non-trawl halibut mortality limit as the PSQ reserve for use by the groundfish CDQ program. The PSQ reserve for crab species is 10.7 percent of each crab PSC limit.

TABLE 7b–2008 AND 2009 HERRING AND RED KING CRAB SAVINGS SUBAREA PROHIBITED SPECIES CATCH ALLOWANCES FOR ALL TRAWL SECTORS

Trawl gear	Herring (mt) BSAI	Red king crab (animals) Zone 1
Yellowfin sole	148	n/a
Rock sole/flathead sole/other flatfish[1]	26	n/a
Turbot/arrowtooth/sablefish[2]	12	n/a
Rockfish	n/a	n/a
January 20 - December 31	9	n/a
Pacific cod	26	n/a
Midwater trawl pollock	1,318	n/a
Pollock/Atka mackerel/other species[3]	187	n/a
Red king crab savings subarea	n/a	n/a
Non-pelagic trawl gear[4]	n/a	49,250
Total trawl PSC	1,726	197,000

[1] "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

[2] Greenland turbot, arrowtooth flounder, and sablefish fishery category.

[3] Pollock other than pelagic trawl pollock, Atka mackerel, and "other species" fishery category.

[4] In October 2007 the Council recommended that the red king crab bycatch limit for non-pelagic trawl fisheries within the RKCSS be limited to 25 percent of the red king crab PSC allowance (see § 679.21(e)(3)(ii)(B)(2)).

TABLE 7c–2008 AND 2009 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL LIMITED ACCESS SECTOR AND NON-TRAWL FISHERIES

BSAI trawl limited access fisheries	Prohibited species and zone				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1[1]	C. opilio (animals) COBLZ[1]	C. bairdi (animals) Zone 1[1]	C. bairdi (animals) Zone 2[1]
Yellowfin sole	162	47,397	1,176,494	346,228	1,185,500
Rock sole/flathead sole/other flatfish[2]	0	0	0	0	0
Turbot/arrowtooth/sablefish[3]	0	0	0	0	0
Rockfish	n/a	n/a	n/a	n/a	n/a
January 20 - December 31	3	n/a	2,000	n/a	1,000
Pacific cod	585	6,000	50,000	60,000	50,000
Pollock/Atka mackerel/other species[4]	125	400	20,000	5,000	5,000
Total BSAI trawl limited access PSC	875	53,797	1,248,494	411,228	1,241,500

Non-trawl fisheries	Catcher processor	Catcher vessel
Pacific cod-Total	760	15
January 1-June 10	314	10
June 10-August 15	0	3
August 15-December 31	446	2
Other non-trawl-Total		58
May 1-December 31		58
Groundfish pot and jig		exempt
Sablefish hook-and-line		exempt
Total non trawl PSC		833

[1] Refer to § 679.2 for definitions of areas.

[2] "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

[3] Greenland turbot, arrowtooth flounder, and sablefish fishery category.

TABLE 7d–2008 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI AMENDMENT 80 COOPERATIVES

Year	Prohibited species and zone				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1[1]	C. opilio (animals) COBLZ[1]	C. bairdi (animals)	
				Zone 1[1]	Zone 2[1]
2008	1,837	78,631	1,632,432	340,520	580,311

[1] Refer to § 679.2 for definitions of areas.

TABLE 7e–2008 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI AMENDMENT 80 LIMITED ACCESS FISHERIES

Amendment 80 trawl limited access fisheries	Prohibited species and zone				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1[1]	C. opilio (animals) COBLZ[1]	C. bairdi (animals)	
				Zone 1[1]	Zone 2[1]
Yellowfin sole	363	6,100	660,000	63,154	155,318
Jan 20 - Jul 1	214	5,900	650,000	58,500	125,318
Jul 1 - Dec 31	149	200	10,000	4,654	30,000
Rock sole/other flat/flathead sole[2]	224	25,000	93,395	56,677	48,266
Jan 20 - Apr 1	180	24,632	90,235	50,000	42,160
Apr 1 - Jul 1	20	184	1,660	3,500	3,053
July 1 - Dec 31	24	184	1,500	3,177	3,053
Turbot/arrowtooth/ sablefish[3]	n/a	n/a	7,542	n/a	n/a
Rockfish Jan 20 - Dec 31	50	n/a	n/a	n/a	n/a
Pacific cod	1	184	840	323	893
Pollock/Atka mackerel/other[4]	50	0	0	0	0
Total Amendment 80 trawl limited access PSC	688	31,284	754,235	120,154	204,477

[1] Refer to § 679.2 for definitions of areas.

[2] "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

[3] Greenland turbot, arrowtooth flounder, and sablefish fishery category.

[4] Pollock other than pelagic trawl pollock, Atka mackerel, and "other species" fishery category.

NPFMC recommended GOA TACs for 2008 and 2009 and SSC recommendations for OFLs and ABCs

Stock/		2007				2008			2009		
Assemblage	Area	OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	W (61)		25,012	25,012	18,012		17,602	17,602		23,700	23,700
	C (62)		20,890	20,890	19,366		19,181	19,181		25,821	25,821
	C (63)		14,850	14,850	14,315		13,640	13,640		18,367	18,367
	WYAK		1,398	1,398	86		1,517	1,517		2,042	2,042
	Subtotal	87,220	62,150	62,150	51,779	72,110	51,940	51,940	95,940	69,930	69,930
	EYAK/SEO	8,209	6,157	6,157	0	11,040	8,240	8,240	11,040	8,240	8,240
	Total	95,429	68,307	68,307	51,779	83,150	60,180	60,180	106,980	78,170	78,170
Pacific Cod	W		26,855	20,141	13,227		25,932	19,449		25,932	19,449
	C		37,873	28,405	23,404		37,901	28,426		37,901	28,426
	E		4,131	3,718	65		2,660	2,394		2,660	2,394
	Total	97,600	68,859	52,264	36,696	88,660	66,493	50,269	88,660	66,493	50,269
Sablefish	W		2,470	2,470	1,996		1,890	1,890		1,727	1,727
	C		6,190	6,190	5,536		5,500	5,500		5,026	5,026
	WYAK		2,280	2,280	1,769		1,950	1,950		1,782	1,782
	SEO		3,370	3,370	3,238		3,390	3,390		3,098	3,098
	Total	16,906	14,310	14,310	12,539	15,040	12,730	12,730	12,924	11,633	11,633
Deep-water flatfish	W		420	420	8		690	690		707	707
	C		4,163	4,163	247		6,721	6,721		6,927	6,927
	WYAK		2,677	2,677	2		965	965		995	995
	EYAK/SEO		1,447	1,447	10		527	527		543	543
	Total	10,431	8,707	8,707	267	11,343	8,903	8,903	11,583	9,172	9,172
Shallow-water flatfish	W		24,720	4,500	281		26,360	4,500		26,360	4,500
	C		24,258	13,000	7,761		29,873	13,000		29,873	13,000
	WYAK		628	628	0		3,333	3,333		3,333	3,333
	EYAK/SEO		1,844	1,844	0		1,423	1,423		1,423	1,423
	Total	62,418	51,450	19,972	8,042	74,364	60,989	22,256	74,364	60,989	22,256
Rex sole	W		1,147	1,147	413		1,022	1,022		948	948
	C		5,446	5,446	2,432		6,731	6,731		6,241	6,241
	WYAK		1,037	1,037	1		520	520		483	483
	EYAK/SEO		1,470	1,470	0		859	859		796	796
	Total	11,900	9,100	9,100	2,846	11,933	9,132	9,132	11,065	8,468	8,468
Arrowtooth flounder	W		20,852	8,000	3,134		30,817	8,000		31,080	8,000
	C		139,582	30,000	21,808		167,936	30,000		169,371	30,000
	WYAK		16,507	2,500	63		15,245	2,500		15,375	2,500
	EYAK/SEO		7,067	2,500	68		12,472	2,500		12,579	2,500
	Total	214,828	184,008	43,000	25,073	266,914	226,470	43,000	269,237	228,405	43,000
Flathead sole	W		10,908	2,000	696		12,507	2,000		13,001	2,000
	C		26,054	5,000	2,407		28,174	5,000		29,289	5,000
	WYAK		2,091	2,091	2		3,420	3,420		3,556	3,556
	EYAK/SEO		57	57	0		634	634		659	659
	Total	48,658	39,110	9,148	3,105	55,787	44,735	11,054	57,962	46,505	11,215

Stock/		2007				2008			2009		
Assemblage	Area	OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pacific ocean perch	W	4,976	4,244	4,244	4,428	4,376	3,686	3,686	4,397	3,704	3,704
	C	8,922	7,612	7,612	7,125	9,717	8,185	8,185	9,764	8,225	8,225
	WYAK		1,140	1,140	1,242		1,100	1,100		1,105	1,105
	SEO	3,260	1,640	1,640	0		2,028	2,028		2,038	2,038
	E(subtotal)	3,260	2,780	2,780	1,242	3714	3,128	3,128	3732	3,143	3,143
	Total	17,158	14,636	14,636	12,795	17,807	14,999	14,999	17,893	15,072	15,072
Northern rockfish[3]	W		1,439	1,439	1107		2,141	2,141		2,047	2,047
	C		3,499	3,499	2,982		2,408	2,408		2,302	2,302
	E		0	0	0		0	0		0	0
	Total	5,890	4,938	4,938	4,089	5,430	4,549	4,549	5,120	4,349	4,349
Rougheye	W		136	136	71		125	125		124	124
	C		611	611	175		834	834		830	830
	E		241	241	153		327	327		325	325
	Total	1,148	988	988	399	1,548	1286	1286	1,540	1,279	1,279
Shortraker	W		153	153	193		120	120		120	120
	C		353	353	155		315	315		315	315
	E		337	337	244		463	463		463	463
	Total	1,124	843	843	592	1,197	898	898	1,197	898	898
Other slope[3]	W		577	577	252		357	357		357	357
	C		386	386	319		569	569		569	569
	WYAK		319	319	49		604	604		604	604
	EYAK/SEO		2,872	200	45		2,767	200		2,767	200
	Total	5,394	4,154	1,482	665	5,624	4,297	1,730	5,624	4,297	1,730
Pelagic shelf rockfish	W		1,466	1,466	595		1,003	1,003		986	986
	C		3,325	3,325	2,440		3,626	3,626		3,566	3,566
	WYAK		307	307	293		251	251		247	247
	EYAK/SEO		444	444	1		347	347		341	341
	Total	6,458	5,542	5,542	3,329	6,400	5,227	5,227	6,294	5,140	5,140
Demersal rockfish		650	410		178	611	382	382	611	382	382
	Total			410							
Thornyhead	W		513	513	338		267	267		267	267
	C		989	989	247		860	860		860	860
	E		707	707	184		783	783		783	783
	Total	2,945	2,209	2,209	769	2,540	1,910	1,910	2,540	1,910	1,910
Atka mackerel	Total	6,200	4,700	1,500	1,441	6,200	4,700	1,500	6,200	4,700	1,500
Big skate	W		695	695	68		632	632		632	632
	C		2,250	2,250	1,218		2,065	2,065		2,065	2,065
	E		599	599	8		633	633		633	633
	Total	4,726	3,544	3,544	1,294	4,439	3,330	3,330	4,439	3,330	3,330
Longnose skate	W		65	65	46		78	78		78	78
	C		1,969	1,969	814		2,041	2,041		2,041	2,041
	E		861	861	240		768	768		768	768
	Total	3,860	2,895	2,895	1,100	3,849	2,887	2,887	3,849	2,887	2,887
Other skates	Total	2,156	1,617	1,617	1,104	2,806	2,104	2,104	2,806	2,104	2,104
Other Species	Total	NA	NA	4,500	2,695			4,500			4,500
Total		**611,153**	**490,327**	**269,912**	**170,797**	**665,642**	**536,201**	**262,826**	**690,888**	**556,183**	**279,264**