

MINUTES

162<sup>nd</sup> Plenary Session  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL  
June 11-18, 2003  
Kodiak, Alaska

TABLE OF CONTENTS

A.	CALL TO ORDER/APPROVAL OF AGENDA/MINUTES OF PREVIOUS MEETING(S) . .	2
B.	REPORTS .....	3
C.	NEW OR CONTINUING BUSINESS .....	5
	C-1 Gulf of Alaska Rationalization .....	5
	C-2 Programmatic Groundfish SEIS .....	9
	C-3 Essential Fish Habitat/Habitat Areas of Particular Concern .....	11
	C-4 BSAI Pacific Cod Allocation .....	13
	C-5 IR/IU .....	17
	C-6 SSL .....	23
D.	FISHERY MANAGEMENT PLANS .....	24
	D-1 Groundfish Management .....	24
	D-2 Crab Management .....	25
	D-3 Staff Tasking .....	26
	D-4 Other Business .....	29

APPENDICES:

I	List of Persons Giving Public Comment
II	Advisory Panel Minutes
III	Initial Motion, Gulf of Alaska Rationalization
IV	Final Motion, Gulf of Alaska Rationalization
V	Initial Motion, Programmatic Groundfish SEIS
VI	Final Motion, Programmatic Groundfish SEIS
VII	Final Motion, IR/IU
VIII	Revised SOPP

# North Pacific Fishery Management Council

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Certified Stephanie D. Madsen  
Stephanie Madsen, Chair

Date March 31, 2004

## MINUTES

### **162<sup>nd</sup> Plenary Session NORTH PACIFIC FISHERY MANAGEMENT COUNCIL June 11-18, 2003 Kodiak, Alaska**

The North Pacific Fishery Management Council met June 11-18, 2003, at the Kodiak Best Western Inn in Kodiak, Alaska, and the Advisory Panel met June 10-14, at the Kodiak Elks Lodge in Kodiak. The Scientific and Statistical Committee did not meet. The following members of the Council, staff, and AP attended the meetings.

#### Council

David Benton, Chairman  
Stosh Anderson  
Dr. Jim Balsiger/Sue Salvesson  
John Bundy  
Kevin Duffy/Earl Krygier  
Ben Ellis  
Dr. Dave Hanson

Dennis Austin, Vice Chair  
Dr. David Fluharty  
Roy Hyder for Lindsay Ball  
Stephanie Madsen  
Hazel Nelson  
RADM James Underwood/CAPT Richard Preston

#### NPFMC Staff

Chris Oliver, Executive Director  
Gail Bendixen  
Cathy Coon  
Jane DiCosimo  
Elaine Dinneford  
Diana Evans

Dr. Mark Fina  
Nicole Kimball  
Jon McCracken  
Dr. Diana Stram  
Shannon Vivian  
David Witherell

**Support Staff**

Lauren Smoker, NOAA-GCAK  
John Lepore, NOAA-GCAK  
Sue Salvesson, NMFS-AKR  
Jay Ginter, NMFS-AKR  
Mike Payne, NMFS-AKR  
Gary Galbraith, NMFS Enforcement  
Herman Savikko, ADF&G

Jon Kurland, NMFS  
Doug Pengilly, ADF&G

**Advisory Panel**

Dave Benson  
Dave Boisseau  
Al Burch  
Craig Cross  
Tom Enlow  
Dan Falvey  
Duncan Fields

Dave Fraser  
Arne Fuglvog  
Bill Jacobson  
Teresa Kandianis  
Mitch Kilborn  
Kent Leslie  
Tracey Mayhew

Sandra Moller  
Kris Norosz  
Eric Olson  
Jim Preston  
Michelle Ridgway  
Jeff Steele  
Jeff Stephan

**Other Attendees**

The following people signed the attendance register:

Brent Paine  
Vern Hall  
Simeon Swetzof, Jr.  
Pat Carlson  
Mary Fiorentino  
Steve Drage  
George Reutov  
Ilia Kuzmia  
Yakov Reutov  
Jack Hill

Joe Sullivan  
Joe Plesha  
Thorn Smith  
Joe Childers  
Frank Kelty  
Beth Stewart  
Gary Johnson  
Jim McManus  
Heather Mcarty

Ben Enticknap  
Max Malavansky  
Mike Szymanski  
Whit Sheard  
Eric Hollis  
James Mize  
Robert Williams  
Julie Bonney  
Paul MacGregor

A list of those who provided public comment during the meeting is found in Appendix I to these minutes.

**A. CALL TO ORDER/APPROVAL OF AGENDA/MINUTES OF PREVIOUS MEETING(S)**

Chairman David Benton called the meeting to order at approximately 8:21AM on Wednesday, June 11, 2003. It was announced that the SSC would not meet because a majority of SSC members were unable to get to Kodiak because of several days of bad weather.

Agenda. The agenda was approved as written.

**MINUTES  
NPFMC MEETING  
JUNE 2003**

**B. REPORTS**

The Council received written reports from the Executive Director (Agenda item B-1), on fishery interactions with the short-tailed albatross (B-2), NMFS Management (B-3), NMFS Enforcement (B-4), the U.S. Coast Guard (B-5), and ADF&G (B-6).

**DISCUSSION RESULTING FROM REPORTS**

**Executive Director's Report**

Dennis Austin expressed concern about possible changes to the Magnuson-Stevens Act, particularly with regard to funding. He urged the Council to become involved in the process. Chairman Benton pointed out that during the recent Chairmen's meeting regulatory streamlining was a topic of discussion and that it's possible that the Agency's plans could add a significant amount of time to the regulatory process. He recommended that the Council discuss these issues with Dr. Hogarth later in the week. Council members also expressed concern over recommendations being made by the PEW and Ocean Commissions which could revise the current Council system.

Chris Oliver reviewed plans for the management conference scheduled for November in Washington, DC. Details are still being worked out by a group of representatives from NMFS and some of the other Councils. Stephanie Madsen suggested that the Council may want to appoint a committee of members to assist the Executive Director. Council members deferred discussion on this subject to the Staff Tasking agenda item.

Mr. Oliver advised Council members of several letters requesting consideration of the 'Customary and Traditional' finding for halibut subsistence. Jay Ginter, NMFS-AKR, advised that NMFS has a plan for collection information on subsistence harvests and have contracted with ADF&G enforcement for surveys. Later in the meeting, the Council approved a motion by Stosh Anderson (and seconded by Kevin Duffy) **that the Council staff and NMFS review the implementation regulations to see if there are improvements that can be made to represent the Council's intent on the subsistence regulations, and to review the reporting procedure to document the total harvest and the portion of that harvest that is used for barter for other items and cash value.** Mr. Anderson requested that results of this review be available to the Council at the October meeting.

Mr. Anderson said it seems obvious from public inquiries and testimony that there is confusion as to the Council's intent with regard to the 'customary and traditional' regulations. Mr. Benton stressed that the Council did not intend for this subsistence fishery to become a commercial style fishery. Council members suggested that the Protocol and Enforcement Committees should also discuss this issue and provide comments to the Council.

Council members discussed two recent reports, 'Horrors of the Deep,' produced by the Marine Fish Conservation Network, and the PEW Commission report and decided to discuss appropriate responses later in the week under the Staff Tasking agenda item.

Mr. Oliver also reported that the National Association of Environmental Professionals is awarding the 2003 Award for Environmental Excellence in NEPA to NOAA Fisheries-Alaska Region and the North Pacific Council for the 2001 Steller sea lion SEIS. It was mentioned that in addition to the quality of the SEIS, they were particularly impressed with the open public process utilized. Mr. Oliver will be in Texas when the award ceremony is being held, and Stephanie Madsen suggested that the Chairman should also attend. Jim

Balsiger suggested that the Council should possibly point out the success of the open public process to those who would recommend changes to the current regulatory process.

Discussion of two other issues mentioned in the ED Report (Aleutian Islands pollock fishery, and a resolution from the Alaska State Legislature requesting NMFS and the Council support issuance of a Prohibited Species Donation permit) were deferred to the Staff Tasking agenda item. Considering the number of items deferred to the Staff Tasking agenda item, Council members agreed to move that item forward on the agenda to ensure adequate time for discussion.

### **NMFS Management Report**

Sue Salvesson reviewed the status of current FMP amendments. She advised the Council that, with regard to BSAI/GOA Amendment 71 (CDQ policy and administrative issues) that NMFS feels that an extensive analysis needs to be done with regard to eligible communities. NOAA General Counsel Lauren Smoker advised that NOAA GC is also concerned that there is no appeals process provided. Ms. Salvesson advised that NMFS will be working on an appeals process with General Counsel and the Office of Administrative Appeals and requests Council input also. She suggested the Council may be able to take final action on the amendment in October.

Mike Payne, NMFS, reported that the Agency has received a petition from the Center for Biological Diversity requesting that an area of the eastern Bering Sea be designated as Critical Habitat for the North Pacific right whale. NMFS has concurred with the petitioners that designation of Critical Habitat may be warranted based on scientific information provided in the petition.

NMFS also reported that they intend to prepare an EIS on the management of the northern fur seal subsistence harvest on the Pribilof Islands. The 2001 Steller sea lion protection measures supplemental EIS has concluded that groundfish fisheries may have conditionally significant adverse effects on fur seals.

Council members deferred further discussion on these items to Staff Tasking.

### **FORMAT FOR COUNCIL MEETING MINUTES**

Each agenda item requiring Council action will begin with a copy of the original “**Action Memo**” from the Council meeting notebook. This will provide an “historical” background leading up to the current action. This section will be set in a different type than the actual minutes. Any attachments referred to in the Action Memo will not be attached to the minutes, but will be part of the meeting record and available from the Council office on request. Following the Action Memo will be the **reports** of the Scientific and Statistical Committee, Advisory Panel, and any other relevant committee or workgroup on the subject. Last will be a section describing Council **Discussion and Action**, if any.

**NOTE:** The Scientific and Statistical Committee meeting in Kodiak was cancelled because inclement weather prevented a majority of members from arriving on time. Therefore, there will be no SSC reports on the agenda issues for this meeting.

**MINUTES  
NPFMC MEETING  
JUNE 2003**

**C. NEW OR CONTINUING BUSINESS**

C-1 Gulf of Alaska Rationalization

**ACTION REQUIRED**

- (a) Review staff recommendations on the purpose and need statement
- (b) Review staff recommendations on Element 7. Entry Level Rockfish Program
- (c) Review staff recommendations on Element 9. Communities
- (d) Review data summary on Element 1. Qualifying Periods
- (e) Review staff recommendations to revise alternatives, elements, and options
- (f) Review staff recommendations for structuring EIS alternatives

In April 2003, the Council revised its suite of alternatives, elements and options to rationalize the Gulf of Alaska groundfish fisheries based on staff, Advisory Panel, and public recommendations. The Council requested that further refinements be made at the June meeting. Discussion papers on the above six topics were distributed to you on May 28, 2003 and are also provided as attachments here (except d, and e, which are voluminous). Each of the papers is intended to provide additional guidance to the Council for structuring the alternatives, elements, and options so that preparation of the environmental impact statement (EIS) can commence this summer.

The Council noticed the public of its intent to select a final preferred alternative at its April 2004 meeting. Staff has prepared a draft timeline necessary to meet that self-imposed deadline (Attachment 2 to Item C-1(f)), but notes that the timeline may be impossible to meet, given NEPA and analytical requirements for a project of this magnitude. Consequently, staff is recommending a new (but equally ambitious) timeline (Attachment 3 to Item C-1(f)), which allows for preliminary data analyses of some critical options in October 2003 to further aid the Council in focusing the EIS alternatives. Preliminary review would occur in December 2003, with Initial review scheduled for February 2004. The draft EIS, including the Council's selection of a preliminary preferred alternative, would be scheduled for release in late March 2004. The EIS public comment period would be scheduled to overlap the April 2004 Council meeting. Selection of a final preferred alternative would be scheduled for June 2004. Congressional action may be necessary, depending on the final preferred alternative, prior to NMFS release of the Final EIS and publication of the record of decision.

Two additional issues could impact the Council process for this program. The first issue is the amount of time involved in document preparation, review, and revision of draft analyses. The number of alternatives for analysis can have a major effect on how much time is needed for analysis. Staff has recommended that the current set of alternatives be pared down to a reasonable number of contrasting alternatives, elements, and options. The staff time required to complete the trailing amendments can also affect the EIS schedule, depending on when the analyses are initiated. The Council split off four proposed elements to trailing amendments; additional committee work and analysis for those trailing amendments could delay the preparation of the final EIS.

The second issue that could affect the process is coordination of management of the State of Alaska parallel fishery with the GOA rationalization program. State staff presented a range of possible options for managing the parallel fisheries in February 2003. The Joint Protocol Committee discussed this management conundrum at each of its meetings during 2001-2003. State staff have notified the Council that the Board of Fisheries would need to know the Council's preferred action before it could decide on an appropriate State management response. The Council has notified the State that it would need to know the potential State response to a range of possible Council actions before it could select its final preferred alternative. The Council's options proposed for analysis include options that would incorporate parallel fishery participants in the rationalization program. Staff intends to provide the Council with preliminary analyses of these eligibility and allocation options at either its October or

December 2003 meeting. At that time, the Council may identify its preferred option for addressing parallel fisheries participants, which in turn, could assist the Board in its consideration of options for management of the parallel fisheries. In proceeding, the Council should be aware that resolution of the parallel fishery issues could impact the success of the rationalization program.

#### **Report of the Advisory Panel**

The AP recommended the Council adopt the staff's recommendations on the action, purpose and need statement with some clarifications and/or changes. Please see AP Minutes, Appendix II to these minutes, for the complete set of recommendations.

#### **DISCUSSION/ACTION**

**Kevin Duffy moved to approve a revised Purposes and Needs Statement, as follows:**

**The Council's proposing a new management regime that rationalizes groundfish fisheries in the Gulf of Alaska, west of 140° longitude and rockfish bycatch east of 140° longitude. A rationalization program includes policies and management measures that may increase the economic efficiency of Gulf of Alaska groundfish fisheries by providing economic incentives to reduce excessive capital investment. These management measures would apply to those species or groups of species identified by the Council's benefitting from additional economic incentives that may be provided by rationalization. This rationalization program would exclude the hook-and-line sablefish fishery currently prosecuted under the IFQ program.**

**The purpose of the proposed action is to create a management program that improves conservation, reduces bycatch, and provides greater economic stability for harvesters, processors and communities. A rationalization program could allow harvesters and processors to manage their operations in a more economically efficient manner. Rationalization of Gulf of Alaska fisheries should eliminate the derby-style race for fish by allocating privileges and providing economic incentives to consolidate operations and improve operational efficiencies of remaining operators. Because rationalization programs can have significant impacts on fishing-dependent communities, this program should address community impacts and seek to provide economic stability or create economic opportunity in fishery-dependent communities.**

**Rationalizing Gulf of Alaska fisheries may improve stock conservation by creating incentives to eliminate wasteful fishing practices, improve management practices, and provide mechanisms to control and reduce bycatch. Rationalization programs may provide additional opportunities to address conservation goals by providing opportunities to utilize fishing methods that reduce bycatch and gear conflicts. Rationalization programs may also reduce the incentive to fish during unsafe conditions.**

**The problem is that management of Gulf of Alaska groundfish has grown increasingly complicated due to imposition of measures to protect Steller sea lions, increased participation by fishermen displaced from other fisheries such as Alaska salmon fisheries and the requirements to reduce bycatch and address EFH requirements under the Magnuson-Stevens Act. These changes in fisheries are frustrating**

MINUTES  
NPFMC MEETING  
JUNE 2003

management of the resource, raising attendant conservation concerns. These events are also having significant and at times severe adverse social and economic impacts on harvesters, processors, crews and communities dependent on Gulf of Alaska fisheries. Some of the attendant problems are:

1. Reduce economic viability of the harvesters, processors, and Gulf of Alaska communities.
2. High bycatch.
3. Decreased safety.
4. Reduce product value and utilization.
5. Jeopardy to community stability and their historic reliance on groundfish fishing and processing.
6. Limiting the ability of the fishery harvesters and processors to respond to changes in the ecosystem.
7. Limiting the ability to adapt a Magnuson-Stevens Act requirement to minimize bycatch and protect habitat.
8. Limiting the ability to adapt to changes to other applicable laws., i.e., Endangered Species Act.

All of these factors have made achieving the goals of the National Standards in the Magnuson-Stevens Act difficult and encourage reevaluation of the status quo management of the Gulf of Alaska groundfish fisheries. The management tools in the existing FMP for Gulf of Alaska groundfish do not provide managers with the ability to improve the economic efficiency of the fishery and effectively solve the excess harvesting capacity and resource allocation problems in the Gulf of Alaska groundfish fisheries. The Council has determined that some form of rationalization program is warranted.

The motion was seconded by Stephanie Madson.

In offering this revised statement, Mr. Duffy said he tried to respond to staff's need for clarifications as well as concepts contained in the Advisory Panel recommendations, and to be responsive to language in the Consolidated Appropriations Act of 2001, and to public comments received on the issue.

Through discussion, amendments, and editorial comments, the Purpose and Needs Statement and Problem Statement was revised as follows:

**The Council's proposing a new management regime that rationalizes groundfish fisheries in the Gulf of Alaska, west of 140° longitude and rockfish bycatch east of 140° longitude. A rationalization program includes policies and management measures that may increase the economic efficiency of Gulf of Alaska groundfish fisheries by providing economic incentives to reduce excessive capital investment. These management measures would apply to those species or groups of species identified by the Council's benefitting from additional economic incentives that may be provided by rationalization. This rationalization program would *not modify* ~~exclude~~ the hook-and-line sablefish fishery currently prosecuted under the IFQ program *except for the management of associated groundfish bycatch.* [Clarify Council intent]**



The purpose of the proposed action is to create a management program that improves conservation, reduces bycatch, and provides greater economic stability for harvesters, processors and communities. A rationalization program could allow harvesters and processors to manage their operations in a more economically efficient manner. Rationalization of Gulf of Alaska fisheries should eliminate the derby-style race for fish by allocating privileges and providing economic incentives to consolidate operations and improve operational efficiencies of remaining operators. Because rationalization programs can have significant impacts on fishing-dependent communities, this program should address community impacts and seek to provide economic stability or create economic opportunity in fishery-dependent communities.

Rationalizing Gulf of Alaska fisheries may improve stock conservation by creating incentives to eliminate wasteful fishing practices, improve management practices, and provide mechanisms to control and reduce bycatch. ~~Rationalization programs may provide additional opportunities to address conservation goals by providing opportunities to utilize fishing methods that reduce bycatch and gear conflicts.~~ Rationalization programs may also reduce the incentive to fish during unsafe conditions. [To eliminate redundancy]

The problem is that management of Gulf of Alaska groundfish has grown increasingly complicated due to imposition of measures to protect Steller sea lions, increased participation by fishermen displaced from other fisheries such as Alaska salmon fisheries and the requirements to reduce bycatch and address EFH requirements under the Magnuson-Stevens Act. These changes in fisheries are frustrating management of the resource, raising attendant conservation concerns. These events are also having significant and at times severe adverse social and economic impacts on harvesters, processors, crews and communities dependent on Gulf of Alaska fisheries. Some of the attendant problems are:

1. Reduce economic viability of the harvesters, processors, and Gulf of Alaska communities.
2. High bycatch.
3. Decreased safety.
4. Reduce product value and utilization.
5. Jeopardy to community stability and their historic reliance on groundfish fishing and processing.
6. Limiting the ability of the fishery harvesters and processors to respond to changes in the ecosystem.
7. Limiting the ability to adapt a Magnuson-Stevens Act requirement to minimize bycatch and protect habitat.
8. Limiting the ability to adapt to changes to other applicable laws., i.e., Endangered Species Act.

All of these factors have made achieving the goals of the National Standards in the Magnuson-Stevens Act difficult and encourage reevaluation of the status quo management of the Gulf of Alaska groundfish fisheries. The management tools in the existing FMP for Gulf of Alaska groundfish do not provide managers with the ability to improve the economic efficiency of the fishery and effectively solve the excess

**MINUTES  
NPFMC MEETING  
JUNE 2003**

**harvesting capacity and resource allocation problems in the Gulf of Alaska groundfish fisheries. The Council has determined that some form of rationalization program is warranted.**

The amended motion carried without objection. This motion will supercede both the previous Purpose and Needs Statement and Problem Statement. Ms. Madsen pointed out that the GOA Rationalization Committee had also developed a list of objectives and asked clarification on the status of those objectives. Jane DiCosimo, Council staff, responded that the objectives are carried forward to identify additional rationale; there is no analysis in context of the objectives.

Mr. Duffy then provided a one-page table of revised Gulf of Alaska Rationalization Alternatives, and a 21-page motion identified as "Revised Advisory Panel Recommendations, GULF OF ALASKA GROUND FISH RATIONALIZATION ALTERNATIVES, ELEMENTS AND OPTIONS." **Mr. Duffy moved to approve the revised table and revised alternatives, elements and options, as handed out [See Appendix III to these minutes].** The motion was seconded by Ben Ellis.

Mr. Duffy reviewed the components of the proposed motion, pointing out that the motion basically captures the AP recommendations, with some revisions. Beginning with the 1-page table of alternatives, Mr. Duffy did not include a strict IFQ alternative, nor a "2-pie" program at this time. With regard to eliminating the 'harvester-only IFQ' option, Mr. Duffy believes that the program he is outlining gets very close to a harvester-only IFQ and that industry has expressed concern with a strict IFQ program. Mr. Duffy pointed out that the Council has evaluated and understands the components in a 1-pie IFQ system and implications of how a '2-pie system' might operate. Given the complexities of the fisheries in the Gulf, the multiple gear groups and multiple fishing regions, it seems to him that from a NEPA perspective the Council has considered these alternatives, but chooses not to go forward with further analysis of them for the Gulf. Additionally, he does not believe that these alternatives would thoroughly address the potential impacts on the harvesters, communities and processors. Mr. Duffy has submitted a program that attempts to focus the analytical effort and to get constituents to focus on a range of alternatives that may be applied in the Gulf rationalization process.

Over the next day and a half, the Council discussed, amended, and edited the proposed alternatives and options. The final version, which was approved by a vote of 10-1 (Fluharty voting against), is found in Appendix IV to these minutes. Council members pointed out that although the current options signal the direction the Council is going at this time, they may be revised based on future analyses and public input.

C-2 Programmatic Groundfish SEIS

**ACTION REQUIRED**

- (a) **Review analysis from revised draft.**
- (b) **Select a preliminary preferred alternative to include a policy statement and bookends.**
- (c) **Identify a preliminary timeline for implementing the additional management measures associated with the preferred alternative (identified in the bookends).**
- (d) **Review methodology for revised draft analysis (SSC only).**

**BACKGROUND**

In June 2002, the Council adopted a set of alternatives to be analyzed in the revised draft Programmatic SEIS for the Alaska Groundfish Fisheries. The revised draft is nearing completion, and in order to keep on the court-ordered schedule for releasing the document, the Council needs to select a preliminary preferred alternative at this meeting.

Although the complete draft document is not available for review at this meeting, due to the size of the document and the accelerated schedule on which the analysis has been undertaken, the key impacts sections of the document have been made available to the Council family (mailed out separately) and the public. A copy of the policy-level impact summary is attached as Item C-2(a). Mr Steve Davis and other project authors will present a detailed overview of the PSEIS findings at this meeting.

The Council will recommend a preliminary preferred alternative that will be identified in the revised draft PSEIS. This alternative consists of two parts: (1) a preliminary preferred policy statement, that includes a management approach statement and a series of goals and objectives, and (2) an accompanying set of example FMP bookends, that will indicate the range of management measures the Council intends to pursue in order to further implement its policy. A set of worksheets has been included as Item C-2(b) to assist the Council in this process. The alternatives and example FMP bookends have also been attached for your reference (Item C-2(c)), as well as a narrative description of the alternatives and example FMPs (Item C-2(d)).

Additionally, the Council will also be asked to identify a preliminary timeline that will indicate the relative priority level and approximate timeline under which the Council will seek to implement the management measures identified in the example FMP bookends. A timeline of ongoing and pipeline management actions that are already within the Council's notice is attached as Item C-2(e), as a tool to assist the Council in developing the timeline.

The Council's preliminary preferred alternative will be analyzed and included with the timeline in the revised draft PSEIS to be released to the public in early September. In spring of 2004, after the public comment period and analysis of the comments, the Council will be asked to revisit its preliminary preferred alternative and finalize it for inclusion in the Final PSEIS, to be released to the public in summer of 2004. The schedule milestones are shown in more detail below.

**PROJECT MILESTONES:**

- June 2003 Council to select a preliminary preferred alternative and a draft timeline
- September 2003 Release of revised draft PSEIS for public review, beginning of 45 day comment period
- December 2003 Summary of public comment presented to Council
- Spring 2004 Council finalizes the preferred alternative and timeline for the Final PSEIS; project team revises draft document
- Summer 2004 Release of Final PSEIS
- September 1, 2004 Record of Decision on the PSEIS is published by NOAA Fisheries
- Fall 2004 Preparation of FMP amendments to adopt the Council's new management policy; initiation of any other measures to implement the new policy

Additionally, as a follow-up to the multi-species model presented in April 2003, the SSC will also receive a presentation from project authors on the methodology for the revised draft PSEIS. This will include discussion of the significance criteria formulated for the analysis, and the models used.

**MINUTES  
NPFMC MEETING  
JUNE 2003**

**Report of the Advisory Panel**

The Advisory Panel provided the Council with a draft policy statement which they recommended the Council adopt as a preferred alternative. The entire 3-page motion is included in the AP Minutes, Appendix II to these minutes.

**DISCUSSION/ACTION**

**Stephanie Madsen moved to approve elements in a draft motion entitled "Preliminary Preferred Alternative," dated 6/16/03 [see Appendix V to these minutes].** The motion was seconded by Kevin Duffy. Ms. Madsen said the elements of the motion are based on the Advisory Panel recommendations, with some revisions. Ms. Madsen said the intent of the preliminary statements is to underscore the tone of the Council's management approach – a precautionary one. The motion, after a considerable amount of Council discussion, minor amendments, and editorial changes, carried unanimously [See Appendix VI to these minutes for final motion]. Council members stressed that the long and involved process involved in arriving at these particular alternatives will lead to a more simple and concise process, more understandable to managers and the public, and make it easier to meet NEPA requirements.

The Council asked staff about a proposed timeline for implementing policies in the programmatic now that the Council has identified a preliminary preferred alternative. Steve Davis (NMFS) suggested staff could develop a draft timeline for Council consideration at a future meeting. Mr. Davis said that one of the concerns expressed in public comment is that once the preliminary preferred alternative is identified, there may not be adequate progress toward the next steps. Staff was asked to provide a draft workplan as soon as practical, preferably at least one meeting prior to the time when actual Council action will be required on a final preferred alternative.

Council members discussed asking the SSC to meet as soon as possible to review and provide the Council and PSEIS analysts with comments on the habitat impact assessment methodology used in the revised draft PSEIS. Since the SSC could not convene its meeting in Kodiak, there was discussion regarding public notice and participation at such a meeting. Council members suggested that the Executive Director and the chair of the SSC should decide on the process, whether it's the whole SSC or a subgroup of the SSC, to discuss and evaluate, from a scientific standpoint, in order to provide the analysts with comments in a timely manner. Through a motion by Stephanie Madsen, the Council requested that the SSC convene in an emergency meeting to review the programmatic habitat model as soon as possible with the understanding that all public comment received be forwarded to the SSC for their consideration. The motion, which was seconded by Stosh Anderson, carried with Dr. Balsiger objecting based on the 'emergency' stipulation.

John Bundy, by motion, requested that the analysts respond to a recommendation from the Advisory Panel that the analysis address the following question: "What is the impact on productivity of managed species caused by changes to habitat as a result of fishing?" After discussion it was clarified that staff would address this issue to the best of their ability. Mr. Bundy's motion carried without objection.

C-3 Essential Fish Habitat/Habitat Areas of Particular Concern

**ACTION REQUIRED:**

- (a) Update on SEIS development.**
- (b) Report on Coral/Sponge bycatch limits.**
- (c) Committee report on HAPC process.**

## BACKGROUND

After the April meeting, NMFS and Council staff pulled together a 'crash team' to prepare a draft supplemental environmental impact statement (EIS) for EFH by the August 1 deadline. On May 20, NMFS and the plaintiffs filed a joint stipulation to amend the original settlement agreement deadlines (attached as Item C-3(a)). Under the new agreement, a preliminary draft EIS must be released for Council review by September 15, and the Draft EIS published for public comment by January 16, 2004. In October 2003, the Council will review the preliminary draft and identify a preliminary preferred alternative.

The Council requested that staff provide additional information on TAC reductions and coral/bryozoan and sponge bycatch limit components of EFH mitigation Alternative 5B in the Aleutian Islands. In addition to providing detailed information on how these reductions and bycatch limits were set for the EIS analysis, the Council requested that staff also bring forth information on vessel specific bycatch limits, if possible. Staff has prepared a short discussion paper on these issues, attached as Item C-3(b).

The Council directed the EFH Committee to develop and recommend a process to identify and evaluate potential 'habitat areas of particular concern' (HAPC). The Committee met May 5-6th in Juneau and drafted a recommended HAPC process attached as Item C-3(c). Note that the revised settlement agreement requires that "final regulations implementing HAPC designations, if any, and any associated management measures that result from this process will be promulgated no later than August 13, 2006, and will be supported by appropriate NEPA analysis." At this meeting, the Council may wish to make a preliminary decision on the HAPC process, so that it can be included within the preliminary draft EIS and released for public comment prior to the October Council meeting. The Council had previously noticed that they plan to initiate the HAPC process in October, 2003.

The Advisory Panel did not address this agenda issue.

## DISCUSSION/ACTION

Council members received updates on the status of the EIS and a brief report from the EFH Committee (provided in written form in Council notebooks). Because the AP and SSC have not addressed this agenda item, Council members were reluctant to take any significant action at this meeting. Stosh Anderson mentioned the need to adhere to the court-mandated timeline but suggested that the Council is not yet ready to solicit proposals since it has not yet selected a preferred alternative regarding HAPCs.

**Stephanie Madsen moved to approve the recommendations of the EFH Committee with regard to processes to be included in the EFH EIS.** The motion was seconded by Ben Ellis and carried without objection. Staff concurred that this could be accomplished and pointed out that the draft EIS the Council will have in October is preliminary, not the public comment draft. In October the Council can provide guidance on the choices provided in the preliminary draft as well as add new options. Mr. Austin wanted it noticed that these recommendations have not yet been reviewed by the AP or the SSC. Jon Kurland, NMFS staff, indicated that the EFH Committee recommendations will be included as an appendix in the analysis as they are not part of the actions evaluated in the EIS. Staff can note in the appendix as to the status of the proposal and that it will be subject to further consideration by the Council. Council members discussed the merits of including three proposals received during public comment (AMCC, MCA, & Oceana) but decided that this wouldn't be appropriate at this time. Council members also stressed that the Council is only putting forward the Committee proposal as a process, but are not soliciting any HAPC proposals or providing guidance about criteria at this time.

**MINUTES  
NPFMC MEETING  
JUNE 2003**

C-4 BSAI Pacific Cod Allocation

**ACTION REQUIRED**

**Final action on BSAI Amendment 77 - Fixed gear Pacific cod allocations**

**BACKGROUND**

The fixed gear sectors (hook-and-line and pot gear) currently receive 51 percent of the BSAI Pacific cod TAC under BSAI Amendment 46. The trawl sector and jig sector receive 47 percent and 2 percent, respectively. Effective since September 2000, BSAI Amendment 64 apportions the fixed gear share of the BSAI Pacific cod TAC among the fixed gear sectors as follows:

- 80% hook-and-line catcher processors
- 0.3% hook-and-line catcher vessels
- 18.3% pot vessels
- 1.4% hook-and-line and pot catcher vessels <60' in length

This amendment sunsets on December 31, 2003. In October 2002, the Council initiated a new plan amendment (BSAI Amendment 77) to retain or alter these allocations, and the problem statement and alternatives for analysis were approved at the December Council meeting. Amendment 77 proposes implementing separate allocations to hook-and-line catcher processors, hook-and-line catcher vessels, pot vessels, and catcher vessels <60' LOA, with the option to split the pot vessels' allotment between pot catcher processors and pot catcher vessels. In essence, this action would continue to further split the 51 percent of the BSAI Pacific cod TAC allocated to fixed gear vessels among the above sectors based on recent catch histories.

This amendment package considers four primary alternatives, including the no action alternative (Alternative 1). The status quo alternative (Alternative 2) would continue the fixed gear Pacific cod apportionments approved by the Council under Amendment 64, which closely represent harvests in this fishery over the period 1995 - 1998, with an additional allocation for catcher vessels <60' LOA. A third alternative would apportion the fixed gear BSAI Pacific cod TAC according to catch histories by sector during 1995 - 1999. Finally, a fourth alternative is included to apportion the pot share of the BSAI Pacific cod TAC between pot catcher processors and pot catcher vessels. There are also several options provided to address BSAI Pacific cod quota reallocated to and within the fixed gear sectors, as well as an option for a five-year sunset provision.

Similar to the original action, Amendment 77 is intended to respond to concerns that the stability of this fully utilized fishery is threatened by increased competition, driven in part by recent increases in the market value of cod products. While participants in the BSAI fixed gear Pacific cod fishery include longline and pot fishermen with extensive catch histories, absent a gear split, there is no mechanism that would prevent one sector from increasing its effort in the fishery and eroding another sector's relative historical share. The original fixed gear split was approved as a step to promote stability in the BSAI Pacific cod fishery until comprehensive rationalization is completed. The Pacific cod endorsements required under Amendment 67 and implemented in 2003 are considered a further step in this process. The Council noted that prior to the expiration of Amendment 64, it intended to reconsider the allocation issue in light of the impending Pacific cod endorsement requirement on permits issued to fixed gear vessels  $\geq 60'$  under the License Limitation Program.

Because Amendment 77 includes an alternative that would split the pot share of the TAC between pot catcher processors and pot catcher vessels, each issue (the overall fixed gear split and the pot split) is addressed in a separate problem statement guiding analysis of this proposed action. The alternatives for analysis and the problem statements are included in the executive summary, attached

as Item C-4(a). The Council made an initial review of the analysis in April, and a revised draft of the analysis was sent to you on May 9. Final action is scheduled for this meeting, in order to have implementing regulations in place by January 1, 2004.

### Report of the Advisory Panel

The AP recommended the Council adopt Alternative 2 (Status Quo), to continue the current fixed gear allocations in the BSAI Pacific cod fishery, as follows:

80% to hook-and-line catcher processors  
0.3% to hook-and-line catcher vessels  
18.3% to pot vessels  
1.4% to <60' hook-and-line and pot vessels

The AP additionally recommended Option 1 and Option 2 under rollover provisions:

Option 1: (Status quo) Any unharvested portion of the hook-and-line catcher vessel and the <60' pot and hook-and-line catcher processor fleet.

Option 2: (Status quo) Any quota reallocated from the jig or trawl sectors shall be apportioned 95% to the hook-and-line catcher processor sector and 5% to the pot sectors.

Additionally, the AP recommended no sunset date.

The AP also recommended that the Council adopt Alternative 4, Option 1, to split the pot share of the fixed gear BSAI Pacific cod allocation between pot catcher processors and pot catcher vessels based on 1995-1999 catch histories. The AP recommended (suboption a) that any portion of the unused BSAI Pacific cod quota from either pot sector would be reallocated to the other pot sector before it is reallocated to the other fixed gear sectors.

### DISCUSSION/ACTION

Council members agreed to separate the issue into two areas - longline and pot.

#### Longline Gear

**Roy Hyder moved the AP recommendations with regard to the first part (Mr. Hyder referred to and read directly from page iii of the Executive Summary [Agenda C-4(a)] in the Council meeting notebooks): Approve Alternative 2 (status quo), including Rollover Options 1 and 2, and Option 1 under Sunset Provisions (No sunset): The motion was seconded by Dennis Austin.**

**Alternative 2: Status quo. Continue the current BSAI Pacific cod allocations among the fixed gear sectors as originally determined under BSAI Amendment 64:**

**80% to hook-and-line catcher processors  
0.3% to hook-and-line catcher vessels  
18.3% to pot vessels  
1.4% to <60' hook-and-line and pot vessels**

#### **Rollover Options**

**MINUTES  
NPFMC MEETING  
JUNE 2003**

- Option 1:** (Status quo) Any unharvested portion of the hook-and-line catcher vessel and the <60' pot and hook-and-line vessel quota that is projected to remain unused by a specified date shall be reallocated to the hook-and-line catcher processor fleet..
- Option 2:** (Status quo) Any quota reallocated from the jig or trawl sectors shall be apportioned 95% to the hook-and-line catcher processor sector and 5% to the pot sectors.

**Sunset Provisions - No sunset provision.**

The motion was seconded by Dennis Austin.

**Stosh Anderson moved to amend the motion by striking Rollover Options 1 and 2, inserting Option 3, modified as follows:**

- Option 3:** Apportion the 2% BSAI Pacific cod jig allocation on a quarterly or trimester basis as follows, and reallocate unused jig gear quota to the catcher vessels <60' using hook-and-line or pot gear:
- Suboption: (d) 50% - 25% - 25%; This would be combined with implementation of (e): the TAC-setting process would start by using the 50/25/25 apportionment and determine the appropriate trimester allocations on a projected basis annually.**

The motion was seconded by Ben Ellis. Mr. Anderson explained that he felt the Agency would have difficulty implementing a strict trimester rollover and could do an adequate job by projecting and adjusting on an annual basis.

Stephanie Madsen pointed out that by dropping Option 1, if the jig allocation is not taken, and if the <60' vessels don't take it, there isn't any fallback. Option 1 would give direction under that scenario—if neither one of those gear groups catch their quota, then NMFS would release it to the freezer longliners. Nicole Kimball agreed that the Council would not be providing direction to NMFS on how to reallocate that quota; it would be up to NMFS to make that reallocation.

**Stephanie Madsen moved to amend the amendment to re-insert Option 1.** The motion was seconded by Ben Ellis. After staff input and more Council discussion, Ms. Madsen withdrew the motion, with the concurrence of the second, because it would not accomplish the intended goal.

**Earl Krygier moved to include Option 1 as a 'direction' for NMFS for rollover, and include Option 2, deleting the reference to jig gear.** The motion was seconded by Stephanie Madsen and carried, 6 to 5, with Austin, Bundy, Fluharty, Hyder and Nelson voting against.

**Stephanie Madsen moved to amend Mr. Anderson's amendment to substitute the percentages in Option 3, suboption (d) as follows: 40%, 20%, 40%.** The motion was seconded by Jim Balsiger and carried, 8 to 3, with Anderson, Fluharty and Hyder voting against.



**John Bundy moved to amend the amendment by substituting language in Option 3 as follows:  
Any quota reallocated from the jig sector shall be apportioned 10% to the <60' catcher vessel sector, 5% to pot sector (that's >60') and 85% to the catcher processor sector.**

The motion was seconded by Jim Balsiger and failed, 7 to 4, with Austin, Bundy, Hyder and Nelson voting in favor.

**Stephanie Madsen moved to strike (e) under Option 3.** The motion was seconded by John Bundy and carried without objection.

**The amended motion (Mr. Anderson's motion, as amended carries the main motion) carried, 6 to 5, with Austin, Bundy, Fluharty, Hyder and Nelson voting against.**

#### Pot Gear

**Roy Hyder moved the AP recommendations: Adopt Alternative 4, Option 1, suboption a:**

**Alternative 4: Apportion the pot share of the BSAI Pacific cod fixed gear TAC between pot catcher processors and pot catcher vessels according to catch histories to be determined as a percentage of cumulative catches of the BSAI Pacific cod TAC by pot sector for:**

#### **Option 1: 1995-1999**

**Suboption: Any portion of the Pacific cod pot catcher processor or pot catcher vessel quota that is projected to remain unused by a specified date shall be reallocated as follows: Unused quota from either pot sector would be reallocated to the other pot sector before it is reallocated to the other fixed gear sectors.**

The motion was seconded by Dave Fluharty.

**Stephanie Madsen moved to amend to substitute Option 4 (2000, 2001) for Option 1. The motion was seconded by Stosh Anderson.** Ms. Madsen that this option would better reflect more recent and active fishery participants.

Hazel Nelson recommended a compromise by substituting Option 3 (1998-2001), but withdrew the motion after discussion.

**Dave FLuharty moved to substitute Option 2 (1996-2001) for Option 4 (in Ms. Madsen's motion) and reinstate Suboption (a).** The motion was seconded by John Bundy and failed, 6 to 5, with Austin, Balsiger, Bundy, Fluharty and Hyder voting in favor.

**Dennis Austin moved to substitute Option 3 (1998-2001) for Option 4 (in Ms. Madsen's motion).** The motion was seconded by Dave Fluharty and carried, 6 to 5, with Anderson, Krygier, Ellis, Madsen and Nelson voting against. This amendment carried the main motion.

**MINUTES  
NPFMC MEETING  
JUNE 2003**

C-5 IR/IU

**ACTION REQUIRED**

- (a) Discuss relationship/timing of assorted IR/IU amendments, including response to Secretarial action on Amendment 75 (to delay flatfish IR/IU until June 2004)
- (b) Final action on Trailing Amendment C (groundfish minimum retention standard)
- (c) Review alternatives and options for Trailing Amendment A (multi-species co-ops for the H&G CP sector and species allocations)

**BACKGROUND**

**Disapproval of Amendment 75 and relationship/timing of assorted amendments**

In October 2002 the Council voted to delay implementation of 100% retention requirements (IR/IU) for flatfish in the BSAI, originally scheduled for January 2003 implementation, in order to pursue alternative means of reducing bycatch/discards of flatfish and other groundfish. That action, Amendment 75, would have delayed implementation for flatfish IR/IU until June 2004, but that action was only "partially approved", effectively removing from the books any IR/IU requirements for flatfish in the BSAI (see letter from NMFS under Item C-5(a)). Full flatfish IR/IU still applies in the GOA; however, exemptions approved under Amendment D essentially exempt every sector from these requirements (though Amendment D does contain an annual review mechanism to evaluate the 5% threshold and possibly change the list of fisheries which are/are not exempt).

Meanwhile the Council is pursuing two additional amendments (A and C) which could, if approved, be replacements for full flatfish IR/IU in the BSAI, thereby making the June 04 implementation date moot (and Amendment D in the BSAI), at least for those sectors which would be subject to Amendment C, which would establish an overall minimum groundfish retention standard. Implementation of Amendment C, if approved in June, *may* be possible by June of 04, depending on the specific action taken. However, Amendment A, which would establish multi-species cooperatives for the H&G CP sector, is viewed as integral to that sector's ability to live within the requirements of Amendment C, and the timeline for Amendment A does not allow for implementation by June of 04. Amendment A could be reviewed in October 03, have final action in December 03 (optimistically), and could possibly be implemented by 2005, assuming co-op provisions apply only to the H&G CP sector. Amendment A was expanded in April 03 by the Council to include sector splits of all BSAI groundfish and PSC species. If co-ops are expected to be implemented for all sectors via Amendment A, in addition to just the H&G CP sector, the timelines for analysis and Council action will be delayed, and implementation by 2005 is likely overly optimistic.

In determining an appropriate course of action, there are several questions which arise, including: (1) Will Amendment C be applied to all sectors, or just the H&G CP sector? (2) If just applied to the H&G CP sector, does that adequately address the bycatch/discard issue for flatfish? (3) Will the Council wish to resubmit Amendment 75? (4) Can the H&G CP sector comply with Amendment C for some period of time while Amendment A (the co-op) is being further developed and implemented? (5) What is the Council's intent with regard to Amendment A and the sector splits; i.e., are co-ops for all sectors assumed under Amendment A, or just sector splits and a co-op for the H&G CP sector only? (6) What are the implications of the disapproval of the June 04 implementation date for Amendment 75? (7) What is the status of Amendment D, given disapproval of Amendment 75? (8) Do we maintain full flatfish IR/IU in the GOA if it is eliminated in the BSAI?

### Action on Amendment C

Related to the questions above, the Council's action on Amendment C at this meeting would, at least partially, inform action on related Amendments. The basic alternatives are to establish a minimum groundfish retention standard, which could be applied to all sectors (at differential thresholds) or just to the H&G CP sector, for example. There are additional options to adjust the way in which Maximum Retainable Allowances for pollock and flatfish species are calculated, which would reduce bycatch/discards in and of itself (though discard savings realized via the MRA adjustment may be primarily in further reductions of pollock discards, rather than flatfish, depending on MRA adjustments for flatfish as well). Adjustments to the MRA calculation could be approved for expedited implementation, or in conjunction with approval of an overall GRS. The analysis for Amendment C was mailed to you in May. That analysis and the specific alternatives will be reviewed by staff. The Executive Summary is attached as Item C-5(b). The Council's Enforcement Committee met earlier this week and will provide comments relative to monitoring and enforcement aspects of Amendment C.

### Action on Amendment A

In April the Council reviewed a discussion paper and decision tree for proposed Amendment A (co-op for the H&G CP sector), and expanded Amendment A to include species allocations for BSAI groundfish among all sectors. At that time you indicated your intent to revisit Amendment A at this meeting, and possibly refine the alternatives and options as well as provide clarification to staff on certain components of those alternatives and options. A discussion paper and revised alternative structure prepared by staff (and contractor assistance), along with some initial data runs, are included under Item C-5(c) and will be presented at this time.

For reference, the Council's April actions on IR/IU are summarized under Item C-5(d). Public comments received are under C-5 Supplemental.

### **Report of the Advisory Panel**

#### Amendment C

The AP recommended that the enforcement period for pollock MRA for non-AFA trawl CP be changed to offload from the current instantaneous enforcement policy. The basis species would be calculated by the BS or the AI. The instantaneous requirement for retention of pollock remains in effect.

The AP recommended that work on Alternative C be continued, particularly with reference to the following issues:

1. An enforcement representative should be added to the IR/IU Technical Committee.
2. Examination of product recovery rates and their efficacy in enforcement of groundfish retention standards should be completed.
3. MRA changes for pollock retention.
4. MRA changes for flatfish retention.
5. In-season adjustments of MRAs.
6. Add to Amendment C the option for under 125' to opt out of the exempt group.
7. Examine an alternative for an observer coverage plan of vessels required to have 200% observer coverage. This plan would mirror what is currently done in the CDQ program through the filing and approval by the observer program of a fishing plan that ensures 100% of hauls are observed. Include a discussion of potential conflicts with the current CDQ program.
8. Add to the analysis:

**MINUTES  
NPFMC MEETING  
JUNE 2003**

- 3.1.2 Effects on PSC—add language explaining potential benefits of using PSC in the calculation of denominator of GRS.
- 3.1.4 Add discussion on potential benefits of alternatives on habitat
- 3.1.5 Expand discussion on positive and negative ecosystem impacts.

Amendment D The AP also recommended the Council explicitly state that Amendment D is moot on BSAI fisheries based on the indefinite delay of Amendment 75.

Observer Program The AP also encouraged NMFS to requires full federal funding for the Alaska observer program prior to implementing changes to the program and urged the Council to move forward with the review and outline of the potential analysis.

**DISCUSSION/ACTION**

Council member Hazel Nelson was not at the meeting for this discussion; Council member Dave Fluharty had to leave mid-way through.

**Stephanie Madsen submitted a written motion, as follows:**

**Amendment C, Alternative 2-Establish a Minimum Groundfish Retention Standard (GRS)**

**This action would add a minimum GRS for all groundfish fisheries (excluding pollock target fisheries to the Goals and Objective section of the BSAI Groundfish FMP. In addition, a regulation establishing a GRS would be promulgated and enforced on the following vessels and sectors in the groundfish fleet. The GRS would not supercede the 100 percent retention standard already set for pollock and Pacific cod under existing IRIU regulations. In addition to establishing a GRS, the regulation would require that processors create product that yield at least 15 percent from each fish harvested. The GRS regulation would consist of the following components:**

**Component 1. Establishes the GRS percentage.**

<b>GRS Schedule</b>	<b>Vessels &lt;125'</b>	<b>Vessels &gt;125'</b>
<b>2005</b>	<b>N/A</b>	<b>70 percent (Option 1.2)</b>
<b>2006</b>	<b>N/A</b>	<b>80 percent (Option 1.4)</b>
<b>2007</b>	<b>70 percent (Option 1.2)</b>	<b>85 percent (Option 1.5)</b>

**Component 2. Specifies the vessels required to comply with GRS**  
**Option 2.5 Trawl catcher processors that are not AFA eligible**

**Component 3. Sets the period over which the retention rate is calculated**  
**Option 3.3 At the end of each fishing trip as defined by the offloading of fish**

**Component 4. Defines the seasonality of the GRS**  
**Option 4.1 A year-round standard**

**Component 5. Determines at which level of aggregation the GRS is applied**

**Option 5.2 revised** The GRS applies to each vessel except when vessel is a member of a co-op when the GRS would be applied at the co-op level

**Component 6.** Considers revision of the maximum retainable bycatch allowance (MRA) for pollock.

**Suboption 6.1.2 revised** MRA compliance is accounted for in fishing trips as defined by offloading fo fish. The Council intends for this component to be implemented as soon as possible.

**Component 7.** Determines how total catch is measured under GRS regulations (GRS is defined as the percentage of total groundfish catch retained.)

**Option 7.3** All regulated vessels are required to use NOAA fisheries-certified scales to determine total catch and either maintain 200 percent observer coverage for verification that all fish are being weighed or use an alternative scale-use verification plan approved by NOAA fisheries.

PSC would not be included in the calculations for GRS compliance.

**Component 8.** Determines how retained catch is measures.

**Option 8.1** Retained catch is calculated using NOAA Fisheries standard product recovery rates (PRRs). For each product/species combination, retained tonnage is equal to product tonnage divided by the PRR.

Additionally, the Council requests the IR/IU Committee review this adopted program, provide recommendations on implementation issues, and report back to the October meeting.

#### Amendment A

The Council requests the IR/IU Committee review the approach identified by staff (Amendment A-1 and A-2) and provide recommendations with the following schedule in mind.

October 2003	Refine alternatives
February 2004	Initial review
June 2004	Final Action
January 2006	Implementation

#### Amendment D

Given the action taken by the Secretary of Commerce on Amendment 75, the Council requests the NMFS move forward on the exemption provisions for the Gulf of Alaska fisheries as adopted by the Council at the April 2003 meeting.

The motion was seconded by Earl Krygier.

In the opening paragraph, a motion was approved without objection to revise the second-to-last sentence to read:

**In addition to establishing a GRS, the regulation would require the processors crate product that yield at least 15 percent from each retained fish harvested.**

**MINUTES  
NPFMC MEETING  
JUNE 2003**

Several Council members expressed concern regarding the inability of vessels under 125' to comply with a 70 percent retention standard on a trip-by-trip basis, without the benefit of co-ops. If these vessels cannot install flow scales or carry two observers, they would be out of the fishery. According to the analysis, this could affect at least seven vessels.

**Sue Salveson moved to amend the motion: Under Component 1, remove the GRS scheduling for vessels under 125' and request the IR/IU Implementation Committee to develop a plan for integration of those vessels into the GRS program.** The motion was seconded by Stosh Anderson.

Ms. Salveson stated that there is nothing to indicate how the benefits would overwhelm the costs to this segment of the industry and that there is nothing in the analysis that would show how these vessels could comply with the standards without the ability to co-op. This motion would initiate a trailing amendment to bring this industry segment into the program after the IR/IU Technical has reviewed the issue and provided recommendations to the Council as to timing, standards, and any other elements that need to be considered for incorporating vessels under 125' into the program.

**The motion carried without objection.**

**Dennis Austin moved that there be no increase in the percentage for vessels over 125' unless or until Amendment A is in place that allows co-ops.** The motion was seconded by Roy Hyder.

Mr. Austin said he felt uncomfortable with imposing these rates until vessels have the ability to co-op. Ms. Madsen pointed out that there are some components connecting Amendment C to Amendment A, such as the MRA adjustment to pollock which the Council has asked be implemented immediately. Linking that to Amendment A may send a message that the Council does not want that implemented until co-ops are in place. She thinks that particular component should be implemented no matter what other measures the Council approves. Mr. Austin clarified that his intent was for no increase above 70%, which would be implemented in 2005, that the 70% rate would not be increased until the ability to co-op is provided. This would not affect any pollock MRA decision the Council would make; it would just freeze the GRS schedule until such time Amendment A is implemented.

**The motion failed, 6 to 3, with Austin, Salveson, and Hyder voting in favor (Fluharty and Nelson absent).**

**Roy Hyder moved, under Component 1, for vessels over 125' to change the percentages to 65%, 75%, and 80%, respectively.** The motion was seconded by Stosh Anderson. Mr. Hyder said that he's trying to move into IR/IU without major stress on the industry and he thinks that as the program progresses, the percentages will increase. **The motion carried, 5-4, with Anderson, Ellis, Madsen, and Benton voting against (Fluharty and Nelson absent).**

**Dennis Austin moved to amend Component 1 to add the date of 2008, with a 85% retention rate.** The motion was seconded by Ben Ellis and carried unanimously.

**John Bundy moved, under Component 3, to strike Option 3.3 and insert Option 3.7: At the end of each year.** The motion was seconded by Stosh Anderson. The motion was made after Council discussion relating to how the calculation period for the retention rate would affect various fisheries, even possibly eliminating some. **The motion carried without objection.**

Regarding **Component 5**, Mr. Krygier suggested the issue be forwarded to the IR/IU Committee to consider pooling as an option prior to the formation of Amendment A. However, after Council discussion and advice from General Counsel that pooling is not a viable option, the Council decided it was not within the scope of this amendment.

**Sue Salveson moved to amend Component 5: "The GRS applies to each vessel." [Eliminating the remainder of the sentence]** The motion was seconded by Stosh Anderson and carried without objection.

Ms. Salveson stated that at this time it is only practical to apply the GRS to a vessel. When and if co-ops become an option under Amendment A, the GRS program can be adjusted to determine how GRS could be applied at a co-op level.

**John Bundy moved to amend Component 6, to add the following language, at the end of the first sentence: "with the objective being increased retention of pollock taken as bycatch in the directed fisheries for other groundfish, but without increasing the overall amount of pollock that has been historically taken as bycatch in such fisheries."** The motion was seconded by Ben Ellis.

Mr. Bundy said he would like to ask the IR/IU Committee to look at ways to obtain this objective.

**Sue Salveson moved to amend the motion to use the words 'incidental catch' in place of the word 'bycatch.'** The motion was seconded by Ben Ellis and carried without objection.

**Stosh Anderson moved to amend to change the word 'taken' with the word 'harvest'.** The motion was seconded by Roy Hyder and failed, 8-0. [Anderson was not at the table; Fluharty and Nelson absent]

**Sue Salveson moved to amend the motion to use the word 'taken' with the word 'caught'; and to clarify in the first part of the statement, the words "directed fisheries for other groundfish," to change to "directed fisheries for other *non-pollock* groundfish species."** The motion was seconded by John Bundy and carried without objection. Ms. Salveson stated that this would avoid confusing this with other groundfish harvest categories.

**Mr. Bundy's motion, as amended, carried without objection.**

**Under Component 8, in the last paragraph, beginning, "Additionally," Mr. Bundy moved to insert the after word 'issues', " identify options to achieve the pollock MRA objectives."** The motion was seconded by Ben Ellis and carried without objection. The amended paragraph, as amended, would read:

**Additionally, the Council requests the IRIU committee review this adopted program, provide recommendations on implementation issues, identify options to achieve the pollock MRA objectives, and report back at the October meeting.**

**Amendment A** - The Council made no changes to the main motion with regard to Amendment A.

**Amendment D** - The Council made no changes to the main motion with regard to Amendment D.

**The main motion submitted by Stephanie Madsen, as amended, carried unanimously.** The final motion is found in Appendix VII to these minutes.

**MINUTES  
NPFMC MEETING  
JUNE 2003**

Mr. Hyder pointed out that the Advisory Panel has recommended that an enforcement representative be added to the IR/IU Committee; with Council concurrence the Chairman said he would.

During Council discussion, the IR/IU Technical Committee was tasked with the following:

1. Review of Council action on Amendment C and discussion of implementation issues.
2. Identification of options to achieve the pollock MRA objectives.
3. Discuss and develop options for treatment of the under 125' vessels in the H&G sector.
4. Review the revised discussion paper and analytical approach for Amendment A.

Council members expressed the wish that the Committee could give the them an initial report by October.

C-6 SSL

**ACTION REQUIRED**

- (a) **Receive report from Steller Sea Lion Mitigation Committee**
- (b) **Receive report from NMFS on the status of the SSL BiOp Addendum**

**BACKGROUND**

- (a) **Steller Sea Lion Mitigation Committee**

During its April 2003 meeting, the Council asked the Steller Sea Lion Mitigation Committee (the old name of this committee was the RPA Committee) to convene and begin work on a new charge. The Council's charge was two-fold: 1) to review the National Research Council Committee's report on SSL decline and determine the feasibility of implementing the Committee's recommendations, and 2) to review the SSL "trailing amendment" list remanded to the SSL Mitigation (RPA) Committee at the Council's February 2002 meeting. The Council asked that consideration be given to modifying fishing restrictions in the GOA as part of this work. More detail on the Committee's charge is provided in the attached preliminary action plan (Item C-6(a)).

The SSL Mitigation Committee met by teleconference on May 5, 2003. The teleconference was joined by several members of the public and from NMFS staff. Chairman Larry Cotter polled the members to determine their continuing interest and willingness to serve on this committee. Several members could not attend the teleconference, and several have indicated they cannot continue to serve. The minutes of the May 5 meeting are attached (Item C-6(b)).

Chairman Cotter led the committee through the elements of the Council's charge, and explained the process he envisions for accomplishing this work. The committee members discussed various approaches that might be taken to address these issues. Also discussed was some of the information the committee may need to meet its charge. Of particular interest to the committee is a briefing from NOAA GC on the legal and NEPA compliance aspects of modifying the current RPA or proposing other regulatory measures that might affect Steller sea lions or their habitat. The committee will meet together for their first face-to-face work session June 24-26 at the Alaska Fisheries Science Center in Seattle. The agenda for the June meeting is attached as Item C-6(c).

- (b) **NMFS SSL BiOp Addendum**

During the April 2003 Council meeting, NMFS presented an overview of the draft Addendum to the 2001 Biological Opinion which had been prepared in response to Judge Zilly's remand order. The 2001 BiOp was challenged in Zilly's court, and was upheld except for two areas needing further



analysis. NMFS has prepared an Addendum to the 2001 BiOp in which they lay out additional data and analyses to clarify the issues Judge Zilly remanded back to the agency. The Addendum addresses two main issues: one dealing with the factual basis in the available telemetry data for the relative weighting of critical habitat zones around Steller sea lion rookeries and haulouts, and a second dealing with fishery impacts on sea lion prey (cod, pollock, and Atka mackerel). NMFS accepted public comments on the draft Addendum until April 18, and is now preparing the final document. NMFS will complete the Addendum by June 30, 2003. NMFS staff will be available to answer questions.

The Advisory Panel did not address this agenda item.

## DISCUSSION/ACTION

The Council received written and oral reports on activities of the SSL Mitigation Committee (included in Council meeting notebooks). Council members discussed the focus of the Committee during Staff Tasking (Agenda item D-3).

### D. FISHERY MANAGEMENT PLANS

#### D-1 Groundfish Management

#### ACTION REQUIRED

**Ad hoc working group report on rockfish/non-target species management**

#### BACKGROUND

An ad hoc working group has met three times in 2002 and 2003 to develop recommendations for revising management of all non-target groundfish species managed under the BSAI and GOA groundfish fishery management plans based on a proposal (Item D-1(a)) submitted to the Council by the groundfish plan teams. The reports for its three meetings are attached as Items D-1(b), (c) and (d). The group likely will meet one more time before presenting its conclusions to the Council in October 2003. Staff plans to present the conclusions to the BSAI and GOA Groundfish Plan Teams at their joint September 2003 meeting, and to the Council's committee (nominations close on June 20 for appointments to this committee).

Work group recommendations include:

- (a) The group recommended that the Council send a letter to Dr. Hogarth supporting the 2003/2004 Other Species Research Plan funding and for full funding of the North Pacific Rockfish Research Plan for 2004 and beyond, which were developed under the Stock Assessment Improvement Plan.
- (b) The group recommended that the Council send a letter to Dr. Hogarth supporting the incorporation of additional data collection on minor species into the national observer program design.
- (c) The group recommended that additional skate observer manuals be distributed widely to the observer corps, cadre, and fleet to collect as much voluntary information as possible.
- (d) The group recommended restarting the analysis to separate BSAI and GOA skates from the "other species" complexes. A developing fishery for GOA skates may warrant additional management action for 2004.

**MINUTES  
NPFMC MEETING  
JUNE 2003**

**At its April meeting, the Council indicated its intent to schedule a day-long session to review rockfish biology and management. The Council may wish to identify at which meeting it plans to receive these presentations (I have tentatively scheduled that for the December meeting).**

The Advisory Panel did not address this agenda issue.

**DISCUSSION/ACTION**

The Council will appoint a committee to review the findings of the ad hoc committee and provide recommendations on the following:

1. Identification of efficient methods for monitoring of non-target catch.
2. Improving abundance estimates of non-target species.
3. Development of harvest recommendations that build sustainable populations of non-target species.

D-2 Crab Management

**ACTION REQUIRED**

Initial review of Pribilof blue king crab rebuilding plan (Crab FMP Amendment 17).

**BACKGROUND**

**On September 25, 2002 , NMFS informed the Council that the Pribilof Islands blue king crab is overfished according to the criteria in the Fishery Management Plan for the Bering Sea/Aleutian Islands**

**King and Tanner Crab (FMP). The recent stock assessment showed that the stock was below minimum stock size threshold (MSST), and there were no signs of recovery in the trawl survey data. This fishery has been closed since 1999, and the Pribilof red king crab fishery has also been closed to eliminate the bycatch of blue king crab. The stock has also been protected from potential trawling effects since 1994 by the Pribilof Islands habitat conservation area. The Council is required to prepare and submit a rebuilding plan for this crab stock within one year, i.e., by September 25, 2003.**

**An environmental assessment was prepared to evaluate alternatives for rebuilding the Pribilof Islands blue king crab stock. Alternative approaches to harvest strategies for Pribilof blue king crab were analyzed as rebuilding plans. Three alternative rebuilding strategies were examined: Alternative 1, the status quo management of this fishery; Alternative 2, a rebuilding plan which allows for some directed harvest prior to the stock being rebuilt; and Alternative 3, a rebuilding plan which allows for no directed harvest prior to the stock being rebuilt. Options under each alternative include a range of thresholds for opening the fishery, a range of harvest strategies for the directed fishery, and conservative time periods above the designated threshold for opening the fishery. No additional habitat or bycatch measures are proposed in any of the alternatives because neither habitat nor bycatch measures were expected to have a measurable impact in rebuilding.**

**An executive summary of the analysis is attached as Item D-2(a). The full analysis was sent to you on May 21. Initial review is scheduled for this meeting, with final action scheduled for October.**

**In addition to preparing the rebuilding plan as outlined above, the Crab Plan Team is concurrently examining the adequacy of the existing MSST for this stock. A progress report on this work will be presented at this meeting. A formal report by the Crab Plan Team on the reevaluation of the MSSTs for all managed crab stocks will be presented at the October Council meeting.**

The Advisory Panel did not address this agenda issue.

#### DISCUSSION/ACTION

Earl Krygier moved to forward the analysis for public comment, and to adopt as a preferred preliminary Alternative 2.D:

1. **Threshold: 7.5 million pounds of males  $\geq$ 120-mm CL and females  $\geq$ 100-mm CL**
2. **Opens: in 2<sup>nd</sup> year stock is above threshold**
3. **Harvest rate on mature males: 10% of model estimate at threshold, increases linearly with the estimates of total mature biomass to 15% at 25-million pounds of males  $\geq$  males 120-mm CL and females  $\geq$ 100-mm CL**
4. **Capt on harvest of legal males: 30%**
5. **Minimum GHL: 0.5 million pounds**

The motion was seconded by Stosh Anderson and carried without objection.

#### D-3 Staff Tasking

##### Staff Tasking

A summary of the status of Council projects and a three-meeting outlook is attached a Item D-2(a). A few new projects were added to the project list since the April meeting. First, the Council agreed in April to initiate a HAPC process in October. Second, NMFS has requested that Council staff (Nicole) assist with CDQ amendments. Lastly, in April, the Council requested that the plan teams provide a review of BSAI Pacific cod conservation and management. We are also about to enter the formal analysis stage for GOA rationalization, and we have several IR/IU related amendments yet to be completed.

Several major projects requiring significant amounts of staff time are beginning to pick up steam. Jane, Mark, Nicole, and Elaine will be working on the GOA rationalization project. David is currently working on the EFH EIS, and has started to work on GOA salmon bycatch for review in October. Cathy will be wrapped up with the HAPC process and will likely be busy with the HAPC analysis over the coming year. Bill will be working with the Steller sea lion Mitigation Committee, and will likely work on any analyses that flow from the committee process. Diana Stram will be updating the groundfish and scallop FMPs over the summer. Diana Evans will be revising the PGSEIS. Jon remains on active military duty. Darrell will continue to work with contractors on the IR/IU analyses. I anticipate spending a good portion of my time making preparations for the national fisheries conference.

Overall, we are beginning to see the light at the end of the tunnel relative to several Council projects (EFH, PGSEIS, Crab EIS), but staff is still working full time on other major issues. I suggest that we take a more detailed look at staff time and tasking at the December meeting, once some issues are resolved, and we have the national fisheries conference behind us.

The Advisory Panel did not address this agenda issue.

#### DISCUSSION/ACTION

The Council took up several issues discussed earlier in the meeting and deferred to the Staff Tasking agenda item.

**MINUTES**  
**NPFMC MEETING**  
**JUNE 2003**

SSL

The Council Chair will contact the Chair of the SSL Mitigation Committee to reinforce the Council's direction that the old trailing amendments are not what the Council intended to be the scope of the Committee's work. The Council would like the Committee to look at new scientific information and the NRC report to determine whether there are opportunities for the Council to begin working on ways to readjust the sea lion mitigation measures in the Gulf of Alaska that might provide some regulatory relief to fishermen in the Gulf. Regarding adding members to the Committee, the Chair will consider representatives of the small boat fleet from Dutch Harbor, possibly from the Peninsula, and the environmental community.

Aleutian Island Pollock Closure

The Council discussed issues associated with opening the Aleutian Islands regulatory area in the future for a pollock trawl fishery. The Aleutian Islands area currently is closed to pollock trawling because no TAC has been apportioned for a target fishery in this area. The Council discussed whether such a fishery might be authorized in the future, but are concerned whether sufficient NEPA documentation and an adequate cumulative effects analysis exists to make such a decision.

**Earl Krygier moved that the Aleutian Islands pollock fishery remain closed until the analysis requested in October 2000 is completed.** The motion was seconded by Stosh Anderson. After lengthy discussion, the motion was withdrawn.

Stephanie Madsen requested clarification on whether the Council could take action to keep the fishery closed at this time without the appropriate documentation. Mr. Krygier clarified that the intent of his motion is to reaffirm that the Council will intend to keep the fishery closed through the TAC process until an analysis can be provided so the Council can consider other actions. Chairman Benton reminded the Council that when this issue was discussed last year, the Council had concern there was an inadequate NEPA analysis of the cumulative effects of reopening the Aleutian Islands. In the motion approved in October 2000 there was a workplan and a list of items to be considered in the analysis.

**Stephanie Madsen moved that the staff, in conjunction with NMFS staff, provide the Council in October a detailed memo tracing the history and providing the October motion, so that the Council, with all available material, can outline a future course of action.** The motion was seconded by Dennis Austin and carried without objection.

Halibut Donation

The Council received a resolution from the Alaska State Legislature requesting that NMFS and the Council support issuance of a Prohibited Species Donation permit using halibut bycatch from vessels with observers. It was pointed out that this would be a decision of the International Halibut Commission. Dr. Balsiger, a member of the Commission, indicated that he would need some discussion from the Council before considering it at the IPHC level. After discussing the issue, Council members decided to forward the request/resolution to the IPHC without comment.

Crab EIS

The Crab EIS is currently scheduled for initial Council review in October. Earl Krygier pointed out that there are some aspects of the analysis that the Council does not yet have authority to do without

Congressional action. He suggested that the Council wait until Congress addresses those issues before releasing the document for public review.

**Earl Krygier moved to hold back release of the analysis until the Council has clear and adequate insight from Congress.** The motion was seconded by Stephanie Madsen and carried, 6 to 4, with Anderson, Bundy, Hyder and Nelson voting no (Ben Ellis was not present).

It may be that the Council will have the information it needs before October and if so, the issue would be on that agenda, as originally scheduled.

#### PEW/Marine Fish Conservation Reports

Council members discussed whether or not to respond officially to the inaccuracies and inconsistencies in the reports with respect to fisheries under the North Pacific Council's management. Council members agreed that it would be more effective to respond through information disseminated during the upcoming national conference. With regard to the Marine Fish Conservation Report, staff was directed to respond to obvious factual inaccuracies in the report with regard to the North Pacific fisheries. Council members also recommended that the Council prepare a press release regarding the Council's environmental excellence award. The Executive Director responded that Sheila McLean, NMFS's Alaska Region public information officer, is issuing a release with comments from Dr. Balsiger and Chairman Benton.

#### CDQ Amendments

During the NMFS Management report, the Council was advised that NMFS feels that an extensive analysis needs to be done with regard to eligible communities, and that a formal appeals process needs to be provided.

Sue Salvesson advised that NMFS and General Counsel staff will develop the formal appeals process and pursue rulemaking without further Council action. Council members expressed the desire to review the process before it is submitted to the Secretary. Ms. Salvesson said the Council could have a chance to review it at the October meeting, although there may not be much latitude to make changes. She stressed that Amendment 71 will not be submitted to the Secretary by the October meeting, so the Council may wish to agenda possible reconsideration of portions of the amendment at that time. Nicole Kimball advised that the appeals process is not part of the FMP amendment at this time.

With regard to community eligibility issues, staff was asked to provide a discussion paper in October regarding the eligibility status of the current list of eligible CDQ communities in order to ensure consistency with the criteria established both in the Magnuson-Stevens Act and Federal regulations.

#### National Conference Committee

The Chairman stated there have been requests for various entities to be represented on the committee. Chris Oliver pointed out that the agenda and format for the conference has been formulated through discussions with the other Councils and NMFS, and at this point a Council committee would not be able to make major changes in the structure, but could help shape the North Pacific Council's role and participation in the conference. Mr. Benton stated that he felt that it would be useful to have a small group of Council members to advise on the North Pacific Council's participation. He suggested Dennis Austin, John Bundy and Stephanie Madsen to fulfill that role. Council members also stressed that Mr. Benton should continue to be

**MINUTES  
NPFMC MEETING  
JUNE 2003**

involved as chair of the organizing committee and participate in the conference even though his Council term will have expired. Mr. Benton agreed that he will continue to participate.

VIP Program

NMFS has advised that an annual analysis will have to be done on the program. There has been continuing concern by NMFS and Council members regarding the efficacy of the program and potential for additional administrative burdens because of increase legal standards.

**Stephanie Madsen moved to initiate the process to repeal the VIP program.** The motion was seconded by John Bundy and carried without objection. Ms. Madsen stated that she doesn't feel that there are sufficient benefits from the program to dedicate additional staff and Council time to address it on an annual basis.

Right Whale/Fur Seal Issues

Council members discussed whether committees should be appointed to track and provide guidance on these two issues.

With regard to the Right whale issue, Stephanie Madsen moved to ask staff member Bill Wilson to prepare an outline of possible committee tasks and a draft work schedule for Council review and action in October.

With regard to the fur seal issue, the Council requested the Chairman to establish a small committee to provide interaction between the Council and NMFS and to provide information and guidance to NMFS regarding fisheries management concerns of the Council during the preparation of the EIS.

GOA Rationalization Skipper/Crew & Community Committees

Council members determined that it is premature to appoint these committees at this time. However, members of the public were encouraged to begin thinking about issues and scope for the committees when they are developed later in the process.

D-4 Other Business

**ACTION REQUIRED**

**Approve revised SOPPs for publication in the FEDERAL REGISTER**

**BACKGROUND**

**About two years ago, after several discussions regarding the Council Handbook published by NOAA (which established administrative guidelines for all eight Councils) it was determined that the Council Handbook was no longer necessary, as there were numerous operational differences among the Councils. Instead, each Council was asked to update their SOPPs to reflect the generic operational rules which were published in November 2001 (attached as Item D-4(a)). I have done so, and submitted the revised draft to NOAA, though the Council needs to review and approve the revised version before final approval by NOAA. Once approved, they will be published in the FEDERAL REGISTER and be made available to the public.**

**The revised draft is attached, with changes/additions underlined. Most of the changes are drawn directly drawn from the November 2001 published rules, though I have made some additional**

**changes/clarifications to reflect our Council's way of doing business in a few specific areas, which I will outline for you.**

The Advisory Panel did not address this issue.

## **DISCUSSION/ACTION**

Through discussion and motions, the following additions, deletions, and editorial changes were made to the SOPP for the North Pacific Council:

- Clarify that a Council Chairman may not have his/her alternate serve as chair in his/her absence.
- Under "Council Member Compensation," directed the Executive Director to devise wording which would allow compensation to the Vice Chair or other Council member designated by the Chair to officially represent the Council or conduct official business of the Council outside of normal Council or committee meetings.
- Under "Conduct of Meetings," deleted paragraph (4) which required the Regional Administrator to submit rationale on 'no' votes to Council after each meeting.
- Under "Working Groups," for plan teams, delete the word "annually" in the paragraph at the top of page 6. This relates to development of stock assessments and it was pointed out that stock assessment documents on some fisheries are not done on an annual basis.
- The Executive Director was directed to include a sexual harassment and discrimination policy relating to staff. (The current reference to discrimination is under "Recruitment")
- Council members changed the ratio of meetings to Washington and Oregon to 2:1, i.e., two meetings in Washington, then one meeting in Oregon. The Executive Director pointed out that the Council has already contracted meetings for three years, so this will not go into effect right away.
- Put into the SOPP public testimony procedure to grant 3 minutes for individuals and 6 minutes for corporations or groups, with an option that the Council could choose to revise that as needed.
- Put into the SOPP the current procedure to restrict public access to the Council seating area during Council meetings, including breaks.

The revised and approved SOPP is found in Appendix VIII to these minutes.

### Other Business

Dr. Bill Hogarth, Assistant Administrator for Fisheries, was in Kodiak to hold a constituent meeting as he has planned for each region. Dr. Hogarth spoke about the need for more positive interaction in international fisheries to promote better conservation of world fisheries. Other issues he spoke included review of National Standard 1, regulatory streamlining, strengthening relationships with stakeholders, bycatch, regulatory discards, essential fish habitat, and ecosystem-based management.

## **ADJOURNMENT**

Chairman Benton adjourned the meeting at 3:41pm on Wednesday, June 18, 2003.

## NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

June 2003 Meeting  
Kodiak, Alaska

## PERSONS GIVING PUBLIC TESTIMONY

B Items – Reports

Roger Allabaugh

Tony Chatow

John Gauvin, Groundfish Forum & At-Sea Processors Association

Simeon Swetsoff, City of St. Paul

C-1 GOA Rationalization

David Soma, Deep Sea Fishermen's Union

Sarah Haines, Gulf Groundfish Fishermen's Association

Jessica Penaloza

Dana Carros, International Seafoods/Two World Foods & John Franklin (Plant Mgr)

Casey Eads, Kodiak fisherman

Mike/Robin Clark, fisherman

George Reutov, K Bay Fisheries

Sam Eads, fisherman

Richard Bell, crewmember

Stoian Iankov, fisherman

Ilia Kuzmin, K Bay Fisheries

Mark Chandler, fisherman & Steve Drage, fisherman

Frank Miles, fisherman

Alexus Kwachka, Gulf Groundfish Fishermen's Association

Gary Nielsen, Gulf Groundfish Fishermen's Association

Peter Allan, F/V Owner/Operator

Ruth Koson, Gulf Ground Fisheries, vessel owner

Chuck McCallum, Chignik Seiner's Association

Craig Cochran, Midwater Trawler's Cooperative

Shaun Koson, fisherman

Tuk Bonney, Kodiak Island Borough

Nora Agmata, Processing Worker

Benny Daguelina, AK Pacific Seafoods

Enrique E. Perez, Western AK Fisheries

J. Antonio Garcia, Western AK Fisheries

Beth Stewart & Sam Cotten, Aleutians East Borough

Leslie Smith, United Salmon Association

Gus Gustafson, Port Bailey Wild Enterprises & New Custom Processing

Vince Shavender, vessel captain

Kurt Cochran, F/V Marathon

Pat Carlson, Kodiak Island Borough

Jerry Bongen, Kodiak Cross Sector Ad Hoc Work Group

Susan Robinson, Fishermen's Finest



### C-1, Continued

Thorn Smith, North Pacific Longline Association  
Lori Swanson, Groundfish Forum  
Jeremie Pikus, F/V Polar Star  
Dorothy Childers, Alaska Marine Conservation Council  
Duncan Fields, Gulf of Alaska Coastal Communities Coalition  
Matthew Moir, Alaska Pacific Seafood  
Joe Childers, Western GOA Fishermen's Association  
Jackie Muller & Nick Pestrikoff, City of Ouzinkie  
Gabrielle LeDoux, Mayor, Kodiak Island Borough  
David Cooper, International Seafoods of Alaska  
Freddy Christianson, Kodiak resident  
Bob Krueger, F/V Trawler Owner  
Curt Waters, F/V Skipper  
Bert Ashley, F/V Goldrush  
Mike Martin, GOA Groundfish Fishermen's Association  
Joe Sullivan, representing City of Kodiak  
Jay Stinson, Alaska Dragger's Association  
Jeff Stephan, United Fishermen's Marketing Association  
Erin Starr, Kodiak resident  
Peter Thompson, Kodiak resident/fisherman  
Margaret Hall, F/V Progress & F/V Vanguard  
Ryan Johnson, Kodiak resident, boat owner  
Julie Bonney, Alaska Groundfish Data Bank

### C-2 Programmatic Groundfish SEIS

Ron Clarke & Donna Parker, Marine Conservation Alliance  
Terry Leitzell, Icicle Seafoods  
John Gauvin, Groundfish Forum  
Ed Richardson, Pollock Conservation Cooperative  
Gerry Merrigan, Prowler Fisheries  
Thorn Smith, North Pacific Longline Association  
Julie Bonney, Groundfish Data Bank  
Heather McCarty, Central Bering Sea Fishermen's Association  
Ben Enticknap, Alaska Marine Conservation Council  
Josh Sladek-Nowlis, Alaska Oceans Network  
Janis Searles, Oceana  
Whit Sheard, The Ocean Conservancy  
Dave Fraser, High Seas Catcher's Cooperative  
Brent Paine, United Catcher Boats  
Art Nelson, At-Sea Processors Association & Simon Kinneen, Norton Sound Economic  
Development Corporation  
Paul MacGregor, U.S. Surimi Commission and Glenn Reed, Pacific Seafoods Processor's  
Association

### C-3 EFH/HAPC

Ben Enticknap, Alaska Marine Conservation Council  
Julie Bonney, Alaska Groundfish Data Bank

C-3, Continued

Heather McCarty, Thorn Smith, Lori Swanson, Ed Richardson - all are members of Marine Conservation Alliance  
Whit Sheard, the Ocean Conservancy  
Linda Kozak, Kozak & Associates  
Paul MacGregor, At-Sea Processor's Association

C-4 BSAI P.Cod Allocation

Jeff Stephan, United Fishermen's Marketing Association  
Gerry Merrigan, Prowler Fisheries  
Dave Fraser, for F/V Bluefin (Kurt/Oluf Vedoy)  
Dave Little, Clipper Seafoods  
Linda Kozak, F/V Alaskan Leader  
Julie Kavanaugh, F/V Sylvia Star  
Art Schultz, deckhand on <60' pot vessel  
Charlie Johnson, F/V Linnea  
Bill Prout, F/V Silver Spray  
Arni Thomson, Alaska Crab Coalition  
Matt Hegge, F/V Ocean Bay  
Mike Clark, <60' vessel fisherman  
Thorn Smith, North Pacific Longline Association  
Robert Williams, Coastal Villages Region Fund  
Jerry Bongen, C/V Pacific Venture  
James Mize, Blue North Fisheries  
Bob Storrs, Unalaska Native Fishermen's Association  
Alexus Kwachka, F/V Major

C-5 IRIU Amendments

Dave Wood, U.S. Seafoods  
Teresa Kandianis, Kodiak Fish Company  
Brent Paine, United Catcher Boats  
Keith Bruton, O'Hara Corporation (vessel owner)  
Susan Robinson, Fishermen's Finest  
Arni Thomson, Alaska Crab Coalition  
Gerry Merrigan, Prowler Fisheries & Thorn Smith, N. Pacific Longline Assoc.  
Steve Minor, City of St. Paul  
Paul MacGregor, representing At-Sea Processor's Association  
Ed Luttrell & Lori Swanson, Groundfish Forum  
Robert Williams, Coastal Villages Region Fund  
Julie Bonney, Alaska Groundfish Data Bank

D-1 Groundfish Management – Target/Non-Target workgroup report

Ilia Kuzmin, fisherman

D-2 Crab Management – Pribilof Blue King Crab Rebuilding Plan

D-3 Staff Tasking

Joe Sullivan, representing City of Kodiak on Crab Rationalization EIS

Heather McCarty, Central Bering Sea Fisherman's Association on SSL and Right Whales

Dorothy Childers, Alaska Marine Conservation Council on PEW/Oceans Reports

Janis Searles on behalf of SSL Plaintiffs, and Whit Sheard, The Ocean Conservancy

Mark Buckley, Digital Observers LLC