

North Pacific Fishery Management Council

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MINUTES

203rd Plenary Session

North Pacific Fishery Management Council

March 30, 2011 – April 5, 2011

Anchorage Hilton Hotel, Anchorage, AK

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ATTACHMENTS:

1. Public Attendance Register
2. Time Log
3. AP Minutes
4. SSC Minutes
5. Enforcement Committee Minutes
6. Ecosystem Committee Minutes
7. D-2 (b) GOA Halibut PSC Motion
8. Newsletter

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APPROVED: _____

DATE: 6/13/2011

The North Pacific Fishery Management Council met March 30-April 5. The AP met March 28-April 1 and the SSC met March 28-March 30 at the same location. The following Council, SSC and AP members, and NPFMC staff attended the meetings.

Council Members

Eric Olson, Chair
Dave Benson, Vice Chair
Sam Cotten
Duncan Fields
Dave Hanson
John Henderschedt

Roy Hyder
Dan Hull
Cora Campbell/Stefanie Moreland
Jim Balsiger
Denny Laussy/Don Rivard
Bill Tweit
ADM CC Colvin/Capt. Mike Cerne

NPFMC Staff

Gail Bendixen
Diana Evans
Jane DiCosimo
Mark Fina
Jeannie Heltzel
Nicole Kimball
Peggy Kircher

Jon McCracken
Sarah Melton
Chris Oliver
Maria Shawback
Diana Stram
Dave Witherell

Scientific and Statistical Committee

Pat Livingston, Chair
Susan Hilber
George Hunt
Lew Queirolo
Ray Webster

Farron Wallace
Sue Hills
Gordon Kruse
Terry Quinn
Robert Clark

Anne Hollowed
Jim Murphy
Kate Reedy Maschner
Robert Clark

* Absent: Seth Macinko, Kathy Kuletz, and Doug Woodby

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Advisory Panel

Joe Childers
Mark Cooper
Craig Cross
John Crowley
Julianne Curry
Jerry Downing
Tom Enlow

Tim Evers
Jeff Farvour
Becca Robbins Gisclair
Jan Jacobs
Bob Jacobson
Simon Kinneen
Chuck McCallum

Matt Moir
Ed Poulsen
Beth Stewart
Lori Swanson
Anne Vanderhoeven

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

Mr. Hull moved, which was seconded, to approve the minutes of the previous meeting from February 2011. Motion passed unanimously.

A. CALL TO ORDER

Chairman Eric Olson called the meeting to order at approximately 8:04 am on Wednesday, March 30, 2011.

Mr. Bill Tweit participated in the entire meeting in place of Phil Anderson, WDF Director.

AGENDA: The agenda was approved as published.

B. REPORTS

The Council received the following reports: Executive Director's Report (B-1); NMFS Management Report (B-2); ADF&G Report (B-3); USCG Report (B-4); USF&W Report (B-5); and Protected Species Report (B-6).

Executive Director's Report:

Chris Oliver reviewed his written report, and he brought up staff discussions and agency letters on the IPHC's maximum size limit of 37 inches. It was generally agreed if further discussion is warranted, the issue would be addressed during Staff Tasking. Mr. Oliver continued review of his written report, and commented that all the Councils have drafted a letter to the National Ocean's Council requesting involvement in any regional spatial planning activities through direct participation on the Council. He briefly discussed the May 2011 Council Coordination Committee meeting in South Carolina, and discussions from those meetings; specifically Executive Order 13563, "Improving Regulation and Regulatory Review," which will require a review of catch share and allocation programs.

NMFS Management Report

Galen Tromble gave the NMFS management report, and reviewed the status of FMP and regulatory amendments to date. Additionally, he reviewed the interpretative rule for the halibut charter trip definition. There was lengthy discussion and clarifications of this issue, and it was noted that NMFS is working on guidance that narrows the scope of activity considered to be a charter halibut trip.

He also discussed the 3 mile boundary, and the issues that arose when the US Baseline Committee revised the baseline used to determine the EEZ. While the change and its impacts are being reviewed, fisheries will continue as if there were not change. Mr. Tromble also addressed the AFA vessel replacement issue, reporting that NMFS may seek Council direction when addressing timing, staffing for regulations, and how the new vessels will interact with GOA sideboards, etc.

Finally Mr. Tromble noted that there is a National Appeals process being developed, and that the Council may choose to make comment on the process as it is developed.

ADF&G Report

Karla Bush (ADF&G) provided the Council with a review of the State fisheries of interest to the Council and answered general questions from Council Members.

USCG Report

Lt. Tony Keene of the USCG provided the Coast Guard Enforcement Report and answered questions from the Council.

U.S. Fish and Wildlife Report

Denny Lassuy of USF&W provided an update and noted that the short-tailed albatrosses seem to have imprinted on an experimental colony, and are expected to return as adults. He also noted Pacific walrus have been added to the agency's list of candidates for ESA protection. Mr. Lassuy briefly noted that various members from the Subsistence Regional Advisory Councils (RAC) will be in attendance at the Council's Nome meeting to testify on Chinook bycatch. He thanked the Council for its outreach efforts at those RAC meetings.

Protected Species Report

Jeannie Heltzel gave the protected resources report, and briefly outlined current Steller Sea Lion actions. Melanie Brown detailed the goals and expectations of the NMFS and the current RPA, and answered questions from the Council.

Public comment was taken on all B agenda items.

C-1 Cooperative Reports

BACKGROUND

Three cooperative programs subject to Council management require that cooperatives submit an annual year-end cooperative report summarizing their fishing activities from the preceding year to the Council. Due to the volume of these materials, a few copies of the complete reports from the various cooperatives will be made available at the meeting, and full copies are available from our offices.

a) Amendment 80 Co-op reports.

Implemented in 2008, the Amendment 80 program is a limited access privilege program (LAPP) that allocates a portion of total allowance catches (TACs) for Atka mackerel, Pacific ocean perch, and 3 flatfish species (yellowfin sole, rock sole, and flathead sole), along with an allocation of prohibited species catch (PSC) quota for halibut and crab, in the Bering Sea/Aleutian Islands, to the Amendment 80 sector. A single cooperative formed in 2010. A report from that cooperative will be provided at the meeting.

Jason Anderson of the Alaska Seafood Cooperative gave the report on this issue.

b) AFA Co-op reports.

Each year the AFA Bering Sea pollock fishery cooperatives submit year-end reports summarizing their fishing activities from the preceding year and cooperative agreements for the upcoming fishing year. This requirement is interpreted such that the cooperatives submit information only if and to what degree such agreements have been modified from existing agreements. Co-op representatives will provide a joint, summary report to the Council at this meeting. Written copies of these reports are not due until April 1.

John Gruver of UCB, Ed Richardson of PCC, and Karl Haflinger of Sea State gave their reports on this issue.

c) CGOA Rockfish Coop reports.

Cooperatives participating in the Central Gulf of Alaska rockfish pilot program also provide annual reports of their fishing activity in that program. Three cooperatives formed in the offshore sector and inshore sector. The GGOA and FCA co-op were mailed on March 4. The GOA Rockfish Best Use Cooperative will be handed out as a supplemental item. Cooperatives will provide a summary report to the Council at this meeting.

Julie Bonney gave the coop report for the GOA Rockfish coops. She answered questions from the Council. Jason Anderson read bullet points for Susan Robinson of Fisherman's Finest, who was unable to be at the meeting.

No public comment was taken, and there was no action taken by the Council.

C-2 Hired Skipper Prohibition

BACKGROUND

In February 2010, the Council approved a problem statement and alternatives for analysis of a stakeholder proposal submitted to the Council during its 2009 call for IFQ proposals. The Council expressed its concern about apparent consolidation and reduced opportunities for new entrants/second generation fishermen to enter the halibut and sablefish IFQ fisheries. This action would promote an owner/operator catcher vessel fleet in the halibut and sablefish fixed gear fisheries by capping the amount of QS that can be used by hired skippers.

This analysis considers two alternatives. Alternative 1 is the No Action Alternative. Alternative 2 would prohibit the use by a hired skipper for QS transferred after February 12, 2010. Alternative 2 would apply to all (individual and non-individual) initial recipients. For non-individual (corporate) QS holders (who must hire a skipper), the effect of the proposed action would be a prohibition on transfers of additional QS, as NMFS would not process transfers that would be prohibited for use, except by operation of law. No change would occur for QS held before the control date. For individual initial recipients (who may hire a skipper), the effect of the proposed action would be a requirement that the QS holder fish the IFQs themselves or transfer them to another QS holder (who also would be required to fish them). For crew/second generation QS holders, the effect may be increased opportunities to transfer (purchase) QS, possibly at lower prices. Hired skippers would have less IFQ to lease from QS holders, but may have the opportunity to purchase more QS at lower prices.

During initial review of the analysis in February 2011 the Council added two complementary options to address disposition of QS transfers after the control date and requested additional information. The alternatives are listed below.

Alternative 1. No action

Alternative 2. Prohibit use of hired skippers of halibut and sablefish B, C, and D class QS transferred after February 12, 2010.

Option 1. Allow the hired skipper provision to be retained for those QS swept up into blocks after the February 12, 2010 control date and before the effective date of the amendment.

Option 2. Allow initial QS holders after the effective date to sweep up additional QS units to the amounts they own, with the provision that the new swept up blocks would not retain the hired skipper privilege.

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Jane DiCosimo and Jesse Gharret gave the staff report on this issue. The AP gave its report, public comment was taken, and the SSC did not address this issue.

COUNCIL DISCUSSION/ACTION

Mr. Hull moved, which was seconded by Mr. Fields, to adopt the problem statement and Alternative 2 with Options 1 and 2 as follows.

Problem Statement:

A key element of the IFQ program is the requirement for catcher vessel QS holders to be on board the vessel during harvest and offloading of IFQ halibut and sablefish. The Council did not wish to constrain existing small business practices and therefore created an exception for initial recipients of catcher vessel QS. The Council is concerned about the apparent consolidation and reduced opportunities for new entrants/second generation fishermen to enter the fishery. This reduced opportunity may be attributable to provisions that allow initial recipients to harvest not only their initially issued quota, but also new quota acquisitions without having to be onboard the vessel. Amending the hired skipper privileges for catcher vessel quota in the halibut/sablefish IFQ program to extend these privileges only to current QS holdings is not expected to be disruptive to existing hired skipper arrangements, but would prevent further consolidation of QS to initial recipients using hired skippers and the associated extraction of rents from the fishery.

Alternative 2. Prohibit the use of hired skippers of halibut and sablefish B, C, and D class QS transferred after February 12, 2010.

Option 1. Allow the hired skipper provision to be retained for those QS swept up into blocks after the February 12, 2010 control date and before the effective date of the amendment.

Option 2. Allow initial recipients of QS to sweep up additional QS units to the amounts they hold after the effective date, but these sweep up blocks would not retain the hired skipper privilege (i.e., the QS holder must be on board when the IFQs are harvested.)

Mr. Hull spoke to his motion, noting in the analysis, the IFQ program was developed with a number of provisions such as the block program, vessel categories and use caps, with the specific intent to “maintain a diverse, owner-operated fleet and prevent a ‘corporate’ or absentee ownership of the fisheries”, and continued, stating that the main feature of the program was to ensure that IFQ was to be held by active fishermen. He also pointed out that an exception was made to allow initial recipients of IFQ to continue to use hired skippers, but considers this a barrier to the original goal of the program, which was an “owner on board” fishery, and in fact, has done the opposite – increased the number of initial issuants who hire skippers.

Mr. Hull noted his motion recognizes existing practices, balances interests of initial recipients of halibut and sablefish QS with the interest of 2nd generation IFQ holders and new entrants, and is consistent with the National Standards.

There was brief discussion regarding whether effective date or implementation date of the final rule would be when hired skippers would no longer be allowed to be used on newly transferred QS. It was generally agreed it would be the effective date of the final rule.

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There were questions and clarifications regarding IRS forms and implications of an exemption to a limitation on hired skippers. Ms. Gharrett discussed the administrative side of an exemption.

Mr. Henderschedt moved to amend by adding an option that would exempt owners of vessels using hired skippers from the limitations resulting from alternative 2 if the applicants provided documentation that the ownership percentage claimed on their form is accurately reflected on the corporation's most recently filed IRS K1 form. The amendment was seconded by Mr. Benson.

Mr. Henderschedt noted that vessel owners already provided an affidavit of vessel ownership. The motion would just add a checkbox to verify that the ownership is the same as what they report to the IRS. He stated the level of liability – the K1 form, the income derived from corporation - and how profits are shared among various owners, is reflective of true ownership of the corporation. Those that are clearly operating as those corporations that have received QS allocations at initial issuance would be eligible to receive an exemption. There is little change in applying for the permit, and NMFS would be able to review existing relationships between owners and skippers.

There was brief discussion regarding vessel ownership and equity under the proposed action, **and the amendment failed 7/3 with Henderschedt, Tweit, and Benson voting in favor.**

Mr. Tweit noted that he can not support the main motion and that it will have negative impacts on some businesses, and that it may not address absentee ownership as intended. Mr. Cotten noted that markets will change, and second generation buyers will have more availability. Mr. Hyder noted that the Council is making a policy choice, and that it will be disruptive to folks who have learned to work within the system. Mr. Henderschedt thanked all the stakeholders who testified, and noted the Council must look at tangible costs; not only to owners, but to hired skippers themselves. Mr. Fields stated that he will be supporting the motion, and noted that the motion is clearly in line with the National Standards, especially National Standard 8.

Mr. Hull believes there is a connection with this action and NS8, as it will allow active fishermen to remain in the fishery, and increase fishing opportunities. Mr. Benson noted that it is difficult to determine through the analysis if an increase in hired skippers is a bad thing, and that the landscape of the fishery has changed since the program was first passed.

Mr. Tweit moved to amend that the Council deems proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with section 303(c), and therefore the Council authorizes the Executive Director and the Chairman to review the draft proposed regulations when provided by NMFS to ensure that the proposed regulations to be submitted to the Secretary under section 303(c) are consistent with these instructions. Mr. Tweit spoke to his motion, noting that he is fully confident the Chairman and the ED can review the regulations. Amendment passed without objection.

The main motion passed 7/4, with Henderschedt, Benson, Hyder and Tweit voting against.

Mr. Fields commented on the analysis. He noted that on page 30, there is a table that is labeled “winners and losers” and that the title should be changed. It was noted it would be discussed under staff tasking.

C-3 (a) Salmon FMP Changes

BACKGROUND

This preliminary review of the Salmon FMP is intended to provide information on possible revisions and updates to the FMP. In December 2010, staff presented a discussion paper on options for updating the FMP to comply with the Magnuson-Stevens Act (MSA) and the requirements of the National Standard 1 (NS1) Guidelines for annual catch limits (ACL) and accountability measures (AM). The Council directed staff to initiate an analysis based on the Council's draft problem statement, alternatives, and options. This document, along with the "clunker FMP" combining the 1990 FMP with all subsequent amendments, provides a review of the FMP and a discussion of how and to what degree federal requirements are addressed within the FMP. Also provided are preliminary options for modifying FMP provisions and areas where the Council may want to recommend changes to the FMP's management measures. This preliminary review discussion paper was sent out in a Council mailing on March 21, 2011; the "clunker FMP" was sent out on March 11, 2011.

Under the flexibility provision of the NS1 Guidelines for Pacific Salmon (50 C.F.R. 600.310(h)(3)), the Council may propose an "alternative approach" for the specification of reference points and management measures to satisfy NS1 requirements, so long as the approach is consistent with the MSA and the Council documents its rationale. In January 2011, the Council sent NMFS a letter requesting clarifying rulemaking to effectively remove the ACL requirement from the Council process relative to its salmon fisheries. In the alternative, it also requested clear direction on the applicability of an alternative approach for satisfying the ACL and NS1 requirements. NMFS replied that: (a) Alaska salmon fisheries cannot be exempted; (b) the Salmon FMP must comply with MSA and NS1 requirements; (c) State salmon escapement goal management appears to be consistent with the MSA and NS1 requirements; and (d) an alternative approach to satisfy those requirements may be appropriate because of salmon life history characteristics. In its letter, NMFS confirms that the State's August 31, 2010 letter to the Council on its escapement goal management appears to provide the needed rationale. The March 15, 2011 letter from NMFS, the January 28, 2011 letter from the Council, and the August 31, 2010 letter from the State are available as appendices to the preliminary review document (Section 7).

Gretchen Harrington gave the staff report on this agenda item. The AP gave their report and the SSC did not address this issue. Public comment was heard.

COUNCIL DISCUSSION/ACTION

Ms. Campbell moved the following:

Develop Alternative 3 as the preliminary preferred alternative for an initial review draft FMP and continue to expand discussion of FMP provisions the Council could consider changing or adding, as directed below:

Preliminary Preferred Alternative

Alternative 3: Modify the FMP to exclude the three historical fishing areas in the West Area. In areas where the Salmon FMP applies, management would be deferred to the State of Alaska.

Direction for Salmon FMP Additions

Fishery Impact Statement: Use existing documents to the extent possible to describe the fisheries occurring under the FMP.

Bycatch Management: Include a management objective to minimize bycatch and minimize mortality of unavoidable bycatch in the directed salmon fisheries, but defer bycatch management in the directed salmon fisheries to the State of Alaska. Document existing monitoring and management measures for initial review analysis.

Annual Catch Limits and Accountability Measures:

- Use the NS1 Guidelines exception for stocks managed under an international fishery agreement with regard to ACL/AM requirements for Chinook salmon harvests under the Pacific Salmon Treaty (*labeled Option 1 in analysis*).
- Use the state's salmon management program as an alternative approach to satisfy MSA requirements (*labeled Option 2 in analysis*).

Direction for Amending Existing Salmon FMP Provisions

Sport Fishery: Remove the sport fishery in the West Area from the FMP.

Management objectives:

- Prevent commercial directed fishing of salmon in the EEZ outside of the historical fishing areas.
- Manage stocks harvested in directed fisheries as a unit throughout their range; manage interrelated stocks as a unit or in close coordination.
- Retain management objectives for the directed commercial fisheries under the FMP in the East Area for future discussion (evaluate them against current state management objectives and the Pacific Salmon Treaty).

Salmon Plan Team: For fisheries remaining under the FMP, explore review provided under the State of Alaska salmon management program and Pacific Salmon Treaty processes as alternative peer review processes for status of the stocks and fishery information.

Federal Salmon Limited Entry Permits: Remove federal permitting provision.

Process for Review and Appeal: More fully describe the process for the public to appeal and request Secretarial review of state regulations and inseason actions.

Ms. Campbell spoke to her motion, addressing comments from public testimony. She noted that there is a desire from the public to create a secondary forum to address allocative issues taken by the Alaska Board of Fisheries. She noted that selecting Alternative 2 would not produce that outcome. The Federal outcome is limited to the EEZ, and not the outcome the stakeholders are asking for. Ms. Campbell noted that the desire of the State of Alaska is to maintain the current management structure to the extent possible. Of the alternatives available, Alternative 3 is the closest to the management structure now.

Mr. Tweit spoke to the management between the State of Washington and the Pacific Council, and noted that similar questions and difficulties are being faced by their area. He remarked that the management of the resources between the States of Washington and Oregon and the tribes, and the Pacific Council are quite similar to the management between the State of Alaska and the North Pacific Council, and that the States are primary managers and make allocative decisions.

Mr. Hull remarked that the Council should schedule a workshop to help inform stakeholders before initial review. It was generally agreed that it would be discussed under Staff Tasking.

Mr. Henderschedt noted his appreciation of the cooperative nature of the State of Alaska and the federal managers. He noted that a preliminary preferred alternative should serve to highlight what direction the Council may be take, and allows the public time to form their comments.

Mr. Fields is concerned about federal oversight of state management. Mr. Dersham supports the motion, but remains concerned about BOF comments.

Motion passed without objection.

C-3 (b) Chinook Salmon Bycatch

BACKGROUND

In December 2010, the Council initiated two amendments to address GOA Chinook salmon bycatch. The first amendment package addresses Chinook salmon bycatch in the GOA pollock fisheries through a hard cap or a mandatory cooperative requirement. The Council requested that this action be completed on an expedited timeframe, and indicated that this action was an extremely high priority. A longer-term amendment package will address comprehensive salmon bycatch management in all the GOA trawl fisheries, and will evaluate a broader suite of management measures to reduce bycatch.

The analysis evaluates amending the GOA Groundfish FMP either to create a PSC limit for western and central GOA pollock fisheries that would close the fishery once reached (Alternative 2), and/or require all vessels participating in the western/central GOA pollock fisheries to be a member of a salmon bycatch conservation cooperative (Alternative 3). The cooperative would include contractual requirements to retain all salmon until counted by an observer, and other salmon bycatch reduction measures.

NMFS has raised concerns with the administration of the mandatory cooperative alternative. Specifically, the administration of cooperatives (including approval of annual cooperative contracts and any penalties for violation of the cooperative agreement) must be implemented in a manner that maintains NMFS' management authority over the fishery. Whether cooperatives would be able to serve their intended purpose, while maintaining a level of oversight that maintains that authority, is uncertain.¹ An additional concern arises from a mandatory reporting of catch data within cooperatives. Any such reporting requirement would need to comport with data confidentiality constraints.

As of March 19, 2011, the estimate of Chinook salmon prohibited species catch in the GOA pollock fisheries is 1,641 in the Central GOA and 360 in the Western GOA. These numbers are still fluctuating, however, as more observer information is entered into the system. In previous years (2003-2010), approximate catch levels at this time of year in the Central GOA pollock fishery varied between 800 and 26,000 fish, and in the western GOA between 217 and 2,100 fish (although in some years, the numbers cannot be reported because of confidentiality). The total Chinook salmon prohibited species catch in the GOA for all target fisheries is estimated at 2,439 fish through March 19.

At the February meeting, the Council asked that, to the extent possible, staff conduct outreach meetings in communities potentially affected by the proposed action between the March/April and June meetings. The Outreach Committee will provide further direction on this effort when they next meet. In the meantime,

¹ In a voluntary cooperative structure (where a vessel has a reasonable fishing opportunity outside of a cooperative) management authority would be maintained, as membership is not a prerequisite to participating in the fishery.

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however, two of the Subsistence Regional Advisory Councils (for Southcentral and Southeast) requested staff to provide a brief presentation on the Council's proposed action during their spring meetings.

Diana Evans, Mark Fina, and Darrell Brannan gave the staff report on this issue. They reviewed the analysis and briefly reported on outreach efforts.

COUNCIL DISCUSSION/ACTION

Ms. Campbell moved the following, which was seconded:

The Council adopts the preliminary preferred alternative (PPA) and changes to alternatives and options described below. The Council requests staff revise the analysis and address SSC minutes, as practicable, and release the document for public review and final action in June. Additions to the February 2010 Council motion are shown underlined and deletions are shown in strikethrough. Options that comprise the PPA are in bold.

Problem statement:

Magnuson-Stevens Act National Standards require balancing optimum yield with minimizing bycatch and minimizing adverse impacts to fishery dependent communities. Chinook salmon bycatch taken incidentally in GOA pollock fisheries is a concern, historically accounting for the greatest proportion of Chinook salmon taken in GOA groundfish fisheries. Salmon bycatch control measures have not yet been implemented in the GOA, and 2010 Chinook salmon bycatch levels in the area were unacceptably high. Limited information on the origin of Chinook salmon in the GOA indicates that stocks of Asian, Alaska, British Columbia, and lower-48 origin are present, including ESA-listed stocks.

The Council is considering ~~several~~ management tools for the GOA pollock fishery, including a hard cap and cooperative approaches with improved monitoring and sampling opportunities to achieve Chinook salmon prohibited species catch (PSC) reductions. Management measures are necessary to provide immediate incentive for the GOA pollock fleet to be responsive to the Council's objective to reduce Chinook salmon PSC.

Alternatives:

Alternative 1: Status quo.

Alternative 2: Chinook salmon PSC limit and increased monitoring.

Component 1: PSC limit: 15,000, **22,500**, or 30,000 Chinook salmon PSC limit.

Option: The PSC limit may be exceeded by up to 25 percent one out of three consecutive years. If the PSC limit is exceeded in one year, it may not be exceeded for the next two consecutive years.

Apportion limit between Central and Western GOA

- a) proportional to the historical pollock TAC (2006-2010 or **2001-2010 average**).
- b) proportional to historical average bycatch number of Chinook salmon (2006-2010 or **2001-2010 average**).

Option: drop 2007 and 2010 from both regulatory time series.

- c) **as a combination of options (a) and (b) at a ratio of a:b equal to**

Suboption i: 25:75

Suboption ii: 50:50

Suboption iii: 75:25

Central and Western GOA PSC limits and the 25 percent buffer would be managed by area (measures to prevent or respond to an overage would be applied at the area level, not Gulfwide). A

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25 percent buffer would not apply in the first year of the program if a PSC limit is implemented midyear.

Chinook salmon PSC limits shall be managed by NMFS in-season similar to halibut PSC limits.

~~If a Chinook salmon PSC limit is implemented midyear in the year of implementation, an amount should be deducted from the annual PSC limit in that year. The deduction should be equal to the contribution that would have been made based on historical averages (selected above) in the seasons preceding implementation.~~

If it is not possible to implement a Chinook salmon PSC limit in the first year for the full calendar year, it shall be implemented midyear for C and D seasons. The PSC limits under this scenario for C and D seasons, combined, will be as follows:

Central GOA: 7,710 Chinook salmon

Western GOA: 5,598 Chinook salmon

Component 2: ~~Expanded observer coverage:~~ Improved Chinook salmon PSC estimates:

Extend existing 30% observer coverage requirements for vessels 60'-125' to trawl vessels less than 60' directed fishing for pollock in the Central or Western GOA.

Require full retention of all salmon in pollock trawl fisheries.

NMFS shall work with the processors to evaluate and address the quality of sorting at the plants to assist improvements in observer salmon estimates. The Council encourages NMFS to apply lessons learned from the BSAI to the GOA where applicable.

Processing plants, with assistance from NMFS, should endeavor to ensure their fish tickets accurately reflect the species and number of salmon, which will be delivered and sorted as salmon bycatch at their facilities.

NMFS is also encouraged to collaborate with industry to facilitate information sharing in order to speed delivery of in-season data (total catch and salmon counts, by species) for the NORPAC data system and Catch Accounting System.

~~Alternative 3: Mandatory salmon bycatch control cooperative membership.~~

~~The requirement for salmon PSC to be discarded at sea would not apply to directed GOA pollock fishing.~~

Ms. Campbell spoke to her motion. With respect to timing of final action, she noted that while people are asking for more time to adjust to a cap, the time required will be available before implementation, and is not necessary before final Council action. Any additional information that may be available by December would not affect the Council's decision. Selecting a preferred alternative serves to notice the public of the Council's intent at this time, and she spoke to her reasons for selecting 22,500 as the PSC limit: balancing minimizing Chinook salmon bycatch, but providing for OY in the pollock fishery to the extent practicable.

Ms. Campbell noted this in an interim measure until the Council can adopt an entire package with management tools for the fleet. Ms. Campbell reviewed the calculations and worksheet attachments.

There were questions and clarifications on timing, and it was determined that mid-year implementation is available.

Mr. Henderschedt moved to amend the preamble to say, “final action in December.” He noted that he agrees with Commissioner Campbell’s comments on giving industry time to prepare itself for fishing under a cap, and that work needs to start now, Is not relevant to when the Council may take action. However, he would like to ensure that the Council process is accessible to affected stakeholders who may not be able to attend the June Council meeting. Mr. Dersham remarked that there may be no new information available in December, and will be opposing the motion, and noted that the longer that the item stays on the agenda, the more it takes away from other pressing matters.

Chairman Olson remarked that the Council usually does not set timelines in a motion. There was general discussion regarding timing of final action between now and December.

Mr. Benson offered a substitute motion to strike any reference to timing. It was seconded by Dr. Balsiger. Mr. Benson noted he does not like the Council to be bound by any timing reference. Ms. Campbell remarked that it’s important to notice the public of their intentions, in whatever way. **The substitute amendment passed with Mr. Cotten objecting.**

Mr. Tweit moved to amend the motion by removing 22,500 from the PPA, and instead put 30,000 as the number. Mr. Benson seconded the amendment. He spoke to his motion, noting this is the first step to construct a bycatch reduction program that will ultimately end up with lower bycatch. He noted that the 30,000 number is derived from the ESA threshold. There was lengthy discussion regarding numbers. **Mr. Henderschedt proposed 26,500 as a substitute motion, and the calculations that follow on page 2 and 3 to be adjusted to reflect the new number. Mr. Benson seconded the motion.** Mr. Henderschedt noted that by going through the process of selecting a PPA, the Council also has to state their rationale, and he is not comfortable with the lower number, because it does not address the potential for considerable increases in pollock biomass, and a cap at that level could be constraining. Mr. Benson supports a higher number because it would relieve pressure on the fleet. Mr. Fields is opposed to a higher number. Mr. Dersham understands the need to select numbers, however is concerned about beginning a procedure now for a long term solution. He agrees with the Commissioner’s choice noting she has had to balance the various stakeholders’ interests.

Mr. Tweit notes that the Council should work with the fleet, and hopes that bycatch should be at such low levels that it is not impeding the recovery of those stocks, and the Council will be discussing the best way to get there as soon as possible.

The motion failed 4/7 with Benson, Henderschedt, Hyder, Tweit voting in favor. Mr. Tweit, with concurrence of his second, withdrew his amendment.

Mr. Fields moved to amend by adding below Alternative 3: The Council further requests NMFS prioritize resources and expedite GOA Chinook bycatch genetic sampling protocols, as well as analysis, and as soon as possible provide the Council with any available stock identification information. Mr. Fields spoke to his motion, noting that lack of information impedes optimum decision making by the Council. There was discussion on who would be involved, and how it would fit in the analysis. Mr. Fields noted that he is not revising existing genetic sampling priorities, but is intending to underscore this issue’s importance without waiting for final action. **The motion failed with Mr. Fields, Ms. Campbell, Mr. Cotten, Mr. Hyder, and Mr. Olson voting in favor.**

Mr. Fields spoke to the final motion, noting there is no information indicating that reduced Chinook bycatch would affect local stocks, but rather hopes that changes in behavior and a long term program

would reduce bycatch of the stock. It was generally agreed that a discussion regarding next steps of a bycatch reduction program and timing of final action, would occur during the staff tasking agenda item.

Mr. Hull thanked the Commissioner for balancing the two objectives of achieving OY and reducing bycatch.

The main motion passed without objection.

C-4 (a) Final action on change of IFQ/IPQ Application Deadline.

BACKGROUND

Under the crab program, annually issued individual processing quota (IPQ) have a one-to-one correspondence with a specific portion of the annually issued individual fishing quota (IFQ) pool – “Class A IFQ”. Use of either these IPQ or “Class A IFQ” requires matching with the other share type, on a pound for pound basis. To ensure applicants have adequate due process opportunity to contest any finding concerning qualification for an allocation, at the time of annual issuance of IFQ and IPQ, NOAA Fisheries sets aside quota (either IFQ or IPQ, as the case may be) in an amount needed to cover any possible claim of an applicant, should the final determination favor the applicant. As a result, any application disputes not finalized at the time of the allocation of IFQ and IPQ have the potential to strand quota of the other share type, in the event the applicant does not appeal or does not prevail on appeal (since the withheld quota cannot reasonably be issued to other qualified applicants). This action would move the application deadline from August 1st to June 15th to allow additional time to finalize some appeal filings and proceedings, thereby reducing the potential for stranded quota. In addition, the action would shorten the time to appeal initial administrative decisions denying a QS holder or PQS holder an allocation of IFQ or IPQ, respectively, from 60 days to 30 days. This shorter time for appeal could also result in more final administrative decisions, further reducing the potential for stranded quota. Lastly, the action would also modify the current regulations to provide that an IFQ or IPQ applicant’s proof of timely filing of an application would create a presumption that the filing was made. This regulation could serve a few purposes. First, applicants who keep records of filing would effectively resolve any dispute prior to an administrative finding that an application was not filed. Adopting a practice of maintaining records of filings would certainly aid applicants should NOAA Fisheries dispute the timely filing of an application. Secondly, resolution of initial administrative decisions on appeal could be streamlined. If the Office of Administrative Appeals relies on such a rule for any finding related to cases in which IFQ and IPQ applicants allegedly failed to apply for annual allocations, appellate determinations would be relatively certain.

Mark Fina gave the staff report on this agenda item. The AP gave their report, and public comment was taken. The SSC did not address this agenda item.

COUNCIL DISCUSSION/ACTION

Dr. Balsiger moved, which was seconded, to adopt:

Alternative 2: earlier application deadline and shortened time to appeal denials of IFQ or IPQ.

The action alternative would:

- 1) Move the cooperative and IFQ and IPQ application deadlines to June 15th;**
- 2) Reduce the period to appeal an initial administrative determination denying an allocation of IFQ or IPQ to 30 days; and**

- 3) **Provide that an applicant's proof of timely filing for IFQ or IPQ creates a presumption of timely filing.**

Additionally, adding the phrase "...and shortening the appeal period" after "Moving the application deadline to an earlier date for IFQ and IPQ" in the problem statement.

Dr. Balsiger noted the AP voted 20/0 for this motion, and public testimony is in favor of Alternative 2. Additionally, h noted the action may help achieve optimum yield by reducing the potential for stranded IFQ, while maintaining the management program's incentives to prevent overfishing.

Mr. Tweit moved to amend by adding, that the Council deems proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with section 303(c), and therefore the Council authorizes the Executive Director and the Chairman to review the draft proposed regulations when provided by NMFS to ensure that the proposed regulations to be submitted to the Secretary under section 303(c) are consistent with these instructions. The amendment passed without objection.

The amended main motion passed without objection by roll call vote.

C-4 (b) Crab Data Collection

BACKGROUND

At its October 2010 meeting, the Council received a report from staff concerning the development of alternatives to revise the crab Economic Data Reports (EDR) to improve the accuracy and efficiency of data reported in that program. Based on this report, public testimony, and its experience with the data collection initiatives, the Council requested staff to prepare a discussion paper that could be used to finalize alternatives for an amendment package to revise the crab EDR. The Council specifically requested staff to develop four alternatives to the status quo using the following structure:

- 1) critical operational components by individual crab fishery,*
- 2) critical operational components from all crab fisheries (aggregated across all crab fisheries),*
- 3) critical operational components from all fisheries (aggregated across all fisheries), and*
- 4) all operational components by individual crab fishery (similar to current data collection program). (updated status quo)*

Mark Fina gave the staff report on this issue. The AP gave their report, The SSC had given their report earlier and public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Henderschedt moved to move forward with the staff analysis of the harvester and processor EDR alternatives and elements shown in attached tables XX. Additionally, notes and recommendations from the SSC should be incorporated into the analysis. The motion was seconded.

Mr. Henderschedt commended the harvesting and processing sectors in producing a logical process to produce a logical recommendation on moving forward. There were general questions of clarification and brief discussion on the motion. Mr. Henderschedt commented that developing a generalized format for reporting is very problematic, and a proxy is a better choice. Data collection and reporting is an ongoing process and modifications can be made.

Mr. Fields moved, which was seconded, to move the line on Appendix B page CVI under “Fishing Data, crew port and transiting days from home port to port and the vicinity of grounds” for staff analysis. Mr. Fields noted that if it is problematic, the Council has time to drop the alternative, but the line could be included under Alternative 2 and 3 for analysis. **There were general questions of clarification, and the motion passed without objection.**

Mr. Fields moved to amend, which was seconded by Mr. Cotten, in Appendix A “crew charges and deductions” to include by value for analysis. Mr. Fields would like to see specific amounts so the Council could make an informed decision as to whether or not adding the deductions by actual costs would illuminate the way crew is being treated.

There was discussion regarding if the information produced would justify the effort.

The amendment passed 7/4, with Tweit, Benson, Henderschedt, and Hyder opposing.

The amended main motion passed unanimously.

C-4 (c) Pribilof Island Blue King Crab Rebuilding Plan

BACKGROUND

*At this meeting the Council will take final action on the Pribilof Blue King Crab Rebuilding Plan EA/RIR/IRFA. The new analysis evaluates proposed alternative rebuilding measures for the Pribilof Islands blue king crab (*Paralithodes platypus*) stock. The Pribilof Islands blue king crab stock remains overfished and the current rebuilding plan has not achieved adequate progress towards rebuilding the stock by 2014. This revised rebuilding plan considers five alternatives. Four of the alternatives are different non-triggered closure configurations to restrict groundfish fisheries which have contributed to bycatch of this stock above a specified threshold in the areas of the stock distribution. The fifth alternative considers trigger caps and associated area closures in these groundfish fisheries. The impacts of these alternatives on rebuilding the Pribilof Island blue king crab stock as well as the environmental and social/economic impacts of these measures are considered in this analysis. Analysis of the impacts of these closure configurations on the rebuilding potential for the PIBKC stock shows limited effect on rebuilding between the ranges of alternative closures.*

The analysis has been revised per Council and SSC modifications to the extent possible noting that an additional closure per Council motion was not included. The Council’s motion requested that staff “Add an additional closure configuration to Alternative 4C and Alternative 5e based on considerations of both recent bycatch as well as survey distribution.” The public review draft contains a discussion of, and a series of maps showing the relative distributions of survey and bycatch of the stock over a range of time periods. However, as explained in section 2.9 of the EA, the analysts did not identify an additional closure due to the lack of temporal clarity and patterns in the bycatch of the stock at this time. Should the Council wish to delineate an additional closure based on this information at final action it could do so and analysts would indicate where within the existing analysis the likely impacts of that closure could be interpolated.

At this meeting the Council will take final action to identify a preferred alternative for the rebuilding plan.

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Diana Stram and Bob Foy gave the staff report for this agenda item. The AP gave their report, and the SSC did not review the analysis at this meeting. Public comment was heard.

COUNCIL DISCUSSION/ACTION

Mr. Henderschedt moved, which was seconded, to:

- 1. Take final action to revise PBKC rebuilding plan no sooner than October 2011**
- 2. Address comments by AP as appropriate**
- 3. Under Option 5D (Distribution of PIBKC from 1984-2009) Suboptions 3 and 4, analyze allocation of trigger cap to:
Non-Pelagic Trawl 40%
Hook and Line 20%
Pot 40%**

The analysis should explore this gear allocation as part of the specification process

- 4. For that part of the analysis, include to the extent practicable, historical bycatch from entire PIBKC district.**
- 5. Discussion of spatial boundaries for catch accounting extrapolation to prevent application of St. Matthew blue king crab stock bycatch rates to Pribilof Island blue king crab catch.**

Mr. Henderschedt spoke to his motion noting that for timing purposes it is better to take action later, in order to provide time to add some additional analysis to the document and time for the Council to have the results of the May CPT and June SSC comments. By adding a suboption, gear allocation: in all bycatch management, the Council has promoted responsibility (in gear groups) from one affecting the operations of another. He notes that it's essential to partition a trigger cap in a way that insulates the various gear groups from each other, and a percentage based allocation of the trigger could accomplish this.

There was general discussion regarding gear groups and their caps.

Mr. Tweit moved to amend, by including in alternative 5, a qualitative assessment of other possible tools for achieving triggered closures. This may include other possible tools such as the relative merits of a different approach to establishing a cap based upon range of threshold levels whereby upon reaching the threshold the gear group which contributed the most towards that threshold at that time would be closed out of the designated area.. There was discussion regarding the general merits of using ACL, and **the amendment passed without objection.**

There was a general discussion regarding areas other than 5D. Should the Council decide to choose another trigger closure area other than 5D, it would be preferable if it had been analyzed, but implications could be pulled from closure data from that area that had been analyzed. It was agreed that the analysis could include a qualitative discussion of how the gear allocation could occur in the annual specifications process. There was also a brief discussion regarding timing and the ability to get data to the public.

Mr. Fields moved to amend the motion by taking out the date of October. The motion was seconded, and passed without objection. The amended main motion passed without objection.

C-4 (d) Finalize Alternatives for the Tanner Crab Rebuilding Plan.

BACKGROUND

*On October 1, 2010, the Council was informed by NMFS that the Bering Sea Tanner crab (*Chionoecetes bairdi*) stock is overfished according to criteria in the Fishery Management Plan for the Bering Sea/Aleutian Islands King and Tanner crab. This notification was based on the most recent stock assessment for Tanner crabs indicating that the stock biomass had declined below its minimum stock size threshold (MSST). The 2010 estimate of mature male biomass (MMB) at mating was 62.70 million pounds, below the MSST of 92.37 million pounds. In order to comply with section 304(e)(3) of the Magnuson-Steven Act (MSA), the Council and NMFS thus have two years from that notification to develop and implement a plan to rebuild the overfished Tanner crab stock.*

Under section 304(e)(4) of the MSA, the rebuilding plan for Tanner crab must specify a time period for rebuilding the fishery that is as short as possible, taking into account the status and biology of the stock, the needs of fishing communities, and the interactions of the stock within the marine ecosystem. The rebuilding plan shall not exceed 10 years, except if the biology of the stock of other environmental conditions dictate otherwise.

At this meeting the Council will begin consideration of alternative management measures for rebuilding the Tanner crab stock. These measures may include a combination of directed fishery constraints, bycatch constraints in other fisheries and other considerations. Once alternative management measures have been finalized by the Council, analysts will provide an analysis of these measures in an appropriate NEPA document for initial review by the Council. A discussion paper which provides an overview of the Tanner crab stock status, development of an assessment model and recent catch estimates in both the directed Tanner crab fishery as well as non-directed catch in other crab fisheries, groundfish fisheries and scallop fisheries. A Tanner crab stock assessment model is under development and will be reviewed by the SSC at this meeting. An update on the assessment model development will be provided to the Council by Council staff in conjunction with the discussion paper on rebuilding alternatives for the stock.

Diana Stram gave the staff report on this issue. Lori Swanson gave the AP report, and the SSC had given their comments earlier. Public comment was taken.

COUNCIL DISCUSSION/ACTION

Ms. Moreland moved to recommend the CPT develop rebuilding alternatives in May with the SSC's comments. Her motion was seconded. She noted that as the Council considers finalizing alternatives, discussion of any potential alternatives should recognize that any limits on Tanner crab bycatch, or an increase in limits must be requested through the board of fisheries. She clarified that any change in bycatch in crab directed fisheries are category 3 measures, and would need to be developed with the board of fisheries. **The motion passed without objection.**

C-5 (a) EFH Omnibus amendments

BACKGROUND:

The EFH omnibus amendments implement technical changes to EFH descriptions in the Council's FMPs, which were identified during the 2010 EFH 5-year review. In early March 2011, the Council received a public review draft of an Environmental Assessment to evaluate the proposed actions. There are seven actions included in this omnibus EFH amendment package. The proposed actions are FMP amendments only; there are no regulations that will be changed as a result of these amendments.

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At initial review, the Council removed the action specifically updating EFH description information for salmon species in the Salmon FMP, as a new methodology to better delineate EFH is currently being reviewed by the AFSC. The resulting Salmon FMP revisions will come before the Council as part of a subsequent amendment.

Additionally, at the February meeting, the Council made a policy statement clarifying how HAPC priorities are considered during future HAPC proposal cycles. The Council has indicated that a HAPC priority exists exclusively for the duration of a Council HAPC proposal cycles. This means that HAPC site proposals for a previously-designated HAPC priority may not be submitted on a continuing basis, and need not be accepted unless (a) the Council re-designates that particular HAPC priority, or (b) NMFS brings forward compelling information to suggest that the Council should re-designate the HAPC priority. This policy statement has been reflected in Action 6.

Diana Evans gave the staff report on this issue and reviewed the analysis and recommendations to the Council. John Olson briefly reported on NMFS' recommendations. Lori Swanson gave the AP report, and the SSC had given their report on this issue earlier. There was no public comment, and the Ecosystem Committee had given a written report on this agenda item.

COUNCIL DISCUSSION/ACTION

Mr. Tweit moved, which was seconded, to adopt the following actions regarding EFH:

- 1. Amend the EFH description of the BSAI Groundfish FMP for all twenty-four groundfish species or complexes.**
- 2. Amend the EFH description of the GOA Groundfish FMP for all twenty-four groundfish species or complexes.**
- 3. Amend the EFH description of the BSAI King and Tanner Crab FMP for the five crab species or complexes.**
- 4. Amend the EFH description of the Alaska Scallop FMP for the weathervane scallop.**
- 5. Amend the EFH conservation recommendations for non-fishing activities in all Council FMPs.**
- 6. Revise the timeline for considering HAPCs from three to five years in all Council FMPs.**
- 7. Revise the research objectives for EFH in the five Council FMPs subject to the 2010 EFH review (excludes the Arctic FMP).**

In taking this action, the Council recognizes that certain EFH components under its Salmon FMP and that an examination of the effects of fishing on spawning and breeding of Bristol Bay Red King Crab in Southern Bristol Bay under its BSAI King and Tanner Crab FMP continue to be reviewed and any resulting changes to the EFH description for these species will be initiated as separate trailing amendments.

Mr. Tweit spoke to his motion, noting that this action has been carefully vetted by the Plan Teams and the SSC, and is consistent with NMFS recommendations. Two actions will follow: 1. Salmon FMP, (delineating salmon EFH) and 2. Discussion of spawning and breeding of BBRKC. **The motion passed unanimously by roll call vote.**

C-5 (b) EFH Bristol Bay Red King Crab

BACKGROUND:

In April 2010, the Council reviewed the summary report of the 5-year review of essential fish habitat (EFH) provisions. The report addresses new habitat information available since the last comprehensive review of EFH, documented in the 2005 EFH EIS, and how it pertains to the EFH provisions of the Council's fishery management plans (FMPs) for BSAI and GOA groundfish, BSAI crab, Scallop, and Salmon.

During the Crab Plan Team's review of EFH information pertaining to crab species, the Plan Team recommended that further analysis should be undertaken to evaluate fishing effects on crab stocks, and determine whether the conclusions in the FMP are valid. Distribution of crab stocks, particularly red king crab, has changed since the analysis in the 2005 EFH EIS. Additionally, the methodology used in the 2005 effects of fishing analysis may not adequately capture actual impacts of fishing on crab populations. Other parameters may need to be considered for crab stocks, such as the importance of spawning and larval distribution relative to oceanographic currents (pelagic habitat) for crab settlement. This is applicable to the assessment of all crab stocks. Also, the conclusions in the 2005 EFH EIS imply that more is known about the effects of fishing on the habitat needs and life history stages of crab (especially growth to maturity) than can be substantiated, based on research-to-date. Therefore the Crab Plan Team recommended further evaluation of the effects of fishing be undertaken.

Consequently, the Council asked staff to prepare a discussion paper to further examine the Crab Plan Team's recommendation to re-evaluate the effects of fishing on crab stocks. The paper also looks at the importance of southwestern Bristol Bay for red king crab populations, and whether and how interactions with the trawl fisheries in that area may be impacting the crab stock. Existing crab protection areas are evaluated in light of new information about shifting populations. The discussion paper also provides some clarification on the issues raised by the Plan Team with respect to the methodology that was used in the 2005 evaluation of fishing effects, focusing specifically on red king crab as an example crab species, and considering whether the appropriate parameters for crab stocks are included in that analysis (such as the importance of spawning and larval distribution relative to oceanographic currents for crab settlement). The paper presents options for Council action to protect southwestern Bristol Bay through EFH or HAPC conservation measures.

Diana Evans and Dr. Bob Foy gave the staff report on this issue, and Ms. Evans also gave the Ecosystem Committee report on this agenda item. The SSC had given their written report earlier. Lori Swanson gave the AP report, and public comment was heard.

COUNCIL DISCUSSION/ACTION

Mr. Tweit moved, which was seconded, to expand the BBRKC EFH discussion paper with the following priorities:

- **A discussion of the efficacy of the existing red king crab closure areas.**
- **A discussion of the importance of environmental variables on red king crab distribution, in particular in the Amak area, as well as the importance of removals from this area.**
- **An expanded discussion of fishing intensity with regard to recent sweep modifications and reduced bottom contact, and a more robust comparison of years in regards to fishing intensity.**

Mr. Tweit spoke to his motion, noting that this action is a part of the overall examination of EFH.

Motion passed unanimously.

C-6 Final action to revise management of the GOA Pacific cod jig fishery

BACKGROUND

In December 2010, the Council received a discussion paper that reviewed options to revise management of the GOA Pacific cod jig fishery. The Council decided to initiate an analysis of two alternatives, including the status quo fishery and the proposed “reverse parallel fishery.” The proposed action would open Federal waters to directed fishing for Pacific cod with jig gear concurrent with the State of Alaska Guideline Harvest Limit (GHL) fishery for Pacific cod in the GOA. Catches in Federal waters would accrue to the State jig GHL, which is specified as a percentage of the GOA Pacific cod ABC. Jig gear was recently exempted from the Limited License Program (LLP) requirement in the GOA subject to gear limits.

Under the proposed action, operators using jig gear would likely have year-round access to Federal waters. In the absence of this action, jig operators would only have access to Federal waters during the parallel/Federal waters A and B seasons, and the timing of the jig fishery may continue to be a factor limiting jig catches. At this meeting, the Council is scheduled to take final action on the proposed amendment.

Jeannie Heltzel gave the staff report on this agenda item, and Karla Bush gave the state report on the State of Alaska management of Pacific cod. Glenn Merrill also gave brief clarifications regarding NMFS management related to Pcod. Lori Swanson gave the AP report, and the SSC had given their report earlier. Roy Hyder gave the enforcement report on this agenda item. Public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Dersham moved to recommend selecting Alternative 2 as the preliminary preferred alternative (PPA) and delaying final action not soon than December 2011. This will provide opportunity for the Alaska Board of Fisheries to comment and take action in October. The Council further recommends the final action include a list comparing State and Federal management regulations. Additionally, the Council requests options to include prohibiting the use of any other gear type onboard while fishing in the federal jig fishery. The motion was seconded by Mr. Cotten.

Mr. Dersham spoke to his motion, recognizing there is a need for staff of the Council and state staff to be available to the BOF to explain action. He noted there have always been hurdles to provide opportunities to new entrants, and actions both the Council and State have taken tried to increase participants and other gear types but are still a barrier to new entrants in particular, and small rural communities in general as the cost of entry make it prohibitive to start up. This action has real potential to bring new entrants into fishery at a cost they can afford, potential to expand efficiency and participation to people who are already participating in the fishery in and around Kodiak. Participants in parallel and state managed pot fisheries are similar, and he hopes this can bring in new participants.

There was brief discussion regarding the Council submitting proposal to BOF, and to notice the BOF of the Council’s actions. It was agreed that the Council examine management areas for which they are to apply and to address MRA/IRIU differences. There was continued discussion regarding comparing state and federal regulations. It was generally agreed NMFS can inform Board.

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Discussion continued regarding enforcement concerns and it was generally agreed the Enforcement Committee can address this issue at the October meeting. Capt. Cerne noted that there is precedent for this sort of proposal and that regulations are already in place. Mr. Fields noted his disappointment that the Council is not taking action at this meeting, and the motion passed without objection.

Motion passed without objection.

There was a brief discussion regarding federal observers fishing in state waters. It was generally agreed to discuss the issue during the observer program report.

D-1 Scallop Management

BACKGROUND

The Scallop Plan Team met in Anchorage on March 7-8, 2011 to review the status of the weathervane scallop stocks in Alaska, to prepare the Stock Assessment and Fishery Evaluation (SAFE) report and to recommend an acceptable biological catch (ABC) level in anticipation of a pending amendment to the FMP to meet Annual Catch Limit (ACL) requirements. The SAFE report was mailed to you on March 11th. The SAFE report provides an overview of scallop management, scallop harvests and the status of the regional weathervane scallop stocks. Scallop stocks are neither overfished nor approaching an overfished condition.

Diana Stram gave the staff report on this issue. Lori Swanson gave the AP report, the SSC had given their report earlier, and there was no public comment.

COUNCIL DISCUSSION/ACTION

Mr. Tweit moved that Council adopt SSC recommendation of an ABC of 1.161 million lbs of shucked meats for the statewide weathervane scallop stock for the 2011-2012 scallop fishing season, consistent with the control rule set forth in the Council's motion; and that the council adopt the SAFE with the SSCs comments included to the extent practicable noting that at least a fair number of those comments are intended primarily to be addressed prior to the 2012 report. The motion was seconded.

Mr. Tweit spoke to his motion, and noted as per our usual process, the Scallop PT provided their recommendation to SSC, and now recommends the pounds. **The motion passed without objection.**
Motion passed without objection.

D-2 (c) EA and EFP to Approve an EFP to test salmon excluder devices in the Eastern Bering Sea pollock fishery

BACKGROUND

Gauvin and Associates LLC has applied to the Alaska Region of NMFS for issuance of an Exempted Fishing Permit (EFP) for continued research on salmon excluder devices in the Bering Sea pollock trawl fishery. This EFP would allow continued development and testing of salmon excluder devices with focused efforts on reducing chum salmon bycatch and refinement to the Chinook salmon excluder device for use in the walleye pollock fishery.

The experiment would be conducted from Fall 2011 through Fall 2012. The primary objective would be

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the development and testing of an excluder that reduces chum salmon bycatch rates without significant negative effects on pollock fishing. An excluder would also reduce potential effects on the salmon stocks and cost to the pollock fishing industry. Additionally, a secondary objective under this EFP would be to examine two possible improvements to the Chinook salmon bycatch reduction performance of the final version of the Chinook salmon excluder developed under EFP 08-02.

A draft EA for the EFP was prepared by NMFS staff and was sent out in a Council mailing on March 11, 2011.

John Gauvin gave a report on the EFP and the excluder device, and Mary Grady gave a report on the EA. The AP gave their report, the SSC had given their report earlier, and public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Henderschedt moved, which was seconded, to approve the EFP to test excluder devices in 2011 and 2012. He noted that the Council has received two reports on work that has been done, and work that is planned, and is a good example of leveraging the resources of the Council to make huge strides in bycatch reduction therefore more work is warranted. **Motion passed without objection.**

D-2 (a) Receive Report on Halibut Bycatch Discard Survival EFP.

BACKGROUND

This Final Report is intended to provide information on the experiment by the North Pacific Fisheries Foundation (NPF) to examine a proposed method of measuring the survival of Pacific halibut bycatch while participating in Bering Sea/Aleutian Islands (BSAI) non-pelagic trawl flatfish fisheries during 2009 and 2010. The NPF experiment was approved under Exempted Fishing Permit (EFP) 09-01. By regulation, trawl caught halibut must be immediately released with a minimum of injury after capture. The EFP was granted to allow holding of halibut onboard ship for the experiment. This research project was developed in cooperation with the Alaska Fishery Science Center and International Pacific Halibut Commission.

The F/T SEAFISHER, an Amendment 80 (A80) trawl vessel participating in cooperative quota and CDQ fisheries, served as the research platform during both years of the experiment. No additional halibut prohibited species quota (PSQ) was requested or used as part of this experiment. Halibut caught while conducting the experiment accrued against A80 cooperative PSQ in 2009 and CDQ PSQ in 2010.

The NPF survival experiment had three objectives:

- 1. Determine paired RAMP & IPHC viability assessment scores in individual halibut collected from hauls on board ship after capture by trawl during commercial fishing.*
- 2. Calculate and calibrate a RAMP mortality curve for halibut.*
- 3. Collect trawling, deck, and live tank environmental conditions data for determining fishing factors associated with halibut immediate, delayed, and total mortality.*

Todd Loomis gave the report on the Discard Survival EFP, and answered questions from Council members. The AP report was read, and public comment was taken. The SSC had given their written report earlier.

COUNCIL DISCUSSION/ACTION

Mr. Fields commented that although the experiment may not have met its goal, it was interesting and provided valuable information.

D-2 (d) Receive discussion paper on AFA impacts on Bering Sea cod trawlers

BACKGROUND

At its December 2010 meeting, the Council tasked staff to prepare a discussion paper on the Bering Sea (BS) winter Pacific cod fishery to determine if participating American Fisheries Act (AFA) vessels are adversely impacting participating non-AFA trawl catcher vessels. The Council tasking originates from a request by the Independent Cod Trawlers Association, who claimed that implementation of the AFA caused increased competition on the BS winter Pacific cod grounds to the point of adversely impacting their traditional winter cod trawl fishery.

Jon McCracken gave the staff report on this issue. The AP gave its report, and the SSC did not address this issue. Public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Fields noted that there is no conclusive data, but hears concerns and advocates. Knowing that, **he moved that the Council to take no further action at this time but instead encourage parties involved to formalize practices that have been already occurring, and work within industry to mitigate some of the concerns that have been voiced. The motion was seconded.** Mr. Fields spoke to his motion, stating that issues can sometimes be better solved informally than waiting for a regulatory action. Mr. Henderschedt noted that the winter cod fishery had an increase in the number of AFA vessels and a shortened season, but given the dynamic nature of the fishery and the many variables influencing participation in the fishery, it's not clear if there has been economic harm to the non-AFA trawl catcher vessels caused by the AFA vessels. If competition from AFA vessels on the winter cod grounds is significantly harming non-AFA trawl catcher vessels in the future, the Council could reconsider its action on this issue. **The motion passed without objection.**

D-2 (b) GOA Halibut PSC Limits

BACKGROUND

In February 2010, the Council reviewed a NMFS discussion paper that described the process for changing the halibut Prohibited Species Catch (PSC) limits in the Gulf of Alaska (GOA) and the Bering Sea/Aleutian Islands (BSAI). The Council set a priority for action to revise GOA halibut PSC limits.

In June, the Council briefly reviewed a preliminary discussion paper that provided 1) information identified in the GOA Groundfish FMP as necessary to change the halibut PSC limits and 2) preliminary data summaries. In December the Council reviewed additional information and tables. The Council identified its intent to prioritize action to reduce halibut bycatch in the near term (e.g., 2012). The Council reviewed additional requested information and NMFS comments on the different analytical requirements for management approaches the Council may take (i.e., plan amendment/regulatory amendment combination or annual specifications process). The Council requested additional information from the staff of the International Pacific Halibut Commission.

The Council could initiate an environmental assessment to support potential changes to GOA halibut PSC limits through the annual specifications process for 2012/2013. To do so the Council should identify at this meeting 1) a problem in the fishery; 2) goals and objectives for addressing the problem, and 3) a

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reasonable range of management alternatives for analysis. In October 2011, the Council could identify its preliminary preferred alternative for notification to the public in the proposed rule for the 2012/2013 annual specifications and identify its final preferred alternative in December for the final rule. Agency staff previously has identified that this approach may delay implementation of final specifications in early 2012 and affect pending halibut PSC apportionments in rationalized groundfish fisheries in the GOA.

In December 2010, the Council also requested a summary of previous actions for 2012 implementation that may be affected by potential future action to reduce GOA halibut PSC limits. Specifying changes in the GOA halibut PSC limit in the annual specification process poses several challenges for implementation and management of GOA groundfish fisheries. The potential scope of the analysis required to assess the implications of changing the overall GOA halibut PSC could be substantial and could complicate the ability of the agency to complete the analytical and rulemaking processes required to implement the annual harvest specifications in a timely manner. At a minimum, NMFS has identified the need to analyze the potential impact of any proposed revisions on the Central GOA Rockfish Program, AFA and Amendment 80 sideboards, and other fisheries that use halibut PSC.

Jane DiCosimo gave the staff report on this issue. Gregg Williams of the IPHC gave an additional report, and Glenn Merrill from NMFS commented on the sideboard issue. The AP gave their report, the SSC did not address this issue, and public comment was heard.

COUNCIL DISCUSSION/ACTION

Dan Hull moved a two page written motion which is attached to these minutes as Attachment 7.

Mr. Hull spoke to his motion, noting that his motion addresses questions about halibut stock concerns. IPHC staff estimate that yield loss from the current bycatch levels amounts to about 1/5th of potential production and identifying the biological impacts of bycatch mortality. Additionally, the problem statement speaks directly to reduced harvests and fishing opportunities in the directed fisheries. Mr. Hull recommends making the proposed smaller cuts until the harvesters have the tools to achieve larger cuts, but at the same time these proposed options will encourage trawl and fixed gear sectors to make choices about how to use reduced halibut PSC limits. He briefly discussed issues associated with taking action through the harvest specifications process and noted that his motion responded to agency and industry concerns about the potential delay for potfishing and final harvest specifications. He noted the motion states the Council can choose to bifurcate this action from the harvest specifications process at initial review in October.

There were questions of clarification. Mr. Henderschedt moved to amend, which was seconded, the problem statement by adding in the last paragraph, "...on the halibut catch limits and biomass," He spoke to his motion that the Council needs to be clear on dealing with allocative and conservation issues. Certain reductions of bycatch will result in less of a reduction of a catch limit. **Mr. Fields moved to amend the amendment by adding "...and all user groups," at the end of his proposed addition.**

There was brief discussion and **both amendments passed without objection.**

Mr. Henderschedt moved to amend by striking after "Amendment 80: ...and the proposed Rockfish program." And add: "No change to the halibut available to the proposed rockfish program is being considered under this action." He noted he does not anticipate further reduction in the amount of halibut available to the rockfish program. There was brief discussion from staff and clarification, and **Mr. Henderschedt withdrew his motion.**

Mr. Fields moved to amend by deleting the text “and the proposed rockfish program.” There was brief discussion and staff provided clarification. **Mr. Fields withdrew the motion.**

Mr. Henderschedt moved, and Mr. Benson seconded, to add:

Option 3: AFA, AM80, and Rockfish sideboards will

Suboption a. AM 80 sideboards will be redefined as specific numbers as calculated against existing status quo

Suboption b. Be applied as a percentage of the reduced halibut cap.

Mr. Henderschedt spoke to his motion, noting that two sideboards are expressed as a percentage, and one is expressed as a number. His motion is trying to establish decision points, rather than just a general action. There was brief discussion regarding percentages and numbers. **The amendment passed 8/3. With Campbell, Cotten, and Hull objecting.**

Mr. Fields moved to amend the last sentence and add: “In anticipation of this discussion, the Council requests staff prepare a white paper that surveys fishing management programs that allocate individual or cooperative bycatch or non-directed catch, in US, Canada or other countries.” Mr. Fields noted it would be helpful as this process progresses, to have more information. **Motion passed without objection.**

Mr. Tweit spoke to his objection of the main motion, noting that it is difficult to analyze cumulative effects on these fisheries, and objected to action after action targeting a specific fishery. He noted the Council is choosing to focus on biomass, and needs to give the fleets tools to reduce bycatch.

Mr. Hyder moved to amend in the last sentence: “In furtherance of above stated objectives, the Council recommends that staff develop a comprehensive FMP amendment and regulatory amendment and analysis of ways to reduce halibut bycatch by all sectors and gear types engaged in GOA groundfish fisheries.” **The motion was seconded by Mr. Fields.** Mr. Hyder spoke to his motion noting that this is an opportunity for the Council to fully state that a comprehensive regulatory amendment and FMP amendment will be started and drafted, so the Council can provide industry with the tools to accomplish things they want to do. There was brief discussion, noting that this analysis and the white paper mentioned in Mr. Field’s amendment, are two separate processes with two different timelines. **The amendment passed 8/2, with Cotten and Hull objecting.**

Mr. Henderschedt spoke to the main motion, and noted the issue still requires examination, as it is as much an equity and allocation issue as it is a conservation issue. He marked his uncertainty regarding mid-season implementation, and would like to make a full decision with adequate information.

Mr. Cotten supports the motion, and the end result will be less wasted fish, and will be anticipating the next step. Mr. Hyder is uncomfortable with the timeframe, and is disruptive to the fishery. He will not be supporting the motion. Mr. Fields supports the motion, and hopes to make a decision relative to PSC to have an analysis prepared for December and would like to continue to plan for that schedule.

Ms. Campbell noted her support of motion and does not believe action is targeting a single fishery or gear type. She wants to be fair and equitable in allocating fishery privileges. The simple action that may take place in TAC setting should not be the end of the issue. She will look to next step which is consideration of tools to provide improvements.

Mr. Henderschedt noted his was vigorously in opposition to any action that complicated implementation of current TAC setting process.

Motion passed 9/2 by roll call vote, with Benson and Tweit in objection.

D-3 Staff Tasking

Chris Oliver reviewed the list of items the Council had decided to address during staff tasking, with a few comments and additions from Council members.

Ms. Campbell spoke briefly about the 37 inch size limit for charter halibut in Area 2C, noting that the difference between the State and IPHC estimates is not as significant as initially thought. The discussions have highlighted the importance of a methodology for size limit and the Council moving forward to make these recommendations.

Mr. Fields requested to have a discussion relative to genetic sampling protocols and preliminary stock analysis, and to formalize the process.

Chairman Olson polled the Council members on timing of GOA Chinook bycatch in June, and there was brief discussion and clarifications from staff.

Lori Swanson gave the AP report, and public comment was taken.

COUNCIL DISCUSSION/ACTION

Ms. Campbell moved to approve the Crab Plan Team nomination of Heather Fitch. It was seconded, and Ms. Campbell noted that Ms. Fitch is the fisheries manager in Dutch Harbor. **The motion passed without objection.**

Mr. Fields moved to approve the February 2011 minutes. The motion passed without objection.

SSL Panel Update

Mr. Tweit gave the Council an update on the Washington/Alaska SSL panel, and noted that they are still choosing more panel members, and drafting terms of reference. It is expected that there will be one meeting in Seattle and one in Anchorage so there will be a review before the June Council meeting.

There was brief discussion about research needs, and it was generally agreed that the Council could request a review of research in the Western Aleutians in the 2011 field season from NMFS under the B reports.

AFA Vessel Rebuilding

Mr. Henderschedt requested to move forward with a discussion paper that examines the relevant AFA issues at it applies to the new vessel rebuilding language. He noted a good first step would be to apply the rights and restrictions of the replaced vessel onto the vessel that is replacing it. It was generally agreed.

Halibut Hired Skippers

There was lengthy discussion among Council members and staff regarding a table and its title in the hired skippers analysis. It was generally agreed that the Council would flag the table for further review by staff and agency. Additionally, there was discussion of the control date. **Mr. Hull moved, which was seconded, to implement a control date for applications for transfer of QS by IFQ initial recipients**

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that were received by NMFS on or before February 12, 2010 but which were approved by RAM after that date, should be considered to have been transferred for use in time by hired skippers. Mr. Hull noted that this motion was for clarification for all stakeholders. **The motion passed with Tweit objecting.**

Observer Committee Direction

Mr. Hull provided direction, and noted the good progress the OAC is making. There are 3 items where the Council can provide direction:

1. Request agency and staff provide OAC members with a list of outstanding implementation issues, so committee members can provide input on draft regulations;
2. Direct committee to meet in September to discuss EM and review draft regulations.
3. Recognize that the OAC should review each annual observer sampling and deployment plan when restructuring is implemented.

He noted that the Council can still provide input during any part of the process.

Salmon FMP

There was general Council discussion regarding a workshop on the Salmon FMP prior to the October 2011 Council Meeting, at which point the Council would have an Initial Review. The workshop would be an informational meeting at which staff could present, discuss, and answer questions about the Initial Review of the Salmon FMP for interested parties and stakeholders. It was generally agreed that Council could hold a workshop in September, 2011.

Pribilof Island Blue King Crab

Mr. Henderschedt noted that the Council should schedule this agenda item for the September 2011 meeting, which will give the Council time to look at the analysis, and give the SSC time to include new recommendations, and potentially schedule for final action. Additionally he requested, and it was generally agreed, to have a status report on revised data requested for PIBKC at the June 2011 meeting.

GOA Chinook timing

Mr. Fields spoke in favor of scheduling of this agenda item for the June 2011 meeting in Nome. His concern was not about mid-year implementation. He is not convinced there will be additional information that will be available to warrant postponing scheduling the item at the next meeting. There was discussion regarding timing among the various Council members. It was generally agreed that although an item may be scheduled for final action at a meeting, the Council can choose to not take final action. There were comments regarding the inability for participants in the GOA pollock fisheries to participate at a June Nome meeting, and information that would be available should the Council postpone this item until December. It was generally agreed this agenda item would remain on the June agenda.

Mr. Fields requested the Council draft a letter to NMFS relative to genetic stock identification, noting the first issue would be addressing the current sampling protocols and whenever they are appropriate for preliminary stock ID. Additionally, he requests clarity in terms of what sampling protocols are needed to provide current identification. He also requested a timeline to read the 2011 samples. Lastly, he requested the letter ask for a deadline for stock identification separation and analysis. Mr. Tweit suggested a general update on all priorities the Council has previously requested. It was generally agreed to send the letter.

Crab Modeling

Mr. Tweit noted that there has been a request for the SSC to have an additional member with quantitative stock assessment and modeling expertise. It was generally agreed. He also noted that the Council should

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request that AFSC designate someone with AD model builder software experience, to review the St. Matthew blue king crab models with the assessment author prior to the May plan team.

Additionally, he noted that opening a fishery that has long been dormant requires a bit of precaution, and the models should be reviewed prior to the May Crab Plan Team meeting. Follow up from the workshop is needed especially when discussing single stock models and a much more narrow scope. Finally, he suggested the Council should encourage the PT to have a broad discussion on the issue of consistent criteria relative to choosing years for BMSY.

Halibut and SSC migration model

Mr. Tweit noted that the SSC should begin to look at the IPHC migration model, and provide comment to the Council. The IPHC staff might have suggestions on data and if they foresee any additional materials relative to the model, or a better window to review. Mr. Williams noted that IPHC staff will be working on a new model over the winter after discussion with the Commission in the fall. December would be a more likely time for discussion. It was generally agreed that the crab issues should take priority with the SSC over the next few meetings.

Halibut Subsistence

Mr. Fields is concerned about halibut subsistence, and noted public comment in the books, and requests the State of Alaska give a report on halibut subsistence trends. Ms. Campbell noted that Dr. Jim Fall gives an update annually about subsistence harvest and trends over time. It was generally agreed that along with the update, an update from NOAA Law Enforcement is requested. Mr. Fall should be forwarded the public comment letters relative to halibut subsistence.

Mr. Henderschedt responded to testimony regarding long term plans of halibut and all bycatch species in the GOA, and a request to be clear on what the Council is doing, and what impacts the actions have on the fisheries and stakeholders. He requested the Council members to be thinking about what guiding principles to establish in moving forward with development of tools and measures, and what the appropriate way is to engage stakeholders in that process. It is important to have these discussions as one of the first steps in developing more comprehensive tools to reduce bycatch in the GOA. Mr. Fields noted he is focused on information and comparing how other entities have allocated bycatch species. It was generally agreed the Council would wait for the white paper.

CSP Algorithm

Commissioner Campbell noted that there has been confusion over the calculation of a maximum size limit of the Halibut Catch Share Plan, and noted that one of the things that ADF&G will be doing is an approach to set the Maximum Size Limit based on best available information in any given year, as an alternative to an algorithm. The Council discussed the timing of technical review and public comment period, and it was generally agreed that the Council will discuss the issue further in June along with reviewing the draft regulations on the proposed rule.

Halibut Charter/Friends and Family

Mr. Balsiger noted the interpretive rule for defining a charter trip has been filed: People who hold sport fish guide licenses are not required to have a permit on board during a recreational halibut fishing trip if no compensation is exchanged. Compensations for assistance is not limited to money. It was noted that NMFS has been responsive to the Council on this issue.

Halibut D shares fish up in Area 4B

Mr. Tweit noted there was a request from the public on this issue, and he requested an update from staff. Ms. DiCosimo noted that in June the Area 4B CQE analysis is scheduled for initial review, and the Area

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4B fish up final action could be rescheduled at the same time. She also noted that she had received interest from stakeholders in Area 4A to fish up. It was generally agreed that the Council will provide further guidance at the CQE initial review. The Council rescheduled both actions for October 2011.

Mr. Fields thanked the Council and staff for the BSAI chum salmon bycatch outreach program in February and March in the 7 primarily rural areas and remarked on a job well done.

There was a brief USCG discussion regarding “compensation” for fishing trips, and it was generally agreed it would be addressed on a case-by-case basis using a common sense principle.

The Chairman thanked everyone for their work and the meeting adjourned at 1:12 on Tuesday, May April 5, 2011.

MEETING ATTENDEE SIGN-IN SHEET

March/April, 2011 N.P.F.M.C. MEETING

PLEASE REGISTER ATTENDANCE FOR MEETING RECORDS

PLEASE PRINT - THANK YOU!

NAME	AFFILIATION
WILL MURPHY	ALASKA CHARTER ASSN
Forrest Braden	Southwest Alaska Guides Organization
Frank Kelly	City of Umanak
Simon Swetzoff Jr	City of St. Paul
Todd Loomis	Cascade Fishing Inc
Jon Warranduk	Oceanic
JOE PLESHA	TRIDENT
Jeff Kauffman	MSDH, LLC
Jeff Stephan	UFMA, Kodiak
Phillip Zestakot	CRSFA
Jack Tremaine	SIC Alaska
GLENN REED	PSAIA
Erik O'Brien	SWAMC
Bob Alverson	FUVA - Seattle
Marge Bauman	Alaska Newspapers & Fishermen's News
Kenny Pown	FLC
TREVR BROWN	CITY OF KODIAK KODIAK ISLAND BOROUGH
Heather McCarty	McCarty Assoc., Juneau

MEETING ATTENDEE SIGN-IN SHEET

March/April, 2011 N.P.F.M.C. MEETING

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NAME	AFFILIATION
Lecca Pobbins Gislain	VPDFA
Serrania Thonki	Senator Beggs office
Carly Lowersbach	Arctic Lady
KRIS NOROSZ	Icele Seafoods
BRENT PAINE	UCB
Carly Lowersbach	Arctic Lady
Ben Ley	Alaskan Lady
Howard Torsen	Ouzinkie Native Corp.
Bill Orr	Tequique U.S.
Stephen Taufen	Groundswell Fisheries Movement
NANCY HILLSTRAND	PIONEER ALASKA FISHERIES.
SHAWN C. DOCHTERMANN	CREWMAN'S ASSOCIATION
DUSTIN A FOSTER SR.	FISHERMAN
Arthur Holmberg	F/V Terrell Fisherman
Glenn Newman	F/V Lady Luck Drift
PAUL M. GREEN	ANSON PROSSER ASSN
GLENN REED	PSFA
MARK SLOAN	OCEAN PULCO, INC

MEETING ATTENDEE SIGN-IN SHEET

March / April, 2011 N.P.F.M.C. MEETING

PLEASE REGISTER ATTENDANCE FOR MEETING RECORDS

PLEASE PRINT - THANK YOU!

NAME	AFFILIATION
Jeanne Hicson	NMFS
Susan Robinson	Fishermen's Trust
Anne Thomson	A.C.C.
Robert Braden	Southwest Alaska Guides Organization

NPFMC Meeting Time Log

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March 30

0:00:00	8:02:33	Start Recording [8:02:33 AM]
0:00:33	8:03:16	Call to order
0:02:02	8:04:40	Remembrances of Jay Ginter
0:08:08	8:10:41	Review the Agenda
0:08:28	8:11:06	Benson move to approve agenda
0:09:26	8:12:05	Oliver review ED report
0:15:42	8:18:23	Discussion regarding halibut 32 inch rule
1:06:53	9:09:19	Galen Tromble - B2NMFS Management Report
2:29:19	10:31:08	Continued NMFS report AFA vessel replacement
2:45:14	10:46:58	Karla Bush, B-3 State of AK report
3:10:06	11:11:44	Tony Keene, USCG Report, B-5
3:24:06	11:25:30	Denny Lassuy B-6 USFW
3:24:21	11:25:51	Jeannie Heltzel B-7 Protected Species report
3:43:02	11:44:21	Forrest Braden, Southeast Alaska Guides Organization
3:43:19	11:44:25	Public Comment
3:50:10	11:51:24	Rex Murphy Alaska Charter Association
3:54:42	11:56:07	break for lunch
3:55:30	13:09:07	C-1 (a) Co op reports
4:23:19	13:36:41	Jason Anderson
4:23:24	13:37:07	John Gruver, Ed Richardson, Karl Haflinger
5:06:09	14:19:22	Julie Bonney Rockfish Coop Report
5:26:06	14:39:14	Jason Anderson reads Susan Robinson's bullet points into record
5:27:42	14:40:35	break
5:29:08	15:03:56	jane dicosimo c-2 Halibut Sablefish Hired Skipper
6:56:03	16:30:05	AP report
6:56:08	16:30:11	Lori Swanson
7:06:44	16:40:45	Captain Ray Walsh
7:12:16	16:46:10	Larry Ward
7:21:24	16:55:15	Ray Spangler
7:26:23	17:00:13	Alexus Kwachka
7:35:30	17:09:16	Recess for the day.
7:35:41	17:09:25	Stop Recording [5:09:25 PM]

March 31

0:00:00	call to order
0:00:00	8:03:24 Start Recording [8:03:24 AM]
0:01:05	8:04:40 Don Malcom Public Testimony C-2
0:04:42	8:08:07 Steve Fogg
0:10:20	8:13:50 Matt Shadle
0:20:21	8:23:40 Bob Alverson
0:50:46	8:53:55 Dan Veerhusen
0:54:08	8:57:20 Jeff Farvour

1:06:59	9:10:00	Clem Tillion
1:21:27	9:24:24	Paul Clampitt
1:24:28	9:27:20	Todd Hoppe
1:36:21	9:39:09	Teresa Peterson
1:41:17	9:44:03	Mark Worley
1:51:02	9:53:44	Ken Mack
1:56:24	10:14:07	Sergey Yakunin
2:04:31	10:22:03	Rhonda Hubbard
2:13:13	10:30:39	Bob Linnerville
2:19:39	10:37:01	Frank Miles
2:21:57	10:39:24	Darius Kasprzak
2:24:19	10:41:41	Jared Bright
2:32:06	10:49:30	Linda Behnken
2:39:58	10:57:13	John Crowley
2:49:34	11:06:45	Julianne Curry
2:55:00	11:12:12	Ilya Kusman
2:58:28	11:15:35	Jim Hubbard
3:01:28	11:18:38	SSC report in its entirety
3:01:40	11:18:47	Pat Livingston
3:29:19	13:08:11	Pat Livingston Continued SSC report
5:14:34	15:16:28	C-3(a) Gretchen Harrington
5:14:44	15:16:33	Salmon FMP
5:44:54	15:46:31	Lori Swanson AP report
5:46:03	15:47:42	Public comment, Jason MOrgan
6:10:22	16:11:50	Roland Mann
6:10:30	16:11:54	John Renner
6:12:17	16:13:54	Jim Butler
6:15:03	16:16:26	Bob Lindville
6:16:59	16:18:24	Erik Hoebusch
6:22:00	16:23:26	Greg Gabriel
6:25:30	16:26:48	Ilia Kuzmin
6:27:14	16:28:31	adjourn
6:27:23	16:28:38	Stop Recording [4:28:38 PM]

April 1

0:00:00	8:01:42	Start Recording [8:01:42 AM]
0:00:01	8:01:46	Call to order
0:01:26	8:03:13	Paul Shaudra
0:01:33	8:03:33	Public Comment C-3(A)
0:07:08	8:08:50	David Brindle
0:08:41	8:10:26	Mayor Carey
0:19:39	8:21:16	Rick Cook
1:00:50	9:02:16	Motion discussed on Salmon FMP.
1:20:01	9:41:09	C-3 (b) GOA Chinook Bycatch
1:20:10	9:41:14	Diana Evans
1:22:04	9:43:07	Darrell Brannan
3:14:38	11:34:55	Mark Fina

3:37:32	11:57:40	Break for lunch.
4:25:36	13:52:16	Diana Evans Continued
4:35:56	14:02:32	Martin Lloflead
5:04:46	14:31:11	AP report, Lori Swanson
5:14:46	14:41:09	Enforcement Committee Report, Mr. Hyder
5:26:17	15:14:12	Public Comment
5:27:15	15:14:18	Capt. Ray Welsh
5:31:26	15:18:30	Pete Wedin
5:36:35	15:23:37	Forest Braden
5:41:55	15:28:52	Heather Brandon
5:50:01	15:37:00	Mike alfieri
6:05:15	15:52:03	Paul Shadura
6:10:19	15:57:04	Howard Torsen
6:12:37	15:59:20	Tom Manos
6:22:57	16:09:48	Taylor Lundgren and Kiley Thompson
6:37:22	16:23:56	Beth Stewart
6:45:02	16:31:36	Senator Begich Addresses Council
7:07:19	16:53:38	Stop Recording [4:53:38 PM]

April 2

0:00:00	8:02:54	Start Recording [8:02:54 AM]
0:00:01	8:02:58	Call to order
0:03:57	8:06:55	Public Comment
0:04:02	8:09:51	Nancy Hillstrand
0:07:01	8:09:56	Teresa Peterson
0:15:41	8:18:31	Brent Paine
0:36:02	8:38:44	Julie Bonney
1:03:36	9:06:07	Don Ashley
1:10:36	9:13:05	Heather McCarty
1:20:21	9:22:52	Bob Krueger
1:31:22	9:33:41	Tom Evich
3:09:09	11:47:01	C-4 (a) Mark Fina
3:22:10	11:47:04	AP report
3:23:09	11:48:10	Steve Minor Public Comment
3:26:32	11:51:28	Council Discussion/Action
3:26:38	11:51:31	Balsiger motion
3:42:30	13:12:40	Mark Fina, C-4B Economic Data Reporting
4:15:37	13:45:24	Lori Swanson AP report
4:18:40	13:48:33	Steve Minor, Public comment
4:27:48	13:57:30	Jake Jacobsen
4:27:55	13:57:34	Ed Poulsen
4:31:18	14:00:57	Shawn Dochterman
4:38:26	14:08:01	Tim Smith
4:42:15	14:11:56	Stephen Taufen
5:26:16	14:55:48	C-4 (c) Pribilof Island BKC Rebuilding
6:42:26	16:11:53	Diana Stram, Bob Foy, Scott Miller

6:43:13	16:12:00	Lori Swanson, AP report
6:46:04	16:14:54	Public Comment
6:46:13	16:25:34	John Gauvin
6:57:00	16:25:39	Lori Swanson
7:03:20	16:31:58	Kenny Down
7:15:09	16:43:41	Ed Poulsen
7:17:23	16:45:54	Frank Kelty
7:19:19	16:47:50	Ed Richardson
7:25:37	16:54:14	Mateo Paz Soldan, Heather McCarty
7:31:59	17:00:36	Council Discussion/Action - Henderschedt motion
7:53:38	17:21:53	Break
7:53:46	17:22:00	Stop Recording [5:22:00 PM]

April 3

0:00:00	8:01:46	Start Recording [8:01:46 AM]
0:00:01	8:01:50	Call to Order
0:33:13	8:35:05	Diana Stram, C-4 (d) Tanner crab Rebuilding (10 min earlier)
0:33:33	8:35:11	AP report, Lori Swanson
0:34:11	8:35:48	Public comment, Ed Poulsen
0:39:17	8:41:02	C-5 A EFH Ominibus amendment Diana Evans
0:53:11	8:54:41	Lori Swanson, AP report
0:55:13	8:56:42	Tweit motion
1:34:11	9:35:35	C-5 (b) Bob Foy and Diana Evans (25 min earlier)
1:34:29	9:35:43	AP report, Lori Swanson
1:37:11	9:38:24	Ed Poulsen, Public Comment
1:38:08	9:39:17	John Gauvin
1:46:15	9:47:21	Tweit motion
1:48:39	10:05:46	C-6 GOA Pcod jig
1:48:48	10:05:52	Jeannie Heltzel, Karla Bush
2:39:23	10:56:09	AP report, Lori Swanson
2:43:40	11:00:35	Darius Kasprzak, F/V Marona Public Comment
2:48:27	11:05:05	Teresa Peterson
3:20:30	11:37:02	Diana Stram, D-1 Scallop SAFE
3:36:48	11:53:05	break
3:36:56	13:22:07	John Gauvin
3:39:21	13:24:33	D2C Salmon Excluder EFP
4:15:35	14:00:41	Mary Grady NMFS
4:23:49	14:09:35	Public Comment
4:24:50	14:10:27	Glenn Reed
5:31:47	15:35:37	John McCracken, D2d, AFA impacts on BS cod trawlers
6:04:51	16:08:10	Lori Swanson, AP report
6:06:07	16:09:20	public comment
6:07:42	16:11:01	Steve Arrvik, Russel Pritchett
6:19:01	16:22:09	Brent Paine
6:41:57	16:44:56	Fields motion
6:50:34	16:53:28	Stop Recording [4:53:28 PM]

April 4

0:00:00	8:32:16	Start Recording [8:32:16 AM]
0:00:01	8:32:23	Call to order
0:01:53	8:34:14	Moment of silence for Jim Branson
0:01:59	8:34:17	Adm CC Colvin
0:08:02	8:40:25	D-2 b GOA PSC limits
0:23:00	8:55:17	Gregg Williams, Halibut Bycatch Issues
1:47:20	10:19:00	Lori Swanson, AP report
1:51:19	10:38:38	Public Testimony on D2B
1:52:27	10:38:44	Pete Wedin
1:59:51	10:46:12	Buck Laukitis
2:16:01	11:02:08	Kenny Down
2:26:39	11:12:42	Forrest Braden
2:32:47	11:18:47	Lori Swanson
2:43:36	11:29:33	Bob Krueger
2:58:22	11:44:12	Susan Robinson
3:01:33	11:47:36	Todd Hoppe
3:05:03	11:50:54	Charles Clement
3:08:31	11:54:17	Julianne Curry
3:15:37	13:04:04	Resume
3:15:53	13:04:22	Linda Benhken
3:30:09	13:18:32	Brian Young
3:41:40	13:30:00	Julie Boneey
4:00:53	13:49:10	Jim Hubbard
4:42:55	14:51:36	Hull motion and discussion
5:48:13	15:56:24	Nicole Kimball. OAC
6:16:57	16:24:53	Stop Recording [4:24:53 PM]

April 5

0:00:00	9:05:13	Start Recording [9:05:13 AM]
0:00:31	9:05:47	Call to order
0:00:35	9:05:54	Chris Oliver Staff Tasking
0:26:36	9:31:47	Public Comment, Arni Thompson
0:29:53	9:34:58	Ian Pittsman
0:43:42	9:48:40	Heather McCarty
0:58:19	10:03:14	Kenny Down
1:08:53	10:13:43	Lori Swanson Mark Gleason
1:13:37	10:18:26	Stephen Taufin
1:22:02	10:26:46	Linda Behnken
1:27:00	10:31:47	Everett Anderson
1:31:48	10:36:26	Julie Bonney
1:48:18	10:52:50	Forrest Braden
1:59:14	11:03:41	Bob Krueger
3:42:23	13:12:50	Adjourn [1:12:50 PM]

D R A F T
ADVISORY PANEL MINUTES
March 28–31, 2011
Anchorage, Alaska

The following (20) members were present for all or part of the meetings:

Kurt Cochran	Jeff Farvour	Theresa Peterson
Craig Cross	Becca Robbins Gisclair	Ed Poulsen
John Crowley	Jan Jacobs	Neil Rodriguez
Julianne Curry	Bob Jacobson	Beth Stewart
Jerry Downing	Alexus Kwachka	Lori Swanson
Tom Enlow	Chuck McCallum	Anne Vanderhoeven
Tim Evers	Matt Moir	

Minutes of the February 2011 meeting were approved.

C-2 Final action on Halibut/Sablefish Hired Skipper restrictions

A motion was made to recommend the Council adopt Alternative 2 with Options 1 and 2. Immediately following this motion, a substitute motion was made to recommend Alternative 1. *The substitute motion failed 9/11.*

A motion to change the control date to the date of final Council action *passed 20/0.*

A motion to add a new option, Option 3: Initial recipients providing proof of ownership higher than Coast Guard documentation or abstract of title would be exempt from Alternative 2, *failed 4-16.*

Finally, the original motion to recommend Alternative 2 with Option 1 and Option 2 as amended, *failed 10/10.*

C-3(a) Review Salmon FMP changes

The AP recommends the Council select Alternative 3 as a Preliminary Preferred Alternative, and move this forward for initial review with the options and updates identified in Table 2 of the discussion paper.

The AP further recommends an expanded discussion of the risks associated with removing the West historical net areas from the FMP in the preliminary review draft.

Motion passed 19/0.

C-3(b) Initial review of GOA Chinook Salmon Bycatch control measures

The AP recommends the Council make the following changes to Component 2 of Alternative 2 (deletions are in ~~strikeout~~, additions are **bold/underlined**):

Alternative 2: Chinook salmon PSC limit and increased monitoring

Component 2: ~~Expanded observer coverage:~~ **Improved Chinook salmon PSC estimates:**

Extend existing 30% observer coverage requirements for vessels 60' to 125' to trawl vessels less than 60' directed fishing for pollock in the Central and Western GOA.

Require full retention of all salmon in pollock trawl fisheries.

Modify the specific actions recommended by NMFS (to avoid delay for this action and implementation of observer restructuring package) to a statement: NMFS shall work with the processors to evaluate and address the quality of sorting at the plants to assist improvements in observer salmon estimates. The AP encourages NMFS to apply lessons learned from the BSAI to the Gulf where applicable.

Processing plants along with assistance from the Agency, in turn, should endeavor to ensure their fish tickets accurately reflect the species and number of salmon which will be delivered and sorted as salmon bycatch at their facilities.

NMFS is also encouraged to collaborate with industry to facilitate information sharing which will help to speed delivery of in-season data (total catch and salmon counts, by species) for the NORPAC data system and Catch Accounting System.

Motion passed 20/0

The AP recommends that the Council delete Alternative 3. *Motion passed 20/0*

The AP recommends that the Council delay final action on this issue until December 2011. *Motion passed 20/0*

The AP recommends that the Council direct staff that the next iteration of the analysis must include fish ticket counts for 2003 to 2010. *Motion passed 20/0*

The AP recommends that the Council request that the analysis include a discussion of municipal tax structures under the section on taxes. *Motion passed 20/0*

The AP recommends that the Council request that the analysis include a table indicating Chinook salmon bycatch estimates for non-pollock trawl fisheries for the same suite of years as the pollock trawl fisheries. *Motion passed 20/0*

The AP recommends that the Council request that the analysis include sport fish, commercial, subsistence and personal use fishery data for the same suite of years to the extent it is available. Data should be split by large management area (Area M, Area L, etc). *Motion passed 20/0*

A motion to recommend a preliminary preferred alternative of a 15,000 fish PSC limit with the 25% overage provision and the modified Component 2 failed 7/13.

Minority Report: A minority of the AP supported a motion to recommend the Council adopt a PPA including a PSC limit of 15,000 with the 25% overage provision as specified in the Council's February 2011 and Component 2 as modified by the AP. The minority felt that this level of PSC limit was appropriate to meet the Council's objectives for this action, as well as the requirements of National Standard 9, to reduce bycatch. Higher cap limits represent numbers that exceed the average GOA Chinook salmon bycatch for the pollock fishery and therefore represent little change from the status quo. Chinook salmon returns throughout the Gulf—including the Karluk River and Upper Cook Inlet—have been low and commercial, subsistence, personal use and sport fisheries have been restricted in these areas. Despite these restrictions escapement goals have still not been met. Regardless of knowing specific impacts of bycatch on these stocks, every fishery must share in the burden of conservation to ensure the long term health of this resource. The lack of information about stock of origin of the salmon caught as bycatch and specific impacts mandates that we take a precautionary approach and set a PSC limit for Chinook salmon in the GOA pollock fishery at a level that represents actual bycatch reductions on an expedited basis.

Signed by: Becca Robbins Gisclair, Chuck McCallum, Julianne Curry, Alexis Kwachka, Jeff Favour, Tim Evers, Theresa Peterson

A motion to add a fourth option under Component One for a 40,000 fish PSC limit failed 10/10.

C-4(a) BSAI Crab IFQ/IPQ Deadline – Final Action

The AP recommends the Council adopt Alternative 2 in its entirety for final action. *Motion passed 20/0*

C-4(b) Crab Economic Data Reports (EDR)

The AP recommends the Council move forward with the staff analysis of the harvester EDR alternatives and elements shown in the attached table. *Motion passed 20/0*

The AP recommends the Council move forward with the staff analysis of the processor EDR alternatives and elements shown in the attached table. *Motion passed 20/0*

C-4(c) Pribilof Island Blue King Crab Rebuilding Plan – Final Action

The AP believes that the analysis to revise the rebuilding plan for Pribilof Islands blue king crab is not ready for final action at this time for the following reasons:

- The model cannot accurately predict rebuilding. This is reflected in the SSC minutes from their December meeting. As a result, although the model is the best information we have, it does not accurately predict the impacts of the actions before us. The document needs a better discussion of the limitations of the model.
- Text in the analysis referring to figures are not always correct and text is not always clear (page 19 for example) making it difficult to understand the analysis of the impacts on stock rebuilding.
- The AP is concerned that the bycatch figures resultant from the pot cod fleet may not be accurate due to extrapolation issues from a fleet with less than 100% observer coverage. Further information in the analysis would be helpful on this topic.

- The analysis does not analyze the impacts of the action (closing areas to groundfish vessels) on the environment (habitat, marine mammals, cumulative effects, impacts of shifting effort).
- The analysis does not analyze the impacts of the action (closing areas to groundfish vessels) on the groundfish fisheries.
- Options to close areas for pelagic fishing are not included even though pelagic gear may at times be fishing on the bottom.
- The analysis looks at the Pribilof blue king crab stock as a discrete stock when in fact it is likely part of the St. Matthews and St. Lawrence population (and likely included the Aleutian Islands in the past). Genetic information is not yet available to confirm this but is critical information for making a decision and may be available in the near future.
- The AP understands that PIBKC bycatch accounting methods will change within the next year, but the analysis does not consider the impact of this change.

Motion passed 20/0

The AP recommends the Council request that the analysis include a table showing the average percent of the ABC taken by each sector over the years 2003 to 2010. *Motion passed 20/0*

C-4(d) Finalize Tanner Crab Rebuilding Plan

The AP recommends the Council defer choosing a final alternative for the Tanner crab rebuilding plan until after the May 2011 Crab Plan Team meeting. Further, the AP recommends the Council request the Crab Plan Team to review reference levels for the Tanner crab fishery including B_{msy} and make suggestions for alternatives, knowing that the earlier data (1969-1973) in the time series may be inappropriate.

Motion passed 17/0

C-5(a) Essential Fish Habitat – Final Action

The AP recommends the Council take final action to select Alternative 2 for each Action 1-7 as shown on page 5 of the analysis. *Motion passed 17/0/1*

C-5(b) Bristol Bay Red King Crab (BBRKC) Spawning Area/Fishing Effects – Discussion Paper

The AP recommends the Council request an expansion of the BBRKC EFH discussion paper with the following priorities:

- A discussion of the effects of the existing red king crab closure areas.
- A discussion of the importance of environmental variables on red king crab distribution, in particular in the Amak area, as well as the importance of removals from this area.
- An expanded discussion of fishing intensity with regard to recent sweep modifications and reduced bottom contact, and a more robust comparison of years in regards to fishing intensity.

Motion passed 18/0

C-6 GOA Pacific cod Jig Fishery Management

The AP recommends selecting Alternative 2 as the preliminary preferred alternative (PPA) and delaying final action until December 2011. This will provide opportunity for the Alaska Board of Fisheries to comment and take action in October. The AP further recommends the final action include a list comparing State and Federal management regulations. The AP requests options to include prohibiting the use of any other gear type onboard while fishing in the federal jig fishery.

Motion passed 19/0

D-1 Scallop SAFE

The AP recommends that the Council approve the Scallop SAFE report. *Motion passed 17/0*

D-2(a) Halibut Ramp EFP Report

The AP received a report on the halibut RAMP experiment.

D-2(b) GOA Halibut PSC Limit

The AP recommends that the Council develop a comprehensive FMP amendment and regulatory amendment and analysis of ways to reduce halibut bycatch by all sectors and gear types engaged in GOA groundfish fisheries. *Motion passed 12/6*

Minority Report: The following motion was made before a substitute motion replaced it by a vote of 12-6:

The AP recommends that the Council adopt a purpose and scope for GOA halibut PSC that incorporates the following principals and functions:

There are a number of long-standing issues regarding the PSC limits of halibut in the Gulf of Alaska. Halibut-dependent fisheries have significantly changed since PSC limits were set.

The AP recommends that the GOA halibut PSC discussion paper be forwarded for initial review with the following options addressed in the analysis through the 2011 specifications process:

Reduce GOA PSC limits by:

- 10%*
- 20%*
- 30%*

The analysis is intended to be a short-term action to be used as a springboard for more comprehensive review of halibut bycatch management.

A minority of the AP supported the original motion. The minority felt that urgent action must be taken to reduce halibut PSC limits in the Gulf of Alaska through the 2011 specs process as a short-term solution for bycatch reduction while also pursuing a comprehensive long-term solution through an FMP/Regulatory Amendment process.

After careful review of the IPHCs presentation and bycatch reduction discussion paper, the minority of the AP felt that it is clear that slow halibut growth rates threaten the rebuilding potential of halibut stocks. Uncertainty surrounding slow growth rates warrants a precautionary approach to halibut removals. The directed commercial and charter halibut fisheries have taken significant reductions in allowable harvest over the past decade. The dynamics of the directed and non-directed halibut fisheries have changed significantly since halibut PSC limits were set in 1986. Vast improvements in technology have resulted in more efficient fishing by PSC limited fisheries. Other factors have contributed to PSC limits not being reached in recent years.

The IPHC has expressed significant concern over bycatch impacts to the halibut resource. Each pound of under 32-inch bycatch mortality reduces future yield to the directed commercial fishery by one pound and 1.6 pounds of future yield to the female spawning biomass. The directed halibut fisheries are impacted by lost yield due to downstream effects from area of capture. Therefore, the Council should take immediate action to reduce the halibut PSC limit in the GOA to protect the halibut resource and achieve meaningful bycatch reductions to benefit all users.

Signed by: Julianne Curry, Becca Robbins Gisclair, Chuck McCallum, Theresa Peterson, Tim Evers, Jeff Farvour

D-2(c) Salmon Excluder EFP

The AP recommends that the Council approve this EFP. *Motion passed 19/0*

D-2(d) AFA Impacts on BS cod trawlers – discussion paper

The AP reviewed the discussion paper and recommends that the Council take no further action on this issue. *Motion passed 19/0*

D-3(b) Observer Advisory Committee Report

The AP received a report on the Observer Advisory Committee meeting.

Data type	Data element	Alt 1. (status quo)	Alt 2.	Alt 3.
Fishing data	Fish ticket number	all crab fisheries	-	-
	Days fishing	by crab fishery	-	-
	Days traveling (from port to grounds) and offloading	by crab fishery	-	-
Deliveries and revenues	Landings by share type - pounds	by crab fishery	by crab fishery	by crab fishery
	Deadloss by share type - pounds	by crab fishery	by crab fishery	-
	Landings by share type - revenues	by crab fishery	by crab fishery	by crab fishery
	Vessel owner's IFQ used on the vessel by share type			
		by crab fishery	-	-
	Vessel owner's IFQ used on other vessels by share type			
		by crab fishery	by crab fishery	by crab fishery- arms length only
Crew	Leased quota by share type - pounds			
		by crab fishery	by crab fishery	by crab fishery- arms length only
	Leased quota by share type - cost			
		by crab fishery	aggregated all crab fisheries- count of crew leasing	-
	Leased quota by share type - crew contributing shares			
		by crab fishery	aggregated all crab fisheries- count of crew leasing	-
Crew	Number of crew by fishery	by crab fishery	-	-
	Payments to crew	by crab fishery	by crab fishery	by crab fishery
	Payments to captain	by crab fishery	by crab fishery	by crab fishery
	Labor payment details - charges and deductions	in all crab fisheries	-	-
	Revenue shares - owner/crew/captain	by crab fishery	-	-
	Crew license number/CFEC permit number	aggregated across all crab fisheries	aggregated across all crab fisheries	-
Insurance and Pot purchases	Insurance premium - crab only	aggregated across all crab fisheries and aggregated across all fisheries	-	-
	Paid deductibles - crab only	aggregated across all crab fisheries	-	-
	Pot purchases - number	aggregated for all crab fisheries	aggregated all fisheries new pots only	-
	Pot purchases - cost			
		aggregated for all crab fisheries	-	-
	Pot purchases - location	aggregated for all crab fisheries	-	-
	Line and other gear purchases - costs	aggregated for all crab fisheries	-	-
	Line and other gear purchases - location	aggregated for all crab fisheries	-	-
Bait used	Bait used - species/pounds by fishery			
		by crab fishery	-	-
	Bait used - species/cost by fishery			

Data type	Data element	Alt 1. (status quo)	Alt 2.	Alt 3.
Crab costs	Bait used - purchase location by fishery	by crab fishery	-	-
	Fuel used - gallons by fishery	by crab fishery	aggregated all fisheries	-
	Fuel used - cost by fishery			
	Fuel used - purchase location by fishery	by crab fishery	-	-
	Food and provisions - costs	aggregated across all crab fisheries	-	-
	Other crew expenses	aggregated for all crab fisheries	-	-
	Freight costs for landed crab	aggregated for all crab fisheries	-	-
	Storage, wharfage, delivery costs for gear	aggregated for all crab fisheries	-	-
	Observer costs - by fishery	by crab fishery	-	-
	Landing taxes and fees	aggregated across all crab fisheries	-	-
	Cooperative fees	aggregated across all crab fisheries	-	-
	Other expenses	aggregated across all crab fisheries	-	-
Vessel costs	Vessel and equipment investment - cost	aggregated across all fisheries (excluding exclusively non-crab costs)	aggregated all fisheries, including R&M	-
	Vessel and equipment investment - location	aggregated across all fisheries	-	-
	Repair and maintenance - costs	aggregated across all fisheries	-	-
	Repair and maintenance - location	aggregated across all fisheries	-	-
	Insurance premium	aggregated across all fisheries	Aggregated All Fisheries	-
	Fuel, lubrication, fluids - annual - cost	aggregated across all fisheries	Aggregated All Fisheries	-
	Fuel, lubrication, fluids - annual - location	aggregated across all fisheries	-	-
Other vessel specific costs	aggregated across all fisheries	-	-	
All activities	Days at sea - all activities	aggregated across all activities	-	-
	Gross revenues - all activities	aggregated across all activities	Aggregated All Fisheries	-
	Pounds - all fisheries	aggregated across all fisheries	-	-
	Labor cost - all activities	aggregated across all activities	Aggregated All Fisheries	-

Data type	Data element	Alt 1. (status quo)	Alt. 2	Alt. 3
Production	Production - dates covered by fishery	by crab fishery		
	Production - processing days by fishery	by crab fishery	Providing first and last day and number of active days	Providing first and last day and number of active days
	Raw crab processed by fishery	by crab fishery		
	Product and processed pounds by fishery	by crab fishery		
	Production - crab size and grade	by crab fishery		
	Production - box size	by crab fishery		
	Production - finished pounds	by crab fishery		
	Production - custom processing identifier	by crab fishery		
Revenues	Sales to affiliates/non-affiliates by species - product/process	by crab fishery	by crab fishery	by crab fishery
	Sales to affiliates/non-affiliates by species - crab size and grade	by crab fishery	by crab fishery	by crab fishery
	Sales to affiliates/non-affiliates by species - box size and finished pounds	by crab fishery	by crab fishery	by crab fishery
	Sales to affiliates/non-affiliates by species - revenues (fob)	by crab fishery	by crab fishery	by crab fishery
	Custom processing by species/product/process	by crab fishery	by crab fishery	by crab fishery
	Custom processing revenues	by crab fishery	by crab fishery	by crab fishery
Labor	Average processing positions	by crab fishery		
	Man-hours	by crab fishery	by crab fishery	aggregated across all fisheries
	Total processing labor payments	by crab fishery	by crab fishery	aggregated across all fisheries
	Crab processing employees by residence	by crab fishery	by crab fishery	aggregated across all fisheries
Custom processing services purchased	Custom processing services purchased - raw pounds	by crab fishery	by crab fishery	by crab fishery
	Custom processing services purchased - product and process	by crab fishery	by crab fishery	by crab fishery
	Custom processing services purchased - size and grade	by crab fishery		
	Custom processing services purchased - box size	by crab fishery		
	Custom processing services purchased - finished pounds	by crab fishery	by crab fishery	by crab fishery
	Custom processing services purchased - processing fee	by crab fishery	by crab fishery	by crab fishery
Crab purchases	Raw crab purchases by fishery - ifq type	by crab fishery	by crab fishery	by crab fishery
	Raw crab purchases by fishery - size and grade	by crab fishery		
	Raw crab purchases by fishery - pounds	by crab fishery	by crab fishery	by crab fishery
	Raw crab purchases by fishery - gross payments	by crab fishery	by crab fishery	by crab fishery

Data type	Data element	Alt 1. (status quo)	Alt. 2	Alt. 3
Crab processing costs	Fisheries taxes and fees - crab only	by crab fisheries		
	Processing and packing materials, equipment, and supplies - crab only	aggregated across crab fisheries		
	Food and provisions - crab only	aggregated across crab fisheries		
	Other direct crab labor costs	aggregated across crab fisheries		
	Insurance deductibles - crab only	aggregated across crab fisheries		
	Repackaging costs	aggregated across crab fisheries		
	Broker fees and promotions by fishery	by crab fishery		
	Lease (IPQ) costs	by crab fishery	by crab fishery	by crab fishery
	Observer costs	by crab fishery		
	Freight cost for plant supplies	aggregated across crab fisheries		
	Freight costs for products	aggregated across crab fisheries		
	Product storage	aggregated across crab fisheries		
	Water, sewer, and waste disposal	aggregated across crab fisheries		
	Other crab-specific costs	aggregated across crab fisheries		
General plant costs	Annual fuel, electricity, lubrication, hydraulic fluids	aggregated across all fisheries		
	Plant and equipment investments	aggregated across all fisheries		
	Repair and maintenance	aggregated across all fisheries		
	Foremen, managers, other employees and salaries	aggregated across all fisheries	aggregated across all fisheries	aggregated across all fisheries
	Other plant specific costs	aggregated across all fisheries		
General processing information	Processing days - annual total - all fisheries	aggregated across all fisheries	aggregated across all fisheries	aggregated across all fisheries
	Gross FOB revenues - annual total - all fisheries	aggregated across all fisheries	aggregated across all fisheries	aggregated across all fisheries
	Finished processed pounds - annual total - all fisheries	aggregated across all fisheries	aggregated across all fisheries	aggregated across all fisheries
	Processing labor costs - annual total - all fisheries	aggregated across all fisheries	aggregated across all fisheries	aggregated across all fisheries

DRAFT REPORT
of the
SCIENTIFIC AND STATISTICAL COMMITTEE
to the
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
March 28th – March 30th, 2011

The SSC met from March 28th through March 30th, 2011 at the Hilton Hotel, Anchorage Alaska.

Members present were:

Pat Livingston, Chair

NOAA Fisheries—AFSC

Susan Hilber

Oregon Dept. of Fish and Wildlife

Gordon Kruse

University of Alaska Fairbanks

Jim Murphy

University of Alaska Anchorage

Kate Reedy-Maschner

University of Idaho Pocatello

Farron Wallace, Vice Chair

Wash. Dept. of Fish and Wildlife

Anne Hollowed

NOAA Fisheries—AFSC

Kathy Kuletz

US Fish and Wildlife Service

Lew Queirolo

NOAA Fisheries—Alaska Region

Ray Webster

International Halibut Commission

Robert Clark

Alaska Department of Fish and Game

George Hunt

University of Washington

Franz Mueter

University of Alaska Fairbanks

Terry Quinn

University of Alaska Fairbanks

Doug Woodby

Alaska Department of Fish and Game

Members absent were:

Jennifer Burns

University of Alaska Anchorage

Seth Macinko

University of Rhode Island

B-1 Plan Team Nomination

The SSC reviewed the nomination and resume for Heather Fitch to serve on the Council's Crab Plan Team, filling the vacancy left by Forrest Bowers. The SSC finds that Ms. Fitch has management experience with BSAI crab fisheries that will be a valuable asset to the CPT and recommends that the Council approve her appointment. The SSC also discussed the scarcity of CPT members with quantitative stock assessment experience and recommends that the Council consider adding an additional member to the Plan Team to fill this void.

C-3 (b) Initial review of GOA Chinook salmon PSC

The SSC received presentations from Diana Evans (NPFMC), Darrell Brannan (Consultant), and Mark Fina (NPFMC). Public testimony was received from Don Rivard (USFWS Office of Subsistence Management), Bob Krueger (Alaska Whitefish Trawlers Association), Jon Warrenchuk (Oceana), and Julie Bonney (Alaska Groundfish Data Bank).

The RIR/IRFA presents a comprehensive treatment of the historical context of the proposed action. It methodically steps through each of the elements contained in the suite of alternatives and options, identifying data needs, and contrasting those needs with available sources. It is apparent from the outset that analysis of this action will confront the accustomed voids and shortcomings in our understanding of impacts and outcomes, directly attributable to inadequate economic, socioeconomic, and operational data (e.g., operational costs – variable and fixed; relative dependency; affiliation and ownership patterns; net performance indicators). These deficiencies result in a diminished ability to narrow the confidence bounds on analytical projections made for many of the key outcomes of the action alternatives. This is of particular significance for the GOA pollock fisheries, because many of the potentially impacted

operations are of substantially smaller scale and are operating nearer economic margins than their counterparts in the Bering Sea AFA fisheries. These deficiencies also impair the ability of analysts to assess impacts on protected resources and endangered species.

The document does an effective job of identifying the expected sources, characteristics, and recipients of impacts attributable to the alternatives. Much of the subject impact analysis is qualitative, due to a lack of usable empirical data, but the report does a reasonable job of quantifying those aspects for which such estimates can be usefully derived. **A large obstacle to fully describing and measuring the ramifications of these Chinook PSC avoidance measures is the incomplete scientific knowledge as to “source-of-origin” of the Chinook salmon PSC removals in the GOA pollock fisheries. Because the source-of-origin data are critical for any comprehensive economic analysis, the SSC recommends that a high priority be placed on efforts to identify and apportion Chinook PSC in the GOA to their natal source.**

Substantially more work remains as the draft evolves through the next iteration. Both the initial RIR and IRFA contain some unnecessary elements. The SSC recommends adherence to technical requirements and use of consistent terminology. Care should be exercised when expressing the relationships between PSC allowance numbers and NMFS management and enforcement protocols, as related to allowance limits. Because PSC is required by law to be avoided, it should be assumed for analytical purposes that an overage will be an extraordinary event. Otherwise the PSC removal, in excess of the maximum limit, becomes a *de facto* allocation of an additional amount of Chinook removal, explicitly made available to GOA pollock operations every third year, instead of a safety-valve for *extraordinary* events. Many of the same uncertainties about the relationship between pollock catch and Chinook PSC frequencies that were encountered in the BSAI Amendment 91 analyses are of equal concern for the GOA action. The BSAI Amendment 91 experience should inform the analysts in this action.

The SSC identified a substantial number of questions and concerns about Chinook salmon PSC cooperative provisions contain in this action and was advised by the analyst that NOAA General Counsel has expressed significant legal concerns about approvability of an amendment containing such cooperative provisions.

The SSC believes the report should be explicit that the retrospective analysis of the impacts of proposed PSC limits assumes no behavioral changes in operators' response to the limits. If the proposed limits are effective in encouraging pollock harvesters to increase avoidance efforts, then the revenue impacts in the report are likely overstated and the dates on which the fishery would shut down are earlier than what may have occurred. Further, the years over which the retrospective analysis was conducted coincides with a low period of pollock biomass in the GOA. It is possible that when the pollock biomass increases greater total pollock catch amounts may be placed at-risk.

The report provides no rationale for the set of proposed PSC limits. Similarly, with respect to the 125% buffer provision, there is no rationale for its inclusion or for the choice of buffer level (25%) or the choice of every-third-year. The document should include additional information to indicate the basis for these choices.

Because the smaller vessels (<60') are typically owned by Western GOA residents, an analysis of the economic and social costs of requiring observers would be useful. If the modified observer program is approved, it may lessen incentives to fish with <60' vessels. However, there are other factors that also play a role in determining vessel size. The analyses could be improved by considering the likely magnitude of the impact that the 60' threshold provides. For those who own a single vessel, other factors, such as vessel length limits in other fisheries imposed by the State of Alaska salmon regulations, may be a more important determinant of vessel length.

The SSC would like to see an inclusion of information on the processor landing taxes levied by boroughs and communities in Section 3.6.6. These data could also contribute to an understanding of potential economic impacts on coastal communities, a requirement of National Standard 8. NS8 further requires a description of community dependency (p. 195). RIR Section 3.6.5 only addresses fishery engagement; this needs to be revised to address dependency in the communities. There is not enough information in the RIR to make statements such as “economic impacts to participating communities would not likely be noticeable at the community level” (p. 195) since community economic data are absent from this analysis. If time and resources are available, development of a formal Social Impact Assessment (SIA) should be considered.

The SSC’s review has identified a number of lesser concerns that will require treatment by the analysts (e.g., revenues should consistently be identified as ‘gross’ measures, correction of erroneous catch values must be made, several circular assertions need disentangling). These will be communicated directly to the analysts.

The RIR/IRFA suggests that, whether or not the GOA pollock operators perceive value from Chinook PSC avoidance, beyond the direct effect it may have on attainment of the pollock TAC, society has a substantial interest in ‘optimizing’ the implicit trade-off between total pollock catches and total Chinook PSC removals. It is, therefore, important that the externalities imposed by GOA pollock harvesters through Chinook PSC mortality, be appropriately accounted for, and those incurring these externalized costs identified.

The SSC finds that the EA adequately covered protected species, their prey, and their habitat requirements with respect to the proposed amendment.

In addition to those issues identified above, the SSC has identified several issues that we would like to see clarified or expanded on in the EA/RIR/IRFA report to be released for public review:

- Additional discussion is needed regarding the precision of the estimates of Chinook salmon PSC for both observed and unobserved catches. This discussion should include the potential impacts on the ability to manage the fishery to stay within the proposed cap limits, taking into account the lag between occurrence of the Chinook interception and the time that the PSC is reported.
- In several places, the report states that one of the advantages of mandatory cooperatives would be to identify hotspots of Chinook salmon encounters and limit fishing in those areas. However, the report also states (p.12) that the Council has determined that area closures based on monitoring of hotspots was not an effective tool to reduce salmon PSC. The analysis should clarify whether monitoring Chinook salmon PSC hotspots might be useful in the GOA.
- The caveats on use of the coded wire tag (CWT) data on page 110 should also be reflected in the last sentence of the first paragraph on page 111 to clarify that the percentages attributable to Southeast Alaska and Cook Inlet. Also, Figures 11-17 should be clarified that the points do not reflect abundance.
- It would be helpful to have a graphic that permits a better understanding of how well the observed PSC catch locations represents the locations of unobserved Chinook removals.
- The correct annual average sport fish catch of Chinook salmon (1989-2006) is the figure on page 33 (176,000 fish), and not as given on page 30.
- Figure 4 (p. 47) would be more informative if the seasons (A, B, C, and D) are shown on the x axis.
- The surveys from which Chinook salmon PSC data are derived (Table 65 p. 128) should be listed. Provide a brief discussion to explain why the survey interceptions of ESA-listed CWT salmon is

fairly large (especially from the upper Willamette River) relative to the commercial trawl PSC, which would be expected to be several orders of magnitude larger.

- The definition of Sustainable Escapement Goal (SEG) on page 119 should be updated by the definition available at the regulation citation given on that page.

For the longer term amendment analysis (not the present document) the SSC has the following comments:

- The SSC recommends that NMFS develop sampling goals for genetic data collection for the purpose of providing stock composition of the prohibited species removals on a geographic basis that would be meaningful from a PSC avoidance management standpoint.
- The SSC recommends that observer sampling include age and length data, which in combination with the genetic stock composition data, can be used to develop adult equivalency estimates for stock specific removals, similar to the method being developed for the BSAI Chinook PSC avoidance amendment.
- Once estimates of stock composition are available, the SSC suggests that it would then be possible to reconsider the hard cap alternatives in terms of impacts on Alaska salmon stocks, whereas the current caps are substantially motivated by the incidental take statement for threshold catches of ESA listed Chinook stocks.

The SSC recommends release of the draft analysis for public review, after the identified substantive edits have been incorporated, to the extent practicable.

C-4(b) BSAI Crab – Review alternatives for Crab Economic Data Collection

The SSC received an overview of the discussion paper from Mark Fina (NPFMC). Public testimony was given by Edward Poulsen (Alaska Bering Sea Crabber Association) and Shawn Dochtermann (Crab Crewmen's Association).

The SSC has spoken to this issue on numerous occasions over the past five years. In October of 2007, the SSC identified the critical need for a systematic collection of coherent, comprehensive social and economic data from Crab Rationalization Program fisheries. The SSC continues to emphasize this data need. Since that time, as development of the BSAI crab comprehensive economic data collection program (EDR) progressed, the SSC has also commented on data quality concerns. The completion of a formal audit of the EDR submissions, reported to the SSC in February 2008, was not encouraging in this regard, and the SSC made recommendations for improvement. In October 2010, the SSC reiterated the importance of high quality economic and socioeconomic data.

The Council has expressed a purpose and need statement that considers balancing of data collection costs with the contribution those data provide to the fisheries management process. The discussion paper provides a good range of alternatives to consider for revising the Crab EDR in the context of this purpose and need statement. The paper is responsive to the Council's expressed purpose and need, which indicates a desire to identify alternatives that are more streamlined in the selection of data elements in a revised EDR. The SSC is optimistic that a more focused approach with incremental additions is a viable one.

The paper examines problems associated with appropriately apportioning economic data (e.g., variable costs, payments to labor, deductions and charges), which have been identified as a primary source of the reporting burden on industry and weakness in the resulting datasets. The SSC also notes that the categorization of data quality and cost of collection may depend upon the desired level of analysis. For

example, fuel costs at the “all fisheries” level may be reasonably accurate with a low reporting burden, but allocating these costs to individual fisheries may be more challenging and less reliable.

The SSC emphasizes that although some data elements may be difficult to collect or that these elements have reliability concerns, they are still essential to completing the legally mandated benefit/cost, net benefit to the Nation, and distributional impact analyses, in support of proposed Council actions. The SSC recommends that a framework be developed to apportion data elements in a reasonable and credible manner in order to be useful in informing Council decisions.

No data elements address the economics of coastal communities, which is a problem expressly identified in the Council’s rationale. Although it was indicated that these data are being gathered elsewhere, it was also mentioned that these data are difficult and time consuming to collect. The SSC reiterates that level of difficulty should not be a barrier to collecting the data. Ongoing efforts to collect and integrate coastal community data into other economic analyses are essential to addressing the Council’s identified problems and evaluating the success of the Crab Rationalization Program.

The paper contributes several useful observations that pertain to opportunities to reduce the reporting burden, without significant loss of data, through cross-referencing other sources (e.g., COAR) or by more precisely identifying information with and without actual relevance to management of the crab fisheries (e.g., self-identified product ‘grades’) – see p.10. Identification of other equivalent opportunities and insights may only emerge with the cooperation and advice of industry. Industry assistance continues to be critical to accomplishing this task.

The SSC also encourages exploration of alternative methods for acquiring economic and operational characteristics and parameters of sector elements. While not a perfect substitute for primary data collection and analysis, these alternative approaches have the potential to contribute useful insights into, for example, effects of an action alternative on the key components of the industry, based upon agreed characteristic attributes/elements/operational strategies.

C-4(d) Alternatives for the Tanner Crab Rebuilding Plan

Diana Stram (NPFMC) gave a presentation on the status of the Tanner crab rebuilding plan analysis. Public testimony was provided by Edward Poulsen (Alaska Bering Sea Crabbers). The report included some tables and figures on historical status determinations, catch, and bycatch of Tanner crabs from crab, groundfish and scallop fisheries in the EBS.

At the present time, the stock assessment model is still under development and not currently acceptable for use in rebuilding analyses. Also, alternatives have not been articulated. Text describing the alternatives for snow crab rebuilding were included into the document for reference.

The SSC notes that the current discussion paper is preliminary and it was difficult to provide detailed comments on the alternatives for Tanner crab rebuilding. One major concern is that the Tanner crab model is not ready for use in a rebuilding analysis. Given that the Council may need to take final action in February 2012 in order to have new regulations in place by the October 2012 deadline, it is possible that an approved model may not be available to conduct the rebuilding analysis. The model continues to undergo further development. A revised version will be reviewed by the Crab Plan Team in May and the SSC in June. So, the availability of an approved model for rebuilding analysis should become clearer at the June Council meeting.

The SSC offers the following additional comments:

1. If an approved Tanner crab model becomes available in time, then the framework used for snow crab rebuilding could serve as a point of departure for the Tanner crab analysis. The SSC had some discussion that the snow crab approach may be more complicated than is needed for Tanner crab.
2. Unlike snow crabs, data presented in the discussion paper indicate that rebuilding alternatives must consider groundfish and crab fisheries, based on the magnitude of crab bycatch relative to target catch. Tanner crab bycatch in the scallop fishery is an order of magnitude lower than crab catches in the crab and groundfish fisheries.
3. A major issue for consideration is the time period used for estimation of B_{msy} . Currently, B_{msy} is based on the average mature male biomass (MMB) for 1969-1980. The document justifies this choice with the following statement: *“The time period is thought to represent the reproductive potential of the stock because it encompasses periods of both high and low stock status equivalently.”* On the surface, this justification does not appear correct – the value of MMB for 1980 is a moderately high value; MMB continued to decline through 1985/1986. More importantly, these years represent pre-regime shift conditions. The buildup of groundfish from strong recruitments in the late 1970s resulted in a large biomass of predators (e.g., cod, flathead sole) and competitors (yellowfish sole, rock sole) that in 1980 undoubtedly influenced the ability of the system to support Tanner crabs. Finally, indications are that the Tanner crab model performs much better when early survey data (1969-1973) are dropped, but estimates of mature male biomass before 1974 become highly uncertain. That leaves just the average of 1974-1980 mature male biomass estimates to determine B_{msy} , which is probably too short of a time period. The SSC has commented on this issue previously in the SSC reports from the June and October 2010 meetings. The assessment authors and Crab Plan Team should undertake a thoughtful discussion on the use of time periods to estimate B_{msy} in general, with a priority for Tanner crab.
4. The time period to be used for determination of rebuilt status will need to be revisited in the future. Currently, stock status must be above B_{msy} for two years before the stock can be declared as rebuilt. One criterion that may factor into the decision is the availability of a stock assessment model to reduce uncertainty about stock status.
5. There is a need for greater clarity about the data (units) being presented in tables in the document. Headings for tables of bycatch statistics should be clarified to indicate whether bycatch represents the weight of Tanner crab bycatch with or without application of discard mortality. Tables should report bycatch in the same units as catch to allow for comparisons. When bycatch mortality is estimated, it would be helpful to compare the various sources of mortality with respect to OFL levels. Also, tables that present data on Tanner crab bycatch should clearly indicate whether they represent males only or both sexes combined.
6. The document should describe observer sampling procedures for Tanner crabs with respect to size and sex. Methods used to estimate male-only bycatch estimates should be described in the text.
7. During NMFS surveys, hybrid crabs (resulting from snow-Tanner crab mating) are estimated separately, whereas ADF&G counts hybrids with Tanner-like characteristics as Tanner crab. To the extent practicable, catches of hybrid crabs should be deducted from Tanner crab catch statistics. If this is not possible, the document should describe the relative contribution of hybrids to the total reported catches.

C-4(e) Crab modeling workshop

Diana Stram (NPFMC) introduced the Bering Sea crab modeling workshop held on February 16-18, 2011 at the Alaska Fisheries Science Center in Seattle. The purpose of the workshop was to bring together researchers on crab assessment, modeling, and biology to make recommendations for improvements to stock assessment models of snow crab, Tanner crab, and Pribilof red and blue king crab. A response to the CIE review of Bristol Bay red king crab was also given. Steve Martell (Univ. British Columbia) chaired the workshop and presented to the SSC a summary report of the workshop discussions and recommendations. For each species group, separate sections of the report gave background and objectives, technical issues, short-term recommendations, and long-term recommendations. Public testimony was provided by Edward Poulsen (Alaska Bering Sea Crabbers) and Ed Richardson (Pollock Conservation Cooperative).

Eastern Bering Sea Tanner Crab

A considerable portion of the crab modeling workshop was devoted to a review of the stock assessment model for the Tanner crab stock in the eastern Bering Sea. The objective of the modeling is to improve the stock assessment for Tanner crab such that this stock can be moved from Tier 4 to Tier 3 for purposes of setting OFLs and ACLs. Progress in the development of a stock assessment model for Tanner crab since the modeling workshop was presented by Lou Rugulo and Jack Turnock (NMFS-AFSC). According to the current schedule, the SSC would review the full model in June following review by the Crab Plan Team in May 2011.

The SSC commends the stock assessment scientists on their recent progress on Tanner crab. Considerable work has been completed since the February workshop. Pursuant to workshop recommendations, recent changes include: (1) removal of 1969-1973 survey data from the analysis owing to concerns about spatial coverage and other technical issues, (2) changes in the coding of the growth transition matrix, including the number of size bins, (3) changes in how the likelihood is estimated, (4) changes in how recruitment is handled in the model, (5) creation of two selectivity periods based on gear change (1974-1981, estimated with a 3-parameter logistic, and 1982 onwards, informed by catchability based on the underbag study of Somerton and Otto), and including estimates of growth obtained by fitting models to Tanner crab growth data from Kodiak. **Collectively, these changes have resulted in noted improvements in model fits, however much work remains to be done and the current model is not yet ready for use in stock assessment or stock rebuilding analysis.**

The SSC supports the short- and long-term recommendations from the modeling workshop with just a few changes. First, the recommendation to develop a spatial model should be a long-term recommendation. Likewise, changes in management (e.g., rationalization) or fleet behavior that may help explain residuals should be considered, but any resulting structural model changes may need to be deferred to later. Finally, if time is available, the SSC supports a modified non-consensus recommendation to conduct a prospective analysis by successively dropping starting years up to 1981 so that the final model comparison would consider survey data from 1982 onwards; 1982 was chosen as the current survey gear has been used since that time. The goal of this analysis would be to assess the sensitivity of model fits to inclusion of the early data. Regardless of whether this analysis can be conducted by May, this prospective analysis will become important for subsequent considerations of biological reference points and their sensitivity to the early data.

In addition to recommendations resulting from the workshop, the SSC offers the following additional recommendations:

- To better judge the integrity of data from the early years of the fishery, the SSC encourages a more thorough examination of information about these early years. Many old reports talk about

“Tanner crab” but actually address *Chionoecetes* spp. It is important to carefully scrutinize these early reports to assure that the data associated with Tanner crab (*Chionoecetes bairdi*) are correctly assigned. In addition to species identification, there are some concerns about the accuracy of catch records attributed to Tanner crab landings, especially from the foreign crab fisheries in the EBS during the early years of the fishery.

- As raised by the SSC in the October 2010 report, the assessment should consider the degree to which hybrid crabs (resulting from Tanner-snow crab mating) may affect the assessment. The SSC understands that hybrids are counted as “hybrids” during NMFS trawl surveys, but that ADF&G counts hybrids with certain morphological features (Tanner crab-like features) towards the annual catch quota for Tanner crabs. To the extent possible, only true Tanner crabs should count toward the Tanner crab quota.
- Analyses of size at maturity were presented that indicate some cycles, but no trends, in size at maturity of Tanner crabs in the eastern Bering Sea. Several previous analyses (i.e., Somerton 1981, Otto and Pengilly 2001, Zheng 2008) found spatial and temporal patterns in size at maturity. As a long-term priority, the SSC recommends further analysis of maturity to determine whether difference in current versus previous findings are attributable to spatial aggregation in the current analysis or differences in methodology among studies.
- As noted by the assessment authors, current model fits have some very undesirable residual patterns indicating lack of correct model specification. The SSC recommends detailed examination of residuals for insights about their causes. For instance, the SSC recommends comparing cycles in size at maturity for males and females with each other and with cyclical residuals in model fits to survey area-swept estimates. Model and survey estimates of abundance for both males and females cycle among over- and under-estimation. Also, examination of residuals in size frequencies may provide better insights about how the model is handling data conflicts among size, abundance, and other data.
- The SSC appreciates current efforts to address questions raised about natural mortality in the model. Primary concerns addressed whether immature crabs experience higher natural mortality (e.g., see Somerton 1981) and whether females have higher mortality rates than males. Assumptions about Tanner crab mortality are largely derived from snow crab. Recent analyses by Ernst, Armstrong, Orensanz and Burgos indicate a maximum life span of 11.5-14.5 years for female Tanner crab in the EBS. Males likely live a few years longer; the maximum age of any male sampled from Bonne Bay, Newfoundland, by Comeau et al. (1998) was 19 years. A workshop recommendation was to estimate M internally in the model. Also, assessment authors indicated a desire to explore incorporation of crab predation estimates into natural mortality estimates to recognize large changes in the crab predator field since the late 1970s. The SSC also looks forward to this longer term analysis.
- The SSC understands that the Alaska Board of Fisheries approved changes in size limits for Tanner crabs east and west of 166 °W. The size limit was dropped to 4.8” (122 mm CW) east of 166 W and 4.4” west of 166 W. However, the industry will retain crabs above 5.5” east of 166 and 5” west of 166. In the absence of data on the implications of these changes in the selectivity curve, Assessment authors proposed to shift the current fishery selectivity curve to smaller sizes to approximate the implications of this management change on catches after consultation with ADF&G on their intended implementation of the Board’s decision. The SSC supports this practical approach until new data are collected after implementation of the new size limits, allowing new selectivity curves to be estimated.

- Finally, the SSC recommends examining the cooperative survey data collected in 2010 to determine whether it provides useful information on selectivity for comparison with the previous underbag experiment.

Pribilof Islands Red and Blue King Crab (and Implications for St. Matthew Island Blue King Crab):

A preliminary 4-stage assessment models for Pribilof Island red and blue king crab were reviewed during the workshop. The workshop report highlighted issues with these models that relate to model initialization using survey data, code documentation and discontinuous objective function.

Workshop participants recommended that the existing model should not be used until it is fully documented and the code itself is peer reviewed by an independent expert who is familiar with ADMB and non-linear parameter estimation. The SSC concurs with this conclusion.

Workshop participants made four short-term recommendations relating to treatment of post-recruits and recruits, simplification of models growth increment matrix, model documentation and consistency between stocks. The SSC agrees with these recommendations and encourages the stock assessment authors to move forward to address these issues. However, the SSC expresses some concern about the workshop recommendation to collapse post-recruits and recruits into one category so that the CSA model would become 3-stage instead of 4-stage. Estimates of recruits and post-recruits result from direct measurements of size and shell condition and include the highest quality data available from the survey and the only data available from commercial fishery. On the other hand, the two pre-recruit stages must be estimated based on size measurements, as well as estimates of molting probabilities and growth increments, both of which are estimated with error. The SSC would like to see results from both 3- and 4-stage CSA models prior to any change in assessment methodology.

The highest priority should be placed on the workshop recommendations that encourage authors to carefully examine the assessment model equations, ensure constants are correct and documented and that the objective function is appropriate. **Since directed fisheries for Pribilof red and blue king crab are closed, the most urgent issue is to document the model parameterization for St. Matthew blue king crab. This will ensure that the model provides an appropriate basis for OFL and ACL/ABC specifications. As a precaution against the possibility that the CPT does not approve use of the CSA model for St. Matthews blue king crab, the SSC requests that the authors also estimate biological reference points based on survey biomass or some other index of abundance.**

Bristol Bay Red King Crab

This was a brief report at the workshop on the stock assessment authors' response to a CIE review of the stock assessment model for Bristol Bay red king crabs. The authors have been making progress to address the CIE comments.

Snow Crab

The main issue for the current snow crab assessment concerns incorporation of information into the model from a cooperative field study of gear selectivity between BSFRF and AFSC in 2009 and 2010 (see SSC report, February 2011). Workshop participants examined the study results in depth and provided suggestions on alternative analyses, including averaging 2009 and 2010 results and fitting a mixed effects linear model. Snow crab assessment scientist Jack Turnock (AFSC) presented preliminary results of an analysis which incorporated the experimental results directly into the stock assessment model. Workshop participants were not satisfied with the preliminary results, because, counterintuitively, the 2010 selectivity curve increased dramatically at larger crab sizes, which were poorly represented in the data (also noted by the SSC in their report). Suggestions were made for alternate selectivity curves and inclusion of an availability parameter.

Since the workshop, the stock assessment analyst has continued to develop the model and presented new results at this SSC meeting. He examined 3- and 6-parameter logistic curves and a 23-parameter smooth-penalty function, and included an additional parameter for availability. The resulting selectivity curves were promising, except there was still a hump in male selectivity at small crab sizes using the smoothing approach. Because natural mortality and selectivity are often confounded, assessment author explored the use of higher natural mortality on immature crabs. The likelihood was maximized for values of immature male natural mortality between 0.35 and 0.40, compared to the standard male mortality of 0.23. This also smoothed out the hump and made the curve look more like a logistic curve. The SSC is pleased with the progress that has been made but suggests that immature mortality should be estimated internally in the model. The SSC also notes that the assessment author has followed the spirit of SSC recommendations from February. **For the May-June crab meetings, the SSC is supportive of the approach of incorporating the experimental data directly into the assessment model, instead of outside the model as the SSC suggested in February.**

The SSC notes that there are other suggestions contained in our June 2010 and October 2010 reports that still might be useful. These suggestions include estimation of natural mortality for females and mature males, bivariate distributions of catchability and natural mortality, and sensitivity studies of population parameters and reference points to various model components.

In the long term, the SSC recommends that crab researchers pursue further analysis of the experimental data. This leads to two recommendations that are concisely stated in the workshop report as short-term recommendation 2 (developing a logical scheme to combine the 2009 and 2010 data) and long-term recommendation 1 (developing a negative binomial mixed effects model). This work could help validate the selectivity estimates from the stock assessment model and provide further understanding of the factors affecting selectivity.

C-5(b) Fishing effects on crab essential fish habitat

The SSC received a presentation by Diana Evans (NPFMC) and Bob Foy (NMFS-AFSC) on a discussion paper entitled "The evaluation of adverse impacts from fishing on crab essential fish habitat." Public testimony was provided by Jon Warrenchuk (Oceana). The SSC appreciates the concise summary of available information for assessing habitat effects on red king crab (RKC) in Bristol Bay. The detailed information provided in the oral presentation should be incorporated into any future updates of the discussion paper.

The main concerns identified in the presentation relate to the potential importance of larval release points as inferred from the distribution of spawning and breeding females, the distribution of these females in heavily trawled nearshore areas on the north side of the Alaska Peninsula, and the distribution of early juvenile stages (post-settlement). Larval release points are important because they affect drift trajectories and settlement into suitable nursery areas. The distribution of spawning and breeding females occurs in nearshore areas that are poorly sampled by the annual bottom trawl survey, in particular to the SW and W of Amak Island. Some of these areas have experienced increased trawling intensity in recent years, in spite of an overall decrease in trawling intensity in the SE Bering Sea. Finally, the distribution of juvenile red king crab is of concern because it extends well beyond the current no-trawl areas that were put in place to protect this life stage (Bristol Bay Trawl Closure Area and RKC Savings Area).

Population-level effects related to these concerns are poorly understood, but it has been hypothesized that trawling in SW Bristol Bay may affect recruitment success, and hence the productivity of RKC in Bristol Bay (including reference points). Because of these concerns, and the associated uncertainties, the SSC

agrees with the author's recommendation to modify the conclusions about effects of fishing on EFH in the 2005 EFH EIS.

To address concerns over population-level effects of fishing on recruitment, the SSC recommends that the Crab Plan Team review the basis for the current baseline used to determine productivity of RKC (1995-2010). In particular, if fishing has contributed to the decline in RKC recruitment after the 1970s, the recent baseline period may not be representative of the productivity of the stock.

To resolve some of the uncertainties about effects of fishing on RKC, the SSC recommends that research on the effects of habitat modifications on spawning and breeding females, particularly in nearshore areas, and on the implications for larval drift patterns and settlement receive a high priority. Such research could include:

- Pop-up tagging studies to identify larval release locations as described in the discussion paper.
- Retrospective analyses of existing data, in particular any information on nearshore abundance and distribution of females (e.g., OCSEAP, AKMAP), and larval stages (PROBES, Inner Front Program, see Ken Coyle for data).
- A summary of available information on the importance of structural habitat to juvenile growth and predation (e.g., Ph.D. dissertation by Jodi Pirtle, UAF) to improve understanding of the links between productivity and habitat type and availability.
- Development of a larval drift model (e.g., IBM) for red king crab.
- Exploring temperature as a covariate may help to sort out differences in the overlap between trawl activity and RKC spatial distribution between warm and cold years.

In addition to the effects of fishing, an updated discussion paper may include a description of cumulative effects on RKC habitat from potential oil & gas development in Bristol Bay, potential mining in the Bristol Bay watershed, and climate change and ocean acidification.

C-6 GOA Pacific cod jig fishery management - Initial review/Final Action to revise GOA Pacific cod jig fishery management

Jeannie Heltzel (NPFMC) presented details from the Regulatory Impact Review (RIR) and Environmental Assessment (EA) for alternatives dealing with Pacific cod jig fisheries relative to Guideline Harvest Limit (GHL) state management in the GOA. There was no public testimony.

The document was clear and concise about the impacts of the proposed alternative. There are several substantive considerations and edits that should be addressed. In particular, many of the figures in Tables 2-3 through 2-5 appear to be inconsistent. Also, several table numbers do not agree with those reported in the text. More significantly, the document lacks a discussion of the extent to which this action would affect pot operators who stand to lose rollover GHL if the jig sector takes more of their allotment of Pacific cod in the GOA. The document acknowledges that impacts may exist, but there is no information to determine the likely economic and operational implications of these impacts.

The EA finds reduced risks and no significant adverse impacts on fish and other species based on speculation that the action will reduce fishing in inshore waters, but there is little justification for this conclusion. Given that the stated goal of the proposed action is to increase Pacific cod harvest opportunities for the jig sector is not a certain that all of the increase will be in offshore waters.

This is one of those occasional actions where the Status Quo differs from the No Action Alternative. Under MSA and other applicable law, the No Action Alternative, and not the 'status quo', is the

appropriate baseline (i.e., Alternative 1), against which action alternatives should be compared. The draft should be revised to make this comparison.

Because the Council proposes to take initial and final action on this measure at this meeting, there is the technical problem that the IRFA cannot be completed until after the Council formally adopts a preferred alternative. The result is a somewhat confused and inadequate RFAA. However, with relatively modest revisions and supplemental impact descriptions associated with roll-overs, this draft could be made fully compliant with E.O.12866 and the Regulatory Flexibility Act. Specific edits were provided by the SSC to the analyst.

The SSC concludes that the document is acceptable for public review/final action at this meeting.

D-1 Scallop Fishery Management – Review Scallop SAFE

Diana Stram (NPFMC) and Scott Miller (NMFS-AKR) presented the Scallop Plan Team (SPT) report on the Scallop SAFE. No public testimony was provided.

The SSC previously reviewed the SAFE document in April 2010 and alternatives for implementing ACLs in October 2010. Several of the SSC's comments were addressed in the 2011 SAFE document. It was indicated that the following SSC comments will be addressed in 2012:

- Review of stock boundaries using the format contained in the stock structure report.
- Development of standardized surveys for other areas.
- Presentation of camera sled biomass estimates for seven regions where this technology has been deployed.
- Given the reliance on CPUE as an index of abundance, the SSC requested an evaluation of the difference in dredge selectivity between fishing regions including an analysis of the influence of bottom type on catch efficiency.

The SSC feels that these issues are important and looks forward to receiving this information next year.

Regarding the structure of the SAFE, the SSC has the following comments. Section 1.4 should include a general discussion of the issue of weak meats as it affects the stock and economics of the fishery. The Economic section should be moved to the end of the document. The ACL Section 2.10 should be moved to the section on Management (2.1) and focus on the recommendation for the upcoming 2011/12 fishing season. Annual total catch and ACL should be added to Table 2-4. A summary catch table based on appropriate management sub-units should be assembled to evaluate management by sub-area.

In addition to these structural changes, the SSC identified the following general issues:

- Discards for the 2008/09 and 2009/10 seasons are shown in tables; however the tables should clarify whether the 20% discard mortality has been applied to the estimates. In addition, showing the discard weight and catch in the same weight type (round or shucked weight) or providing an additional column with the converted weights for the discards would be useful for comparison.
- The SSC notes that local and traditional knowledge may be a useful source of information to assess the historical incidence of weak meats.
- Catch recorded in round weights should include the conversion information used to estimate weight.
- The ecosystem section should be expanded to include impacts of ocean acidification and dredging effects.

- The SSC was informed that only preliminary catch estimates will be available to assess management performance relative to the ACL. This issue should be discussed with the ADF&G to identify whether catch estimates can be finalized on a shorter time frame.
- While the definitions of OFL and ACL have been established by the NPFMC, the SSC encourages the SPT to continue to explore other methods for estimating biological reference points including Productivity Susceptibility Analysis (PSA), or Depletion-Corrected Average Catch (DCAC), as an example.

The SSC offers the following stock specific comments:

- Table 3-3 shows the scallop density in the west bed was lowest on record in 2010 and has been declining for the past four years. In addition, this region was impacted by weak meats (2.5% in the west bed and 5.8% in the east bed). In response, the PWS West bed region was closed in 2009 and 2010/11.
- The SSC requests that a table similar to Table 3-4 be developed for the west bed.
- Confirm biomass estimates found in Table 3-3. There appears to be a problem with transposing values associated with different values of q .
- Overall trends in PWS, shown in Figure 3-5 may indicate the beds are being fished down. The SSC requests that the SPT discuss what level of depletion is sustainable.

The SSC recognizes that the Council passed a motion in October 2010 to amend the Scallop FMP to establish annual catch limits for scallops; however, the Secretary of Commerce has not yet approved the FMP amendment. Assuming that the FMP will be amended to reflect the Council's motion, the amended FMP would redefine the overfishing limit (OFL) and establish an acceptable biological catch (ABC) control rule and statewide annual catch limit (ACL). The OFL would be redefined to include all estimated sources of fishing mortality and to establish an OFL of 1.29 million pounds of shucked meats. The ABC and ACL would equal 90% of the re-estimated OFL.

The SSC anticipates that an FMP amendment to implement the Council's October 2010 motion will be approved before the close of the 2011-12 scallop fishing season, at which time the FMP will include an ABC control rule and statewide annual catch limit. Accordingly, **the SSC recommends that the Council establish an ABC of 1.161 million pounds of shucked meats for the statewide weathervane scallop stock for the 2011-12 scallop fishing season, consistent with the control rule set forth in the Council's motion.** Assuming the FMP is amended to reflect the Council's motion, this would result in an ACL of 1.161 million pounds of shucked meats for the 2011-12 fishing season.

The economic assessment contained within the draft was succinct. The inclusion of the inflation adjusted real price series makes a very nice and informative contribution to the analysis. It would be advisable and appropriate to explicitly note that references to revenues are gross estimates and that all initial sales of scallops, whether fresh or frozen are post-primary processing transactions. That is, the landed product is (presumably) only shucked meats. To the extent practical, the SSC recommends that additional economic data be provided, possibly in an appendix. Examples of potentially useful data include port landings, crew size and wages.

The SSC has the following minor editorial comments:

Endnote b, attached to Table 1-1, requires further explanation. There also appears a set of sentences, bottom of page 22, that seem to contradict one another and this should be fixed. In Table 1-1, the column headings "Average Price/lb" and "Adjusted Price" should be changed to "Nominal Average Price/lb" and "Real Average Price/lb", respectively. The table should contain a footnote documenting the source of the inflation factor. The SSC has also identified a number of edits, minor errors, and typos that will be communicated directly to the authors.

D-2 (a) Halibut PSC discard EFP

Todd Loomis of the North Pacific Fisheries Foundation (NPF) presented findings from an EFP to study the description and estimation of discard mortality of Pacific halibut in Bering Sea non-pelagic trawl fisheries. Gregg Williams (IPHC) also provided a description of the standard IPHC discard mortality assessment protocol and basis for the discard mortality rates applied to the assessment.

The basic design of the 2009 and 2010 experiments was to compare discard mortality as determined from the standard IPHC and recently developed RAMP (reflex action mortality predictor) assessment protocols. The study was also designed to develop a mortality curve for the RAMP assessment and investigate environmental and fishing-related factors affecting mortality of halibut discards.

The SSC appreciates the work of NPF and IPHC in conducting these experiments and understands the complexities and difficulties in development of mortality predictors in a working fisheries environment. While no additional studies are planned, the SSC offers the following observations from the current study and recommendations for future work on this topic. The study showed that the RAMP protocol can be successfully utilized in a working fishery environment. However it did not achieve all of the stated objectives. Difficulties with small sample size ($n = 11$) during the 2009 study and lack of halibut samples from all categories of RAMP protocols during 2010 prevented full development of a RAMP curve and an analysis of factors that can affect discard mortality rate in halibut. Assessments of total mortality from RAMP and IPHC protocols were comparable during the 2010 study although the majority of fish were initially assessed as having a high probability of mortality. We suggest that the EFP report include a table of observed mortality rate by individual RAMP and IPHC assessment category, and investigate and identify individual RAMP categories that were most indicative of mortality. Future studies should consider using a longer holding period (the current study used a 3-day period) to more closely resemble the results of the long-term tagging data used to develop the IPHC discard mortality rates. Controlling for length of fish and potentially important environmental variables (e.g., temperature) should also be considered. The initial assessment protocol (IPHC vs. RAMP) used on each fish should be randomized or alternated to control for reduction in reflex reactions that can occur rapidly during the assessment process. These types of experiments would best be conducted on a research vessel dedicated to development of discard mortality rates where sample sizes can be increased and the aforementioned controls implemented.

D-2(c) Review draft salmon excluder EA/EFP

Mary Grady (NMFS-AKR) presented the draft Environmental Assessment (EA) for issuing an exempted fishing permit for testing a salmon excluder device in the eastern Bering Sea. John Gauvin (Gauvin and Associates LLC) gave an overview of the planned testing and current development stage of a salmon excluder device. There was no public testimony.

This EFP would allow for further improvement of the Chinook salmon excluder design developed in earlier studies and evaluate and/or modify to improve Chum salmon escapement. The experiment would be conducted from fall 2011 through fall 2012. The proposed action is not expected to have any significant impacts. The SSC commends the investigators for their efforts in testing and developing gear modifications significantly reducing PSC rates in the pollock fishery. The EA appears to be complete and the application is well-written. The SSC suggests that the investigators consider more formalization of recording conditions surrounding net deployment to better understand factors influencing net performance relative to salmon bycatch. **The SSC recommends the Council approve the EFP application.**

Enforcement Committee Minutes

March 29, 2011

Hilton Hotel, Anchorage, AK

Committee present: Roy Hyder (Chair), LT Anthony Kenne, Martin Loefflad, Ken Hansen, Dr. James Balsiger, Sherrie Myers, Stefanie Moreland, Jonathan Streifel, and Jon McCracken (staff)

Others present: Jane Dicosmo, Jeannie Heltzel, Diana Evans, Diana Stram, Galen Tromble, Melanie Brown, Will Ellis, and Chris Oliver

C-2 Halibut/sablefish hired skipper

Jane DiCosimo, Council staff, provided a brief overview of the public review analysis on the halibut/sablefish hired skipper currently under consideration by the Council. The purpose of this action would be to narrow the restrictions for initial recipients of quota share to use a hired master to harvest their IFQs in all areas where hired skippers are allowed.

Since the Enforcement Committee does not see any new enforcement issues associated with the hired skipper proposed action that was not noted at the February 2011 meeting, the Committee has no new recommendations.

C-3(b) GOA Chinook Salmon Bycatch Control Measures

Galen Tromble, NMFS staff, provided an overview of the monitoring and enforcement section of the initial review analysis on GOA Chinook salmon bycatch control measures currently under consideration by the Council. The Council has determined that Chinook salmon bycatch levels in 2010 were unacceptably high, and has developed an amendment package to reduce the risk of high bycatch levels in the future.

Although current observer sampling at the plant level is adequate for monitoring the proposed action, it was noted during the presentation, that the agency, through outreach, is planning to work with processing plants to improve sorting at the shoreside processors. Weekly calls currently being conducted to discuss the implementation of Amendment 91 will be useful in implementing the proposed program in the GOA. The use of outreach rather than the regulatory process to improve sorting at the plants will allow the proposed action to continue on its projected time line for implementation. If in the future, issues arise with the sorting of salmon bycatch in the plants, these issues could be addressed at a later time through future action. Given these reasons, the Enforcement Committee concurs with NMFS recommendation to pursue outreach with shore plants rather than through regulations to improve sorting at the shoreside processors.

The Committee also spent time discussing issues surrounding full retention of salmon under the proposed action. Current regulations require vessel operators to discard PSC salmon. In practice this is rarely feasible. For the pollock fishery it is common for vessel operators to retain most salmon because of the operational characteristics where large volumes of pollock are brought aboard and rapidly stowed in below-deck tanks, thus effective at-sea sorting of salmon is not practical. When an observer is aboard, vessels are required to allow for sampling by an observer before discarding prohibited species though the sample sizes tend to be very small, again for practical reasons. The standard practice is for the entire observed delivery to be sorted at the offload to get a total salmon count. It was noted that NMFS will have no way of verifying that full retention of salmon has occurred on unobserved vessels, therefore

NMFS will not be modifying their protocols for unobserved deliveries, but will focus on data quality and timeliness for the observed catches. Recognizing the differences between current regulatory requirements and existing practices in this fishery and the benefit of a uniform policy towards retention of salmon, the Enforcement Committee recommends full retention of all salmon is included in the proposed action.

The Committee noted that lessons learned in addressing deck loads in the Bering Sea pollock fishery will be applicable in the implementation of the proposed GOA Chinook salmon bycatch action.

The Committee also spent time discussing the potential timeline associated implementing increased observer coverage under this proposed action with implementation of the restructured observer program. NMFS anticipates the proposed observer coverage for the less than 60' LOA GOA pollock trawl fleet through the restructured observer program is between 6 to 18 months after an assumed mid-2012 implementation of this proposed action. In its discussion, the Committee recognized that various aspects of the restructured observer program could be impacted should observer coverage to vessels less than 60 feet be implemented with this proposed action, thus potentially competing for the same staff resources dedicated to the restructured observer program. The Committee also noted that implementing observer coverage requirements under this proposed action followed closely by implementation of the restructured observer program could result in a great deal of confusion for the industry. Given these impacts, the Committee agreed that if implementation date of the restructured observer program was within 6 months of implementation of this proposed action, there is an advantage to delaying increased observer coverage for the less than 60' catcher vessel fleet until implementation of the restructured observer program. However, if the timeline between the implementation of the proposed action and the restructured observer program is closer to 18 months, the Committee agreed that the benefit of Chinook observer data for the Western GOA less than 60' catcher vessel pollock fleet during those 18 months would likely outweigh the disadvantages of implementing increased observer coverage under this proposed action prior to implementing the restructured observer program.

Finally, the Committee doesn't find any safety concerns with this proposed action with the exception of the need to do safety inspections for the expanded observer coverage for the less than 60' catcher vessels under this proposed action. The Committee noted that with the expansion of the observer program to the new fleet and as the GOA fleets approach Chinook bycatch limits, there is the potential for data bias and harassment of observers. While we expect the majority of the fleet will comply with the regulations and cooperate with observer requirements, due diligence will be necessary to ensure staff are dedicated to address safety of observers and any data bias/ harassment issues that arise. In addition, the Committee recommends that outreach occur to the less 60' catcher vessel fleet to provide guidance with observer requirements.

C-5 Revise GOA Pacific Cod Jig Fishery Management

Jeannie Heltzel, Council Staff, provided an overview of the proposed action to open Federal waters to directed fishing for Pacific cod with jig gear concurrent with the State of Alaska Guideline Harvest Limit (GHL) fishery for Pacific cod in the GOA. Catches in Federal waters would accrue to the State jig GHL, which is specified as a percentage of the GOA Pacific cod ABC. Jig gear was recently exempted from the Limited License Program (LLP) requirement in the GOA subject to gear limits.

The Committee noted that the proposed action would likely provide a benefit by reducing enforcement monitoring of jig vessels (following closure of federal waters) since Federal waters would remain open to directed fishing for Pacific cod with jig gear concurrent with the State of Alaska Guideline Harvest Limit (GHL) fishery in the GOA. In the past, once the parallel fishery closed and the GHL fishery opened, enforcement routinely monitored jig vessel activity to ensure vessels did not stray into Federal

waters. The Committee noted that jig vessels fishing in the State GHF fishery and operating in Federal waters during this period will be required to carry all Federally mandated safety gear.

The Committee also spent time discussing some of the challenges of applying State of Alaska fishery regulations in Federal waters that may be necessary under this proposed action. For example, the State utilizes exclusive registration for purposes of fishery management, so a State water vessel has to select, on an annual basis, to fish in either the Cook Inlet area or the Kodiak area and cannot participate in the other area for the remainder of the year. The committee presumes vessels fishing in federal waters under this action would be registered for the state GHF fishery. The Committee noted that interaction between State and Federal regulations will be necessary under this proposed action.

C-6(c) Pribilof BKC Rebuilding Plan

Given there is no additional enforcement or safety issues association with final action on Pribilof Island blue king crab rebuilding plan, the Council reiterates its December 7, 2010 comments on this issue which are provided below.

The Enforcement Committee focused their attention on the potential for having two different rules for trawling in proposed closures. It was noted that Options 2a, 3a, and 4a, which would prohibit all groundfish fisheries which have contributed to PIBKC bycatch, are determined by gear and target and therefore would allow for the possibility of different trawl rules in the proposed closure area. In general, with respect to closed area enforcement, the more exceptions there are to closed areas, the more problematic for enforcement. This is especially true when an exception allows pelagic trawling while prohibiting non pelagic trawling. Although VMS is currently required in these fisheries, VMS it is not a tool that can be used to differentiate gear types. In addition, an aircraft can easily differentiate between a trawl, pot, and longline vessel, but cannot differentiate between vessels operating pelagic and non-pelagic trawl gear. This requires an at-sea boarding. In summary, the Enforcement Committee recommends the analysis clearly analyze the monitoring and enforcement issues involved in enforcing the regulations that allow different trawl rules within area closure.

Future Agenda Items and Review of the Three Meeting Outlook

No Enforcement Committee meeting in June.

Ecosystem Committee Minutes

Tuesday, March 29, 2011 1-4pm
NPFMC conference room, Old Federal Building, Anchorage, AK

Committee: Stephanie Madsen (chair), Bill Karp, Dave Fluharty (teleconference), Jim Ayers (teleconference), Jon Kurland (teleconference), Diana Evans (staff)

Others attending included: Matt Eagleton, John Olson, Sarah Ellgen, Bob Foy

EFH Omnibus Amendments

The Committee heard an update from staff on the changes that have been made to the public review draft of the EFH Omnibus Amendment package. Mr Kurland provided a brief summary of the NMFS letter recommending action on the Council's EFH actions. The Committee acknowledges the sustained good work by Council, Alaska Region, and Alaska Fishery Science Center staff in shepherding this conclusion to the EFH 5-year review. **The Committee notes that the analysis is ready for decision-making and recommends that the Council move forward with final action on each of the actions identified in the omnibus amendment.** Consistent with the Committee's recommendation in February, the Committee encourages the Council not to hold up the omnibus amendment pending further action on the Bristol Bay red king crab discussion paper (see below).

EFH / Bristol Bay Red King Crab Discussion Paper

The Committee received a presentation from Dr Bob Foy, of the Kodiak Laboratory of the AFSC, on the discussion paper evaluating the effects of fishing on EFH for Bristol Bay red king crab (BBRKC). The discussion paper follows up on concerns identified by the Crab Plan Team during the EFH 5-year review in 2010. The paper, and the additional information included by Dr Foy in his oral presentation, suggest that there is an area southwest of Amak Island that may be particularly important for rebuilding red king crab populations, due to the fact that eggs released in this area may have a greater chance of survival through larval and juvenile life history stages, compared to eggs released in other parts of Bristol Bay. Trawl fishery interactions with ovigerous female crab in this area may have a disproportionately adverse effect on the red king crab population.

The Committee recommends that a technical review of a revised discussion paper be undertaken by the Crab Plan Team and the SSC before the Council initiates an action on this issue. The paper should be expanded to include the new information discussed in Dr Foy's oral presentation, which could be presented at the Crab Plan Team's May meeting. For the Plan Team's September meeting, the discussion paper could be augmented in several ways. Dr Foy noted that survey work is planned for this summer which may provide more information on the location of juveniles in the nearshore. Further work could be undertaken to look specifically at bycatch within and around the Red King Crab Savings Area, and especially to the southwest along the peninsula. Dr Foy is also intending to investigate whether a larval drift model can be run for red king crab larval release in different locations, which may provide key information about the importance of the area southwest of Amak Island for red king crab juvenile survival. The Committee also discussed whether the potential impact of the trawl fishery on crab in this area is a habitat or a bycatch issue, and recommends that this be further developed in the discussion paper. Additionally, the Committee recommended that the authors consult with the preparers of the Ecosystem SAFE report to incorporate information on ecosystem relationships in this area.

The Committee also encourages the SSC and the Council to consider the research needs identified in the discussion paper in the Council's annual setting of research priorities in October. The Committee appreciates the work that has been put into the discussion paper, which highlights a potentially important issue for Council consideration.

Future direction on ecosystem issues

The Committee discussed how it might consider some big picture ecosystem issues, and continue to evaluate the Council's ecosystem-based management efforts compared to efforts in other arenas. Dr Karp offered to provide a presentation of interesting and innovative work that is ongoing in Europe, based on his experience with the ICES Science Committee.

The Committee noted that they would like to revisit discussion about the AI FEP, how it is working, and what is its current status. In January 2010, the Committee met with the AI FEP Ecosystem Team, and developed a plan to prepare a presentation on the state of the AI ecosystem and updates to the FEP for the Council. The Committee proposes getting this work back on track, and on the Council's schedule.

The Committee is considering scheduling a meeting in the late summer or early fall to address these issues, as well as to provide continued feedback to the Council on the BBRKC discussion paper.

D-2(b) GOA Halibut PSC limits, motion

Purpose and need statement

The GOA Groundfish FMP and NMFS rule making establish a 2,000mt halibut PSC limit for trawl gear and a 300mt halibut PSC limit for hook and line gear. The FMP authorizes the Council to recommend, and NMFS to approve, annual halibut mortality limits as a component of the proposed and final groundfish harvest specifications. Halibut PSC limits are set separately for trawl and fixed gear, which may be further apportioned by season, regulatory area, and/or target fishery.

Since the existing GOA halibut PSC caps were established, the total biomass and abundance of Pacific halibut has varied and in recent years the stock has experienced an ongoing decline in size at age for all ages in all areas. Exploitable biomass has decreased 50% over the past decade. In recent years, the directed halibut catch limits in the GOA regulatory areas 2C, 3A and 3B have declined steadily. From 2002 to 2011 the catch limit for the combined areas 2C, 3A, and 3B declined by almost 50%. While total biomass is high, much of this biomass is made up of smaller fish that are more vulnerable than larger fish to trawl gear.

With the exception of bycatch reductions in the IFQ sablefish fishery, and the Rockfish Pilot Program, the current bycatch limits have not been revised since 1989 (Amendment 18). Since that time there have been significant changes in groundfish and halibut management programs and fishing patterns, environmental conditions, fishing technology, and our knowledge of halibut and groundfish stocks. Halibut is fully utilized in the directed sport, subsistence and commercial fisheries and is of significant social, cultural and economic importance to communities throughout the geographical range of the resource. Halibut PSC allowances are also critical to the prosecution of many groundfish fisheries operating in the GOA.

The GHL for the charter sector in 2C has declined from 1,432,000 to 788,000 net pounds in the last 5 years, and progressively restrictive management measures have been implemented to keep this sector within its GHL.

Recognizing the significant decline in exploitable biomass, the uncertainties about current halibut stock dynamics and the effect of current bycatch levels, the Council acknowledges a need to evaluate existing halibut PSC limits and consider reductions.

Alternatives for analysis

The Council directs staff to prepare the necessary analytical document to consider a reduction in GOA halibut PSC limits, through the 2012/2013 specifications process. The reductions in halibut PSC limits that were set in the Rockfish Program, but not removed from the 2,000mt PSC cap will be taken off the top, and there will be no further reductions in the Rockfish Program through this action. This action also assumes that a pro-rata adjustment will be made to seasonal apportionments for the trawl PSC limit (except under the suboption for Alternative 2, Option 2).

Alternative 1: Status quo

Alternative 2: PSC limit reduction

Option 1: Reduce the halibut PSC limit for hook-and-line gear by

a) 5%.

April 4, 2011

- b) 10%.
- c) 15%.

Option 2: Reduce the halibut PSC limit for trawl gear by

- a) 5%.
- b) 10%.
- c) 15%.

Suboption: Apply the full trawl PSC limit reduction to the 5th season.

A draft analysis should be available for review by the GOA Plan Team at its August meeting and provided to the Council for initial review at the Council's October 2011 meeting to ensure that any PSC reductions can be considered as part of the Council's 2012 annual specification process. This analysis should examine the effects of modifying halibut PSC as detailed in Section 3.6.2.1.1 of the GOA Groundfish FMP. In addition this analysis should examine the effect of changing GOA PSC limits on the applicable allocations and sideboard limits under the AFA, Amendment 80, and the proposed Rockfish Program. The analysis should also examine the implications of Pacific cod sector splits on halibut PSC. This action should be prepared as an analysis that will be incorporated into the existing harvest specifications process. However, the Council may determine at Initial Review that it is more appropriate to proceed with this action as a separate amendment to the annual harvest specifications process that would modify the 2012 GOA halibut PSC limits.

In the future the Council intends to seek longer term solutions that incorporate halibut bycatch reduction by all gear types and fisheries in the GOA groundfish fisheries through Groundfish FMP and regulatory amendment. It is expected that the analysis to reduce halibut PSC limits through the harvest specifications process will inform Council direction for proceeding with longer term solutions. The Council's intent is to work with stakeholders to explore different approaches to halibut bycatch reduction, including individual accountability and incentive based approaches, that balance the interests of stakeholders and that provide the tools necessary to meet management and conservation objectives in the halibut and groundfish fisheries.

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News & Notes

North Pacific Fishery Management Council

April 2011



Senator Begich Addresses Council

The Council members had a chance to discuss national fishery policy with Alaska Senator Mark Begich during his visit to the Council meeting. He briefly discussed his role on the Subcommittee of Oceans, Atmosphere, Fisheries and Coast Guard. Senator Begich commented on the visibility of the Arctic, and its challenges and opportunities. Senator Begich noted the value of the Council process, the North Pacific Council's leadership in sustainable fisheries management, and his appreciation for the public process it provides in fisheries management decisions.



Capt. Mike Cerne will be retiring from the USCG after participating many years in the Council process. Also moving on is ADM Colvin who will be replaced by ADM Thomas Ostebo representing the 17th district USCG. Capt. Greg Saniel will be joining us at Council meetings. We look forward to working with them.



NPFMC Newsletter
April 2011

Halibut Actions

In April 2011 the Council approved a change to the halibut and sablefish IFQ program to amend the **hired skipper** privileges granted to individual and non-individual (corporate) initial recipients of catcher vessel quota shares (QS). The IFQ regulations would be modified to prohibit the use of hired skippers for class B, C, or D halibut or sablefish QS that were transferred after February 12, 2010. The hired skipper provision would be retained for those QS swept up into blocks after the February 12, 2010 control date and before the effective date of the amendment. Initial recipients of QS also would be allowed to sweep up additional QS units to the amounts they hold after the effective date, but these swept up blocks would not retain the hired skipper privilege (i.e., the QS holder must be on board when the IFQs are fished). Applications for transfer of QS/IFQ by initial recipients that were received by NMFS as of February 12, 2010, and were (or will be) approved by RAM after that date, shall be allowed for use by hired skippers. The Council did NOT change the hired skipper privilege for initial QS recipients for any QS held as of the control date. The public review analysis is posted on the Council website.

The Council initiated analyses to consider reducing the halibut **prohibited species catch** (PSC) limits in the Gulf of Alaska for 2012/2013 through the annual harvest specification process; this action will require an environmental assessment and a regulatory flexibility analysis. Currently halibut PSC limits are set annually at 2,000 mt for trawl gear and 300 mt for fixed gear and the Council is evaluating a

5-15% reduction in the limits. The Council cited both 1) conservation of the halibut resource and 2) allocation impacts on commercial, sport, and subsistence fisheries as the purpose for the proposed action. American Fisheries Act sideboards, Amendment 80 sideboards, and allocations to the Rockfish Program in the GOA will also be considered in the analysis. The Council would consider 1) redefining those sideboards to be in specific numbers (i.e., number of mt) or 2) applying those sideboards as a percentage of a reduced halibut PSC limit.

The Council also requested 1) a discussion paper that describes all other individual or cooperative bycatch allocation programs worldwide and 2) a comprehensive FMP/regulatory amendment to consider actions to reduce halibut bycatch by all sectors and gear types engaged in GOA groundfish fisheries for future years. The discussion paper will be reviewed in October along with the PSC limit analyses. At that time the Council may provide further direction for development of the comprehensive amendment package. The motion can be found on the Council website.

The Council also discussed future action to allow halibut vessel category D quota shares in Area 4B to be fished on category C vessels (known as "**fish up**"). The Council may consider scheduling this coincident with another proposed action that addresses a potential Area 4B Community Quota Entity program. This may occur in either October 2011 or December 2011. The public review analysis is posted on the Council website. Staff contact is Jane DiCosimo.

Impacts on Cod Trawlers

At its April 2011 meeting, the Council reviewed a discussion paper on Bering Sea winter Pacific cod fishery to determine if participating American Fisheries Act (AFA) vessels are adversely impacting participating non-AFA trawl catcher vessels. The Council tasking originated from a request by the Independent Cod Trawlers Association, which includes the fishing vessels Lone Star, Miss Leona, and Windjammer. After reviewing the discussion paper and listening to public testimony, the Council opted to take no further action on this agenda item at this time. The Council encouraged the parties involved to work together to formalize the current practices of limiting AFA vessels on the winter cod grounds when Independent Cod Trawlers Association vessels are on the cod grounds, and to the degree possible mitigate some of the concerns raised by Independent Cod Trawlers Association vessels owners. The Council noted that the winter cod fishery had an increase in the number of AFA vessels and a shortened season, but given the dynamic nature of the fishery and the many variables influencing participation in the fishery, it's not clear if there has been economic harm to the non-AFA trawl catcher vessels. If competition from AFA vessels on the winter cod grounds is significantly harming non-AFA trawl catcher vessels in the future, the Council could reconsider its action on this issue. Staff contact is Jon McCracken.

Salmon Bycatch in the GOA Pollock Fishery

Following initial review of a draft analysis for measures to address Chinook salmon bycatch in the Gulf of Alaska (GOA) pollock fishery, the Council adopted a preliminary preferred alternative for the analysis. The preliminary preferred alternative identifies a prohibited species catch (PSC) limit of 22,500 Chinook salmon for the western and central GOA pollock fisheries combined. This limit would be apportioned between the two areas based on a combination of the proportional historic pollock TAC and historic average Chinook salmon bycatch, using the time series 2001-2006 and 2008-2009. 2007 and 2010 were dropped from the time series because these were abnormally high bycatch years in the central and western GOA respectively, and inclusion of these years biases the apportionment calculation. This calculation results in the following annual PSC limit allowances for the two areas; once the PSC limit is reached, the pollock fishery in the respective area would be closed for the remainder of the year:

Central GOA: 15,816
Western GOA: 6,684

Additionally, the preliminary preferred alternative would implement an interim observer requirement of 30% coverage for trawl vessels under 60 ft while directed fishing for pollock in the central or western GOA. The interim requirement would expire once the observer restructuring program is implemented (currently targeted for January 2013), because that program also provides for observer coverage on vessels under 60 ft. Full retention of all salmon would be required by all vessels directed fishing for pollock, and NMFS will work with the industry to improve observed and extrapolated Chinook salmon estimates and their timeliness.

Although the amendment analysis contains an option to allow a 25% overage provision once in three years, this option was not selected by the Council for their preliminary preferred alternative. Should the PSC limit regulation be implemented mid-year, however, the Council did identify smaller central and western GOA PSC limits that would be in place for the implementation year only, for the Central and D pollock seasons. These limits would be 7,710 Chinook salmon for the central GOA, and 5,598 Chinook salmon for the western GOA.

At this meeting, the Council was informed that administrative requirements are likely to limit the effectiveness of the proposed mandatory salmon bycatch control cooperatives evaluated as Alternative 3 in the initial review analysis. Consequently, the Council has removed this alternative from the amendment package. The Council noted that a more comprehensive Chinook salmon bycatch amendment package has been initiated on a longer time track, and some of the tools available through a salmon bycatch control cooperative may be evaluated in the longer term package.

The Council had considerable discussion about the timing for final action on this issue, and chose to continue with scheduling final action for the June Council meeting in Nome. This timing would allow (although not require) possible implementation of the PSC limits in mid-2012.

As part of the initial review analysis, the Council received an update on NMFS' current plans for increasing sampling of Chinook salmon caught as bycatch in the GOA pollock fisheries. The Council has requested that the agency clarify whether existing sampling protocols are appropriate for conducting genetic analysis on those samples to determine their stock of origin, and report back on the timeline for developing an estimate of Chinook salmon stock composition in the GOA pollock fishery bycatch.

The Council's motion revising the alternatives for analysis, and identifying a preliminary preferred alternative, is posted on the Council website. Staff contacts are Diana Evans and Mark Fina.

There's No Place Like NOME

The Council will hold its June meeting in Nome, Alaska June 6-14. The AP and SSC will start on June 6, at Old St. Joe's Church and Pioneer Hall, respectively, and the Council will begin June 8 at the Mini Convention Hall. The agenda will be available early by late April. Accommodations are limited, but the Nome Convention and Visitors Bureau can help you find places to stay around the town. Please call 907-443-6555 or go to www.visitnomealaska.com and someone will be able to help you plan your stay.

Joint Groundfish Plan team Teleconference to Review Proposals for 2011 Pacific Cod Stock Assessment

The BSAI Groundfish Plan Team and Gulf of Alaska Groundfish Plan Team will convene via teleconference on Tuesday, May 17, 1:30 pm (ADT). The teams will be reviewing proposals for model runs for GOA and BSAI Pacific cod and making recommendations to the author for those that will be reviewed at the August 2011 Groundfish Plan Team meeting. Proposed model runs include those by the author, BSAI Plan Team, GOA Plan Team, Science and Statistical Committee, CIE reviewers and the public. Joint Plan Team recommendations from this May 2011 meeting will be reviewed by the author with the SSC in June 2011. A meeting room and conference line will be arranged by the AFSC-Seattle for local participants. Meeting rooms in Juneau, Kodiak, and Anchorage may also be coordinated among those local participants. The **deadline** for proposing models has been extended to **April 29** to allow the public an opportunity to consider the results of the CIE reviews, which are anticipated on April 22. Proposals are to be submitted to Grant Thompson. Contact Jane DiCosimo for more information.

Observer Advisory Committee

The Observer Advisory Committee (OAC) met March 22 to: 1) receive an update from NMFS on the development of the proposed rulemaking to implement the observer restructuring action the Council approved in October 2010; and 2) discuss the scope and potential use of electronic monitoring (EM) on specified small boat sectors that will be included in the observer restructuring action. The Council asked the OAC to evaluate the development of an EM alternative such that it is available to specified fleets, if it is determined effective to meet NMFS' monitoring objectives, at the time the restructured observer program is implemented (scheduled for 2013).

The OAC recommended focusing an initial EM effort on the 40' – 60' longline IFQ sector, recognizing that information resulting from the initial design will be key to potentially expanding EM to other sectors. The decision was based on starting a limited program for those sectors: 1) newly included in the observer program; 2) in which it would be relatively impractical or unsafe to carry an observer; and 3) that are not dependent on near real-time data in order to manage the fishery (e.g., are not subject to PSC caps throughout the fishery). Another significant consideration is that NMFS and the IPHC do not have a at-sea discard information associated with the halibut fleet, while other small vessels operate in fisheries that have larger vessels that have been carrying observers under the existing program and thus have some level of associated data, albeit not specific to the < 60' fleet. The Council agreed with the direction the OAC proposed on EM.

The Council also agreed to fold the OAC into the review process for the annual sampling and deployment plan under a restructured observer program, and the use of the OAC to review

implementation issues in the draft proposed rule in September and provide recommendations to the Council at its October 2011 meeting. NMF S' schedule provides for these reviews, with the intent to publish a proposed rule early in 2012. The schedule also incorporates public hearings in AK, WA, and OR during the 45-day comment period for the proposed rule. Meeting details for a September OAC meeting will be posted when available. The March OAC report is on the Council website; staff contact is Nicole Kimball.

Scallop SAFE Report

The Council reviewed the Stock Assessment and Fishery Evaluation (SAFE) report on the Scallop fishery in Alaska. The SAFE report provides an overview of scallop management, scallop harvests and the status of the regional weathervane scallop stocks. Scallop stocks are neither overfished nor approaching an overfished condition. The Council approved the SAFE report and endorsed the SSC comments and recommendations for inclusion in the SAFE report for the following year. The Council also approved the ABC level for the 2011/12 fishing year recommended to the Council by the SSC. The SSC made this recommendation in anticipation of a pending amendment to the FMP to meet Annual Catch Limit (ACL) requirements. The SSC recommendation is for a statewide ABC of 1.161 million lbs of shucked scallop meats. The State of Alaska must then ensure that the sum of the regional GHL levels do not exceed this amount to prevent harvests exceeding the state-wide ACL. Beginning in 2011/12 all catch will accrue towards the ACL so estimated discards are also being tabulated in the annual SAFE report. Staff contact is Diana Stram.

Crab Modeling Workshop

An NPFMC-sponsored crab modeling workshop took place from February 16-18, 2011 at the Alaska Fisheries Science Center in Seattle WA. The over-arching objective of the workshop was to give the assessment authors feedback and recommendations on the assessment models that are currently in use for estimating stock status and reference points. Assessment models for Bering Sea Tanner crabs, blue and red king crabs from the Pribilof Islands, red king crabs from Bristol Bay, and selectivity experiments from the Eastern Bering Sea snow crab were presented at the workshop. Discussions about the data, assessment models, and interpretation of the results took place. The majority of the meeting focused upon review and development of the Tanner crab model. The SSC reviewed the results of the workshop report and commented on the development of the Tanner crab model as well as the workshop recommendations. The Council moved to support scheduling of additional NPFMC-sponsored crab modeling workshops to facilitate development and review of crab models for assessment purposes. The Council also requested that the Crab Plan Team review criteria for establishing the base years for reference point determination for all crab stocks at their upcoming May meeting and to seek an additional plan team member with quantitative stock assessment experience. Staff contact is Diana Stram.

Council Connections

Heather Fitch, the new Alaska Department of Fish and Game BSAI area management biologist for shellfish and groundfish in Dutch Harbor has recently been appointed to the Crab Plan Team. She will be a valuable part in the state-federal coordination of the FMPs and we welcome her to the process.

Steve MacLean has been hired by the Council for the position of protected species coordinator/fisheries analyst. Steve is from Barrow, and got his Master's degree in wildlife and fisheries science from Texas A&M, working on bowhead whale research in the Sea of Okhotsk. He was previously the Director of the Polar Marine Program for The Nature Conservancy.

Impacts on BBRKC Habitat

The Council reviewed a discussion paper evaluating effects of fishing on essential fish habitat (EFH) for Bristol Bay red king crab (BBRKC). The discussion paper follows up on concerns identified by the Crab Plan Team during the EFH 5-year review in 2010.

The information presented suggests that there is an area southwest of Amak Island that may be particularly important for rebuilding red king crab populations, due to the fact that eggs released in this area may have a greater chance of survival through larval and juvenile life history stages, compared to eggs released in other parts of Bristol Bay. Trawl fishery interactions with ovigerous female crab in this area may have a disproportionately adverse effect on the red king crab population.

The Council requested that the discussion paper be expanded, and reviewed by the Crab Plan Team. Additional information to be included in the discussion paper includes an analysis of the efficacy of existing red king crab protection areas (i.e., the Red King Crab Savings Area and the Nearshore Bristol Bay Trawl Closure); the importance of environmental variables and fishery removals on red king crab distribution in the Amak area; and cumulative effects on red king crab habitat from other non-fishing activities and climate change. Staff contact is Diana Evans.

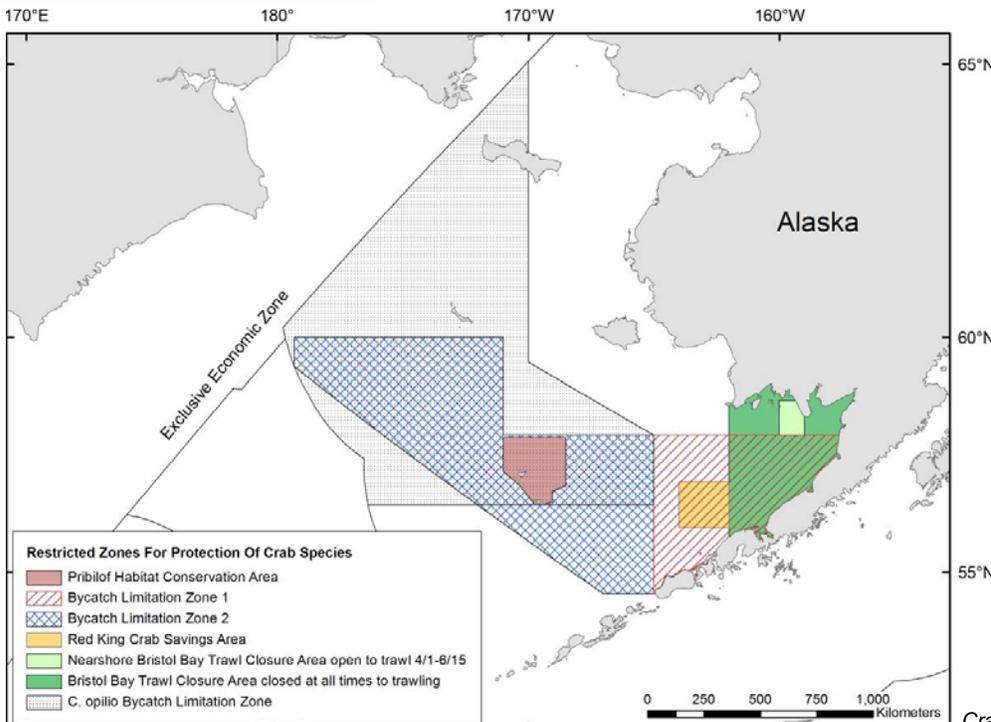
EFH Omnibus Amendment

The Council adopted the seven actions contained in the essential fish habitat (EFH) omnibus amendments, which implement FMP updates resulting from the 2010 EFH 5-year review. The actions will be FMP amendments only; there are no regulations that will be changed as a result of these amendments. The actions are as follows:

- Action 1 Update BSAI Groundfish FMP species EFH descriptions
- Action 2 Update GOA Groundfish FMP species EFH descriptions
- Action 3 Update BSAI King and Tanner Crab FMP species EFH descriptions
- Action 4 Update Scallop FMP species EFH description
- Action 5 Update conservation recommendations for non-fishing activities affecting EFH in all six Council FMPs
- Action 6 Change default timing for HAPC process from 3 to 5 years in all six Council FMPs
- Action 7 Update research approach for EFH in all Council FMPs (except Arctic)

For the most part, these actions update the EFH descriptions and conservation recommendations contained in the FMPs with new information that was identified in the EFH 5-year review. With respect to the HAPC process, the Council noted that while the change in timing will allow information from EFH 5-year reviews to be used to identify HAPC priorities, it does not preclude the Council from designating HAPC priorities out of cycle when appropriate.

In addition to the omnibus actions, there are two trailing issues from the 5-year review on which the Council may take action at a subsequent meeting. A new methodology is being reviewed by the Alaska Fisheries Science Center to better delineate EFH for the marine life history stage for all salmon species, and once the review is completed, an amendment will be developed for the Council. The other trailing issue is the BBRKC discussion paper (see left). Staff contact is Diana Evans.



Crab protection in the Bering Sea.

Exempted Fishing Permits

Salmon EFP

The Council approved an application from Gauvin and Associates for an Exempted Fishing Permit (EFP) to continue research on salmon excluder devices in the eastern Bering Sea pollock trawl fishery. The EFP will allow for continued development and improvement of the Chinook excluder design developed in earlier studies, and for evaluation and/or modification of the design to improve escapement rates for chum salmon. Salmon are a prohibited species in the groundfish fisheries with annual limits placed on salmon taken in the BSAI trawl fisheries. The experiment will be conducted from fall 2011 through fall 2012. A draft EA from NMFS indicates no expected significant impacts from issuing the EFP. Staff contact is Sarah Melton.

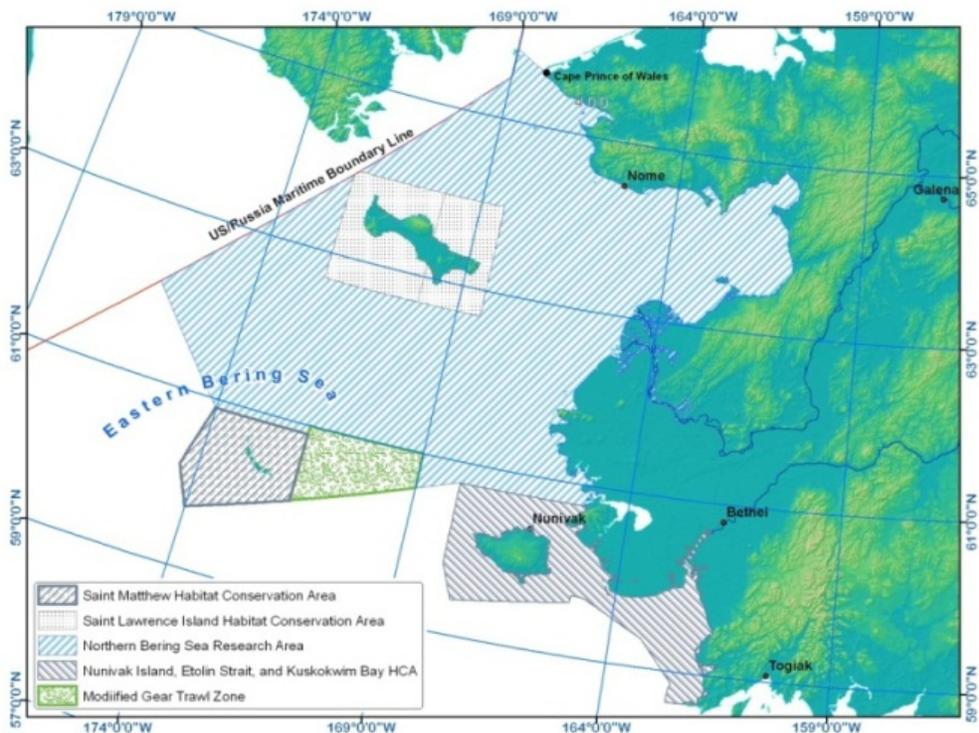
Halibut RAMP EFP Report

The Council received the Final Report from the North Pacific Fishery Foundation (NPF) on their experiment to examine a proposed method of evaluating discard mortality of Pacific halibut in Bering Sea non-pelagic trawl fisheries during 2009 and 2010. The IPHC also provided a description of their standard discard mortality assessment protocol. The basic design of the experiment was to collect paired estimates of halibut condition as determined from the standard IPHC method and the reflexion mortality predictor (RAMP) assessment protocols. The NPF study was also designed to develop a mortality curve for the RAMP assessment and investigate environmental and fishery-related factors affecting mortality of halibut discards. NPF's study demonstrated that the RAMP protocol can be successfully utilized in a working fishery environment, however sample size constraints prevented development of a mortality curve. The Council thanked NPF for its research efforts. NPF concluded that further research on the RAMP method may best be conducted on a research vessel where sample sizes can be increased and the necessary halibut conditions obtained. Staff contact is Sarah Melton.

Habitat Conservation Area boundary

In July 2007, the Council adopted Amendment 89 to the BSAI Groundfish FMP, creating a number of Bering Sea habitat conservation areas in which bottom trawling is prohibited. One of these areas is the Nunivak Island-Etolin Straits-Kuskokwim Bay Habitat Conservation Area (Nunivak HCA; see map). During the development of Amendment 89, the boundaries for the Nunivak HCA were developed in close consultation with a working group consisting of industry and the Association of Village Council Presidents. As part of the Council's final motion adopting the closure, the Council agreed to receive a report in four years to review the boundary line developed for the Nunivak HCA, and to consider whether further action is necessary.

The boundary review is on the Council agenda for June 2011. Members of the public will have the opportunity to inform the Council whether there is any conflict concerning the existing Nunivak HCA boundary. In June, the Council could choose to initiate analysis of a new boundary, take no action, or request further information prior to initiating an action. Staff contact is Diana Evans.



Nunivak Island-Etolin Strait-Kuskokwim Bay

Upcoming meetings

Crab Plan Team:

May 9-13, TSMRI/Lena Point
NOAA Lab, Juneau

Pacific cod modeling

teleconference: May 2011

Groundfish Plan Team Meetings:

AFSC, Seattle

Aug 29 – Sept 2, 2011

November 14 -18, 2011

Observer Advisory Committee meeting, mid-Sept. Details TBA

Salmon FMP workshop: Details TBA

Pribilof Islands Blue King Crab Rebuilding Plan

The Council reviewed the public review draft EA/RIR/IR FA for a revised rebuilding plan for the Pribilof Islands blue king crab (PIBKC) stock. The PIBKC stock remains overfished. The purpose of this proposed action is to reduce the risk of overfishing the PIBKC stock by developing a recommended rebuilding plan for this stock in compliance with the Magnuson-Stevens Act and the national standard guidelines.

Five alternatives are considered in this analysis. Four of the alternatives consider time and area closures to better protect the PIBKC stock. The fifth alternative considers trigger caps and associated time and area closures in groundfish fisheries which have contributed historically to bycatch of this stock. Alternatives 2-5 retain all of the current protection measures in place for the PIBKC stock and apply additional measures as described in the specific alternatives and options. Analysis of the impacts of these closure configurations on the rebuilding potential for the PIBKC stock shows limited effect on rebuilding between the ranges of alternative closures. However, the trigger cap and/or closures may protect against any additional catch of this depleted stock and prevent overfishing on an annual basis.

Closures are proposed to apply to either the Pacific cod pot fishery or to the combined groundfish fisheries which have contributed to bycatch of PIBKC (from 2003-2010) above two different threshold criteria (>5% of the ABC and > 10% of the ABC). While an ABC has not yet been established for this stock, in anticipation of an on-going amendment to establish an ABC (and ACL) for all crab stocks, one was inferred for this analysis consistent with the Council's recommended ABC control rule. The fisheries which meet the threshold criteria are the trawl fisheries for rock sole, flathead sole, yellowfin sole and other flatfish as well as the Pacific cod hook and line and pot fisheries.

The Council moved to include a sub-option for the trigger cap alternative under Option 5d to analyse an allocation by gear type of non-pelagic trawl (40%), Hook and Line (20%) and Pot (40%). The Council also requested that staff explore using the annual specifications process for gear allocation of a cap and to discuss the implications of a different, non-allocated cap whereby closures occur on a threshold basis (50%, 75%, 90% of the cap) and apply only to the gear type which has contributed the most in-season towards the bycatch at each threshold.

Additional Council requests for the analysis include further information on the extrapolation procedures for the bycatch accruing from the less than 100% fleets, and the accounting procedures that will be used in future years for assessing bycatch from the Pribilof District. The Council requested that staff compile bycatch data from

the whole Pribilof District (as opposed to NMFS Area 513 only) by fishery for presentation to the Council prior to Final action.

Final action is scheduled for October 2011. The Council will review bycatch data from the entire Pribilof District by fishery as available and make any necessary analytical modifications for the analysis at the June Council meeting. The full motion is posted on the Council's website. Staff contact is Diana Stram.

Tanner Crab Rebuilding Plan

On October 1, 2010, the Council was informed by NMFS that the Bering Sea Tanner crab (*Chionoecetes bairdi*) stock is overfished according to criteria in the Fishery Management Plan for the Bering Sea/Aleutian Islands King and Tanner crab. This notification was based on the most recent stock assessment for Tanner crabs indicating that the stock biomass had declined below its minimum stock size threshold (MSST). In order to comply with section 304(e)(3) of the Magnuson-Stevens Act (MSA), the Council and NMFS thus have two years from that notification to develop and implement a plan to rebuild the overfished Tanner crab stock.

Under section 304(e)(4) of the MSA, the rebuilding plan for Tanner crab must specify a time period for rebuilding the fishery that is as short as possible, taking into account the status and biology of the stock, the needs of fishing communities, and the interactions of the stock within the marine ecosystem. The rebuilding plan shall not exceed 10 years, except if the biology of the stock or other environmental conditions dictate otherwise.

At this meeting the Council began consideration of alternative management measures for rebuilding the Tanner crab stock. These measures may include a combination of directed fishery constraints, bycatch constraints in other fisheries and other considerations. Given the information provided on relative catch in various fisheries, the Council noted that bycatch constraints will likely be considered in the directed Tanner crab fishery, the EBS snow crab and Bristol Bay red king crab fisheries, and the combined groundfish fisheries. The Council noted that it will need to work with the BOF on consideration of catch constraints in crab fisheries given that these are delegated to the State of Alaska under the FMP. A Tanner crab stock assessment model is under development and was reviewed both at the Crab Modeling Workshop as well as by the SSC at this meeting. Further work on development of this model will be presented to the CPT in May for consideration for use in setting specifications in this assessment cycle. The Council requested that the CPT draft alternative management measures for rebuilding the Tanner crab stock in conjunction with the May meeting and provide these for Council consideration this fall. Staff contact is Diana Stram.

BSAI Crab Issues

The Council addressed two issues concerning the Bering Sea and Aleutian Island crab rationalization program at its April 2011 meeting. Under the first item, the Council took action to move the IFQ, IPQ, and cooperative application deadline from August 1st to June 15th. The action also shortens the time to appeal an initial decision to withhold IFQ or IPQ from 60 days to 30 days. These two changes are intended to allow for increased time for administration of applications and appeals. If appeals are pending at the time IFQ and IPQ are issued, NOAA Fisheries must reserve IFQ or IPQ in an amount sufficient to cover any possible finding in favor of the applicant. Reserving the shares can result in stranded IFQ and IPQ, in the event the appeal is unsuccessful or is not decided until late in the season. Allowing additional time to finalize determinations will reduce the potential of stranding these shares.

The Council also reviewed alternatives to revise the crab economic data reporting (EDR) program. This program collects economic data from participants in the fisheries for use in analyzing the effects of management actions (including the rationalization program itself). The Council previously expressed its intent to modify the data collection program to limit the scope of collection to data of sufficient accuracy that are not redundant with data available from other sources. The Council identified for analysis two action alternatives for the catcher vessel sector and two action alternatives for the shore-based processing sector. Staff will adapt these alternatives to the catcher processor and floating processor sectors for analysis. The status quo program collects comprehensive economic data. The revised alternatives would scale back the collection by eliminating data elements that are inaccurate or that may be available from other sources. The specific alternatives are posted at the Council's website. Staff contact is Mark Fina.

GOA Pcod Jig Fishery

The Council received a proposal to open Federal waters to directed fishing for Pacific cod with jig gear concurrent with the State of Alaska Guideline Harvest Limit fishery for Pacific cod in the GOA. The Council selected Alternative 2, which proposes implementing a reverse parallel fishery, as its preliminary preferred alternative. Under the reverse parallel fishery, operators using jig gear would likely have year-round access to Federal waters. Catches in Federal waters would accrue to the State jig GHL, which is specified as a percentage of the GOA Pcod ABC. Under the status quo, jig operators would have access to Federal waters only during the parallel/Federal waters A and B seasons, and timing of the jig fishery would likely continue to be a factor limiting jig catches. Jig gear was recently exempted from the Limited License Program requirement in the GOA subject to gear limits. The Council considered taking final action in April, but decided to postpone final action until December 2011 to provide an opportunity for the Alaska Board of Fisheries to comment and take action during their meeting in October. The Council also requested that staff include a comparison of State and Federal management regulations in the analysis, and added an option to Alternative 2 that would prohibit operators participating in the Federal jig fishery from using any other gear type onboard. Council staff contacts are Jeannie Heltzel and Sarah Melton.

Salmon FMP

At the April meeting, NMFS presented a preliminary review of the Salmon Fishery Management Plan and a discussion of alternatives and options for updating the FMP. The Council passed a motion providing direction for Initial Review, tentatively scheduled for this fall. The Council selected Alternative 3 as its preferred preliminary alternative, which would modify the FMP's management unit to exclude the three historical fishing areas in the West Area, and defer management to the State of Alaska in areas where the FMP does not apply. The full Council motion and specific analytical requests are on the website.

The Council also requested an analysis of annual catch limit and accountability measure requirements using the international fishery agreement exception for stocks managed under the Pacific Salmon Treaty and the State's salmon management program as an "alternative approach" for satisfying the National Standard 1 requirements.

On March 15, 2011, the Council received a letter from NMFS clarifying the applicability of an "alternative approach" for Alaska salmon fisheries: (a) the FMP must comply with Magnuson-Stevens Act and NS1 requirements; (b) State salmon escapement goal management appears to be consistent with the MSA and NS1 requirements; and (c) an alternative approach to satisfy those requirements may be appropriate because of salmon life history characteristics.

Finally, the Council also passed a motion to hold an informational workshop for stakeholders, agencies, and other interested participants on the FMP before the September Council meeting (details TBA). Staff contact is Sarah Melton.



Seining for Salmon



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North Pacific Fishery Management Council

Jim Branson, Jay Ginter



The Council mourns the loss of Jim Branson, the first Executive Director of the NPFMC, and Jay Ginter, longtime employee of the NMFS Alaska Region.

Jim Branson passed away last month. He pioneered the first 12 years of the Council as the Executive Director, phasing out foreign fisheries and negotiating a new structure of fishery management. Jim set the course for the Council process, and set the standards for a professional Council

staff. Two services will be held June 18 in Hali but Cove and June 19 in Kodiak. Cards and condolences can be sent to 4085 Calhoun, Homer, AK 99603

Jay Ginter passed away in March from complications from mantle cell lymphoma, a blood cancer. He was fully engaged with NMFS and Council operations until his retirement two years prior to his passing, and played a big part in current fisheries management. Among his many achievements was development of regulations for the halibut and sablefish IFQ program.

The School of Marine and Environmental Affairs at the University of Washington has been given permission by Jay Ginter's family to honor Jay's legacy by setting up a memorial scholarship fund in his name. The Jay Ginter Memorial Scholarship Fund will benefit students in the School of Marine and Environmental Affairs who can continue Jay's determination to contribute to important changes in regional and national marine policy.

Memorial gifts and donations can be made directly online at

https://www.washington.edu/giving/make-a-gift?source_typ=3&source=GINTER

and/or can be directed in form of cash or check made out to the UW Foundation/Jay Ginter Memorial Scholarship Fund and mailed to UW School of Marine and Environmental Affairs, College of the Environment, 3707 Brooklyn Ave NE, Seattle, WA 98105-6715. For further information, contact Dave Fluharty 206 685-2518, fluharty@uw.edu or Sandra Schumann 206 221 6808, shumsa@uw.edu.



International Meeting on Climate Effects on Polar and Sub-Polar Marine Ecosystems to be held in Seattle in May

The international, regional program, Ecosystem Studies of Sub-Arctic Seas (ESSAS) will hold its second Open Science Meeting in Seattle, Washington, May 22-26, 2011 at the Seattle Marriott Waterfront Hotel. Nearly 200 registrants from 16 countries are expected to attend. The theme of the meeting, Comparative Studies of Climate Effects on Polar and Sub-Polar Ecosystems: Progress in Observation and Prediction, will be discussed in a series of workshops, plenary sessions with invited speakers, parallel sessions and a poster reception. Twenty-nine invited speakers from the USA, Canada, Russia, Japan, Korea, China, Norway and Argentina will provide talks on fisheries and oceanographic implications of climate change. Sessions on nutrients and biogeochemistry, new understanding of the Bering Sea, interactions of gaids and crustaceans, comparative studies of sub-polar and polar ecosystems, insights from International Polar Year studies, modeling ecosystem dynamics, and socio-economic consequences of change in sub-polar marine ecosystems among others. Social events will include a reception at the Seattle Aquarium on the evening of May 23, and a poster reception on the evening of May 25. Members of the Council family and members of the fishing industry are welcome to attend. Registration is now \$450 and covers all five days and the two social events.

DRAFT NPFMC THREE-MEETING OUTLOOK - updated 4/11/11

June 6 -, 2011 Nome, AK	September 26 -, 2011 Unalaska, AK	December 5 -, 2011 Anchorage, AK
Halibut Catch Share Plan: Review Algorithm Methodology SSL Research: NMFS Update GOA Halibut PSC: Progress Report P. cod assessment model review (SSC only) Groundfish uncertainty/Tot catch accounting: Disc. Papers (SSC) BSAI Chum Salmon Bycatch: Initial Review GOA Chinook Salmon Bycatch: Final Action BSAI Crab draft SAFE: Review and approve catch specifications for Norton Sound RKC and AI GKC Habitat Conservation Area Boundary: Review Northern Bering Sea Research Plan Report: Review Halibut mortality on trawlers EFP: Review/Approve (T) Pribilof BKC Rebuilding Plan: Review Data	Observer Program: Review Restructuring Regulations; OAC Report GOA Halibut PSC: Initial Review; white paper on IBQs GOA Pacific cod A-season opening dates: Discussion paper BSAI Chum Salmon Bycatch: Final Action (T) Salmon FMP: Initial Review; Workshop Report Halibut/Sablefish IFQ Leasing prohibition: Discussion paper (T) CQE vessel use caps: Initial Review/ Final Action (T) CQE in Area 4B: Initial Review; 4B Fish-up guidance BS & AI P.cod split: Initial Review (T) GOA Flatfish Trawl Sweep Modifications: Initial Review BS Freezer longliners: Discussion paper on vessel replacement; Draft Regs Catch Monitoring & Enforcement Crab EDR Revisions: Initial Review BSAI Crab: Report from stakeholders BSAI Crab SAFE: Approve catch specifications Pribilof BKC Rebuilding Plan: Final Action Tanner Crab Rebuilding: Review Alternatives HAPC - Skate sites: Initial Review Groundfish Preliminary SAFE: Adopt proposed specifications	AFA Vessel Replacement: Discussion Paper (T) Halibut Subsistence: Update GOA Halibut PSC: Final Action Halibut Migration Model: SSC Review (T) GOA P.cod Jig Fishery Management: Final Action (T) GOA Chinook Bycatch All Trawl Fisheries: Discussion Paper (T) Salmon FMP: Final Action Halibut/sablefish IFQ changes: Discussion paper (T) CQE vessel use caps: Final Action CQE in Area 4B: Final Action BS & AI P.cod split: Final Action (T) GOA Flatfish Trawl Sweep Modifications: Final Action Groundfish PSEIS: Discuss schedule Crab EDR Revisions: Final Action Groundfish SAFE: Adopt final catch specifications BBRKC spawning area/fishery effects: Updated Disc paper (T) HAPC - Skate sites: Final Action
		ITEMS BELOW FOR FUTURE MEETINGS
		BSAI Tanner Crab rebuilding plan: Initial Review Crab bycatch limits in BSAI groundfish fisheries BSAI Flatfish specification flexibility Grenadiers and EC Category: Discussion paper AI P.cod Processing Sideboards: Initial Review MPA Nomination Discussion Paper: Review

AI - Aleutian Islands
AFA - American Fisheries Act
BiOp - Biological Opinion
BSAI - Bering Sea and Aleutian Islands
BKC - Blue King Crab
BOF - Board of Fisheries
CQE - Community Quota Entity
CDQ - Community Development Quota
EDR - Economic Data Reporting
EFP - Exempted Fishing Permit
EIS - Environmental Impact Statement
EFH - Essential Fish Habitat
GOA - Gulf of Alaska

GKC - Golden King Crab
GHL - Guideline Harvest Level
HAPC - Habitat Areas of Particular Concern
IFQ - Individual Fishing Quota
MPA - Marine Protected Area
PSC - Prohibited Species Catch
RKC - Red King Crab
ROFR - Right of First Refusal
SSC - Scientific and Statistical Committee
SAFE - Stock Assessment and Fishery Evaluation
SSL - Steller Sea Lion
TAC - Total Allowable Catch

Future Meeting Dates and Locations

June 6 -, 2011 - Nome
September 26 -, 2011 in Unalaska
December 5 -, 2011 in Anchorage
January 30- Feb 7 2012 - Reannaissance Hotel, Seattle
March 26-April 3, 2012 Hilton Hotel - Alaska
June 4 - June 12, 2012 Kodiak Best Western
October 1-Oct 9, 2012 - Hilton Hotel, Anchorage
December 3 - Dec 11, 2012 - Anchorage

(T) Tentatively scheduled