

North Pacific Fishery Management Council

News and Notes



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Madsen Elected Council Chair

Stephanie Madsen was elected to lead the North Pacific Fishery Management Council at its October meeting. Madsen is the first woman to lead the Council: citizens and Council members haven't been sure how to address her formally. 'Madam Chair' appears to be winning out over other possible titles when Madsen is addressed during public testimony or council debate.

Madsen has been a Council member since 2001. She started serving on the Advisory Panel of the Council in 1993, and was Vice Chairman of that panel from 1995 until she was appointed to the Council. Madsen is currently Vice-President of the Pacific Seafood Processors Association and formerly worked for the Aleutian Seafood Processors Association. Congratulations Stephanie!

Call for Nominations

Terms for members of the Council's **Advisory Panel (AP)** and **Scientific and Statistical Committee (SSC)** expire in December.

The SSC advises the Council on scientific and other technical matters relating to issues before the Council. The AP is composed of representatives of the major segments of the fishing industry and other interested parties, including sport fishing and environmental concerns, and provides advice from those perspectives. Members of these panels are expected to attend up to five meetings, three to 5 days in length, each year. Both the SSC and AP serve one-year terms and are eligible for reappointment each year.

Letters of interest or nomination, along with a resume of experience, for persons wishing to be considered for any of these panels, should be sent to the NPFMC, 605 W. 4th Avenue, #306, Anchorage, AK 99501, by 5:00 p.m. on Friday, November 14. Appointments will be announced at the end of the next Council meeting the week of December 8th at the Hilton Hotel in Anchorage and will become effective in January 2004. For more information, contact the Council office.

The Council welcomes three new members

Arne Fuglvog, Dave Benson, and Ed Rasmuson were sworn in at the October meeting. Both Fuglvog and Benson served on the Council's Advisory Panel meeting before joining the Council.

Fuglvog is a lifelong resident of Petersburg, who has been commercial fishing since 1975. He has been involved in fisheries throughout SE Alaska, Prince William Sound, Bristol Bay and Kodiak Island, primarily for halibut and black cod. He is president of the Petersburg Vessel Owners Association and has served for eight years on the Advisory Panel for the NPFMC. He is a graduate of Petersburg High School and the University of Puget Sound.

Rasmuson is an Anchorage businessman and civic leader who currently serves as a commissioner on the federal U.S. Commission on Ocean Policy. He is a graduate of Anchorage High School and Harvard University. He is an avid outdoorsman, pilot, hunter, and fisherman.

Benson has been a member of the Council Advisory Panel for 10 years and has been active in government relations since 1991, working for several large seafood companies with strong ties to Alaska. He worked in the Alaska crab and trawl fisheries for 13 years prior to that and is currently President of the Pollock Conservation Cooperative.

Attachments

Three Meeting Outlook
BSAI Specifications
GOA Specifications
HAPC Proposal Form

Gulf of Alaska Groundfish Rationalization

At its October meeting, the Council reviewed discussion papers that were prepared to assist the Council in drafting alternatives, elements and options. Once defined, staff can begin preparation of an environmental impact statement (EIS) to rationalize the Gulf of Alaska groundfish fisheries. The Council requested that staff provide a comprehensive discussion paper concerning possible changes to the EIS alternatives, elements and options for its December 2003 Council meeting. Proposed changes are listed on the Council website, and include:

- a) draft revisions to June 2003 GOA groundfish rationalization alternatives for fixed gear catcher vessels, trawl catcher vessels, and catcher/processors;
- b) draft motion addressing 29 staff topics from an October discussion paper;
- c) draft options for halibut and sablefish IFQ participants and Southeast Outside fisheries;
- d) draft revisions to community protection options;
- e) draft motion on salmon and crab prohibited species catch limits for GOA groundfish fisheries.

The Council also received a report from the Alaska Board of Fisheries on its plans to recommend options for rationalized groundfish fisheries in state waters of the Gulf of Alaska. The Board announced a committee, its charge, and timeline for reporting to the Council on its recommendations (www.state.ak.us/adfg/boards/fishinfo/news/goa100703.htm). The State timeline for the development of these state water fisheries is:

October 2003	Board of Fisheries forms GOA Groundfish Rationalization Steering Committee
December 2003	Joint BOF/NPFMC Protocol Committee meets and receives updated report from steering committee
Early February 2004	Full Joint BOF/NPFMC meets and receives updated report from steering committee and Board
February 2004	Steering Committee makes recommendation(s) to Board. Board reviews recommendations and identifies timeframe for promulgating state regulations
April 2004	Board reports its recommendations to the Council
Summer 2004	Council finalizes analysis of State water management options in draft EIS

For more information, contact Jane DiCosimo on the EIS, Mark Fina for the economic analysis, and Nicole Kimball for community protection issues.

Pribilof Blue King Crab Rebuilding Plan

The Council took final action on the Pribilof Blue King Crab Rebuilding Plan, Amendment 17 to the BSAI King and Tanner Crab FMP. The Council selected alternative 3B as their preferred alternative under this rebuilding plan. This alternative does not allow for fishing prior to the stock being completely rebuilt to B_{MSY} (13.2 million pounds). The preferred alternative incorporates a harvest strategy that includes additional conservative measures: a delayed opening to the second year that the stock is above this threshold (13.2 million pounds), a harvest rate on mature males of 10% of the survey estimate, a cap on the harvest of mature males at 20% of the survey estimate, and a minimum GHL of 0.5 million pounds. Although the Council had previously selected alternative 2D (which allowed for some directed fishing prior to the stock being completely rebuilt) in June 2003 as their preliminary preferred alternative, the Council revised its previous selection given the concerns expressed regarding the rebuilding potential of this stock. Given the potential vulnerability to overfishing, the poor precision of survey estimates, and the limited bycatch information available, the Council decided that a more conservative rebuilding plan was warranted at this time for this stock. The Crab Plan Team had recommended alternative 3B and the Board of Fisheries had also selected alternative 3B as their preferred harvest strategy given similar concerns for the Pribilof Blue King Crab stock. The Council noted that should the status of the stock change in the future they would consider amending the FMP again to allow for some harvest of the stock prior to the stock being completely rebuilt. Staff contact is Diana Stram.

Aleutian Islands Pollock Fishery

The Council received a staff report on the history of recent Council discussions and actions on the status of the Aleutian Islands pollock fishery. For the past five years, the Aleutian Islands Regulatory Area has been closed to a directed pollock fishery; from 1999 through 2003 TAC has been apportioned to this area only for bycatch needs in other fisheries. The Council discussed several issues involved, including the need for a NEPA analysis of impacts of such an action and an analysis of the cumulative effects of a directed pollock fishery on other fisheries in the area, Steller sea lions, and sea lion prey species including forage fish. The Council requested that NMFS and Council staff begin work on a document that would provide an updated environmental assessment of a directed pollock fishery in the Aleutian Islands. The Council will discuss timing of this analysis in December. Staff contact is Bill Wilson.

Essential Fish Habitat

The Council reviewed the preliminary draft EFH EIS and identified preliminary preferred alternatives for public comment. The Council's preliminary preferred alternatives will be identified in the official Draft EIS, which will be published by January 16, 2004. Detailed descriptions of all alternatives can be found within the preliminary draft EFH EIS available on the NMFS web site. The EFH final motion is available on the Council website.

EFH Description: The Council identified Alternative 3, (revised general distribution) as the Preliminary Preferred Alternative. Under this alternative, EFH descriptions would be revised applying the modified regulatory guidance from the EFH final rule and incorporating recent and additional scientific information together with improved mapping.

HAPC approach: The Council identified Alternative 3 (the site-based concept) as the Preliminary Preferred Alternative. Under Alternative 3, the existing HAPC identifications would be rescinded, and the Council would adopt an approach that would allow specific sites within EFH, selected to address a particular problem, to be identified as HAPCs in the future.

Minimization of fishing effects on EFH: The Council identified Alternative 1 (status quo), as the Preliminary Preferred Alternative. Under Alternative 1, no additional measures would be taken at this time to minimize the effects of fishing on EFH. All of the current management measures would remain in effect, including year round bottom trawl closures, gear restrictions, and bycatch reductions.

In addition to adopting preliminary preferred alternatives, the Council reviewed the HAPC Proposal and Review Process. The Council's preliminary decision on the HAPC process will be included within the draft EIS and released for public comment. Specific decisions were made regarding the HAPC criteria, HAPC priorities, and a stakeholder process.

The Council set HAPC priorities to focus on specific sites within two specific priority areas. The proposal period is open from November 1, 2003 B January 10, 2004 and should focus on sites that fall within two specific types of HAPC. See the adjacent newsletter article for more information. Staff contact is Cathy Coon.

Habitat Areas of Particular Concern

HAPCs are areas of special importance that may require additional protection from adverse effects. The final rule states "Fishery Management Plans (FMPs) should identify specific types or areas of habitat within EFH as habitat areas of particular concern based on one or more of the following considerations:

- The importance of the ecological function provided by the habitat;
- The extent to which the habitat is sensitive to human-induced environmental degradation;
- Whether, and to what extent the development activities are, or will be, stressing the habitat type; and
- The rarity of the habitat."

A joint stipulation and court order in the *AOC v. Daley* case mandated that NMFS work with the Council to develop a process for the evaluation and possible designation of HAPCs and the implementation of any associated measures. NMFS must promulgate any resulting regulations, supported by appropriate National Environmental Policy Act (NEPA) analysis, no later than August 13, 2006.

The Council adopted a HAPC identification and review process during its October 2003 meeting. Additionally the Council has identified HAPC priority areas for 2003. Additional details of the process are provided in the Council EFH motion, which can be found on the Council website. The Council will be accepting proposals for initial HAPC designation between November 1, 2003 – January 10, 2004. The proposal form is included as an attachment to this newsletter, and is also available on our website. The Council invited proposals to identify HAPC sites within the following priority areas:

1. Seamounts in the EEZ, named on NOAA charts, that provide important habitat for managed species.
2. Largely undisturbed, high relief, long lived hard coral beds, with particular emphasis on the Aleutian Islands, which provide habitat for life stages of rockfish or other important managed species. Nominations shall be based upon best available scientific information, and include the following features:
 - a) Sites must be within EFH as proposed with likely or documented presence of FMP rockfish species.
 - b) Sites must be largely undisturbed and occur outside core fishing areas

Criteria for consideration of HAPCs:

The following criteria were established for consideration of HAPC proposals. HAPC proposals will be required to meet at least two of the four HAPC considerations (criteria) established in the EFH Final Rule: importance of ecological function, sensitivity, vulnerability, and rarity. Rarity will be a mandatory criterion of all HAPC proposals. Contact Cathy Coon for more information.

CDQ Program

The Council amended its June 2002 motion on BSAI Amendment 71, Issue 1, to add an administrative **appeals process** to NMFS's review of the State's CDQ allocation recommendations. The Council originally recommended not to include an appeals process under Issue 1, but amended its decision at this meeting based on NMFS's determination that a formal appeals process is necessary to comply with the Administrative Procedure Act. The Council recommended a 6-month appeals process, which would allow time for the State and the CDQ groups to respond to problems identified in an appeal. Inclusion of an appeals process in the next CDQ allocation cycle (2006-2008) means that the State's application period would start around October 1, 2004. In addition, the Council approved a requirement to extend the existing CDQ allocations if the State's recommendations for new allocations could not be implemented by NMFS by the end of an allocation cycle.

The Council also reviewed a staff discussion paper and legal opinion from NOAA GC that outlined various issues related to **community eligibility** in the CDQ Program. The Council recommended that staff develop a draft analysis for an FMP and regulatory amendment to make the eligibility criteria for the CDQ Program in the BSAI FMP and Federal regulations consistent with the eligibility criteria in the Magnuson-Stevens Act. Based on recommendations from NOAA GC, the analysis would also include a review of the eligibility status of all 65 communities currently participating in the CDQ Program, unless Congress acts to make this review unnecessary. Initial review of the analysis is scheduled for February 2004, with final action in April. Staff contact is Nicole Kimball.

Non-target Species Management

The Council received an update on recommendations from the ad hoc working group on proposed management changes for non-target species. The group is recommending that the Council consider creating a non-target species category in the BSAI and GOA groundfish FMPs. This new category would contain species that are not targeted by the fishery but are currently included in a target category, and all other incidentally caught species. "Target" and "non-target" categories would be managed under different management goals and objectives and different management measures could be applied. The group's report and a summary of its recommendations are posted on the Council website.

The Non-target Species Committee had its first meeting on October 8. Members identified that they would like to receive additional background information on the quota specification process, groundfish assessments, and the overfishing level tier system as a first step. The minutes from its meeting are posted on the website. The committee and workgroup will meet again and provide specific recommendations to the Council for a possible FMP amendment. Staff contact is Jane DiCosimo.

TAC-Specification Process

The Council approved a new process for establishing harvest specifications in future years under BSAI and GOA Plan Amendments 48/48. Objectives for the revised process include managing the Alaska groundfish fisheries based on the best available scientific information and providing meaningful opportunity for useful public comment. The Council's preferred alternative is to establish harvest specifications for 18 months (Year 1 and first half of Year 2) for BSAI and GOA groundfish. For setting pot and hook-and-line sablefish specifications, the Council recommended a modified rulemaking process. If a second proposed rulemaking is required for the final specifications, the pot and hook-and-line sablefish specifications would be issued by final rulemaking. A second proposed rule may be needed for the final specifications if they are not a logical outgrowth from the proposed rule. Biennial harvest specifications will be set for certain long-lived GOA target species/complexes that are surveyed biennially. Also, FMP language describing the fisheries will be updated. Staff contact is Jane DiCosimo.

GOA Skates

The Council approved an action under Gulf of Alaska Plan Amendment 63 to separate GOA skates from the "other species" category and add them to the "target species" category (with its own ABC/TAC). The action addresses conservation concerns for a rapidly developing fishery around Kodiak for two skate species and the need to have this fishery develop in a sustainable manner. The Council determined that the current FMP may not provide sufficient conservation of these skate resources. Currently, skates are managed under the "other species" category TAC. The GOA FMP does not authorize a separate ABC or TAC for the skate complex, nor for any of the individual species which make up that complex. Instead a TAC is calculated for the five taxonomic groups as a percent (5%) of the total TAC for all of the combined GOA species.

In December, the Council will review a stock assessment for skates and set specifications for these species for 2004, pending approval of Amendment 63 by the Secretary. The environmental assessment for final specifications will analyze several methods for setting quotas for skates, including setting TACs as bycatch from the start of the fishing year, and setting the directed fishing allowance for a directed skate fishery equal to the remainder after deducting skate bycatch amounts and halibut PSC for other directed longline and trawl fisheries. Staff contact is Jane DiCosimo.

Improved Retention/Improved Utilization (IR/IU)

The Council received a report on the recommendations made by the IR/IU Technical Committee regarding BSAI Amendment 79, (minimum groundfish retention standard) and proposed changes to the list of alternatives being considered for Amendment 80a (BSAI sector allocation of groundfish species/PSC), and Amendment 80b (Non-AFA Trawl CP sector cooperative structure).

The only action taken on Amendment 79 was to request that NOAA Fisheries present a report to the Council if they recommend the pollock incidental catch allowance be increased above the current 3.5 percent. The report should be presented at the appropriate Council meeting and document that such change is consistent with the intent of the Council's MRA actions in June 2003, and should indicate whether the proposed change is a result of increased pollock harvests by a specific sector as well as any other relevant factors.

Components and options that were previously developed for Amendments 80a and 80b were reviewed at this meeting. The Council considered several changes that were recommended by the IR/IU Technical Committee and the Council's Advisory Panel. For Amendment 80a, the following additions were included: expanding the sector list to contain the hook and line and pot vessels under 60', adding new catch history options to include 2003 (Component 7), clarifying Pacific cod allocations (Component 9), including PSC for CDQ allocations (Component 10), and clarifying PSC allocations and adding a new option to break out separate PSC allocations for the Bering Sea and Aleutian Islands (Component 12). Changes to Amendment 80b were mostly limited to removing and revising components.

The component addressing the disposition of incidental catch allowances of pollock for the Non-AFA Trawl CP sector (formerly Component 2) was eliminated. Elements of that component were added to Component 8. Those components addressing groundfish retention standard (formerly Component 4) and Sector Eligibility Endorsement transfers (formerly Components 9 & 10) were revised to "single-option" components. In addition, the Council expanded the catch history options in Amendment 80b to include 2003 (Component 6). A current draft of the components and options being considered with the changes recommended by the Council are posted on the Council website.

IRIU Technical Committee

In addition, the Council listed several issues that need further input from the IR/IU Technical Committee. That committee will attempt to meet prior to the December Council meeting. That meeting will be scheduled so the Council can review their recommendations and finalize the list of components and options for the formal analysis at their December meeting.

The specific issues the IR/IU Technical Committee are directed to address are:

- Impacts of splitting the Pacific cod TAC between the Bering Sea and Aleutian Islands.
- Option for treating underutilized or unallocated species.
- Adjustments of the PSC allocations to the CDQ program if the groundfish allocations are changed.
- Review the alternatives and need for an EIS.
- Methods for allocating PSC among sectors.
- Pacific cod allocations and rollover issues (Component 9 of Amendment 80a).
- Harvest of pollock by the Non-AFA trawl CPs (Component 8 of Amendment 80b).

The Committee may also address any other issues that they deem necessary. Staff Contact is Jon McCracken.

Upcoming Meetings

Community QS Purchase Implementation Committee: November 3, 2003, 10 a.m. – 6 p.m., Anchorage Hilton, Fireweed room.

Managing Our Nation's Fisheries: Past, present and future. Thursday, November 13 - Saturday, November 15, 2003, Washington D.C., Omni-Shoreham Hotel and Conference Center

IRIU Technical Committee: November 18-19, 2003. Alaska Fisheries Science Center, HR Conference Room, Building 1, Seattle, WA

Groundfish Plan Team meetings: November 17-21, 2003. Alaska Fisheries Science Center, Seattle

Scallop Plan Team Meeting: October 29-30, 2003, 9am - 5pm, Sustainable Fisheries conference room, Federal Building, 709 W. 9th St., Juneau, AK conference line: 907-586-7977

NPFMC Meeting: December 8-16, 2003 Anchorage Hilton

Observer Advisory Committee: Jan. 5-6, 2004, at the Alaska Fisheries Science Center, Seattle, WA. Agenda to follow.

Steller Sea Lion Issues:

Research

The Council received a report from its Steller Sea Lion Mitigation Committee (SSLMC) on the Committee's review of the National Research Council report on the decline of Steller sea lions in Alaska. At its April 2003 meeting, the Council tasked the SSLMC to review the NRC report's recommendations and to specifically address how the Council might implement the NRC report's recommendations. One of these recommendations was to conduct an experiment that tests the effects of groundfish fishing on Steller sea lions. The SSLMC appointed a Subcommittee on Experimental Design, chaired by Dr. Doug DeMaster from the Alaska Fisheries Science Center, to review these recommendations and suggest a course of action. The SSLMC's subcommittee concluded that, although such an experiment may be very difficult to conduct given the complex scientific and legal issues involved, there may be individuals or groups that have new ideas or approaches worth pursuing. The subcommittee suggested that it would be worthwhile to solicit ideas from the scientific community at large by issuing a Request for Proposals (RFP). The Council heard the subcommittee's report, and discussed the RFP approach and other ideas, including appointing a Blue Ribbon Panel or convening a workshop. The Council asked that the SSLMC further consider both the RFP approach and other ideas, and present the Committee's recommendations to the Council at its December meeting. Staff contact is Bill Wilson.

GOA Regulatory Change Proposals Move Forward

During the last several months, the Council's Steller Sea Lion Mitigation Committee (SSLMC) developed a suite of proposals for regulatory change in Gulf of Alaska groundfish fisheries. These proposed changes, primarily relating to Steller sea lion protection measures, were presented to the Council at its October meeting. The Council asked that the proposals be forwarded to NMFS for an initial review and informal consultation on their possible effects on Steller sea lions. After the NMFS review, the Council requested that the SSLMC meet with NMFS to modify or otherwise change the proposal package as necessary and bring an analysis of the proposed measures back to the Council as soon as possible. The proposed measures seek to provide additional fishing opportunities in the Gulf without jeopardizing Steller sea lions. The proposals include changes in the size of fishery closure zones around some sea lion rookeries and haulouts, along with increases in closure areas around other haulouts to compensate. The full list of proposals reviewed, and the rationale for the proposals selected for further review, are in the minutes of the most recent SSLMC meeting, that are posted on the Council's web site. Staff contact is Bill Wilson.

Vessel Incentive Program

In June 2003, the Council initiated an amendment to repeal the Vessel Incentive Program, given concerns about the effectiveness of the program and its potential for additional administrative burden due to increased legal standards. In October 2003, the Council reviewed a NMFS discussion paper as the first step in consulting with the Council to develop alternatives for analysis. The Council accepted the following proposed alternatives for analysis and has scheduled initial review of the draft EA/RIR/IRFA for its April 2004 meeting. The Council will review this issue in December and finalize alternatives to be considered.

1. No action. Do not repeal the VIP.
2. Modify the VIP to reduce the frequency of rate of publication
 - Option 1. Publish rates once a year
 - Option 2. Incorporate rates in regulation to eliminate the need for publication
3. Remove the regulatory authority for the VIP
 - Option 1. Eliminate the VIP at the FMP-level and eliminate from the regulations
 - Option 2. Eliminate the VIP from the regulations

Staff contact is Jane DiCosimo.

Biological Opinions Issued by USF&WS

The Council was informed that the USFWS has issued two new Biological Opinions on the effects of the Alaskan groundfish fisheries on the endangered short-tailed albatross and the threatened Steller's eider. Both a programmatic BiOp and a BiOp on the Council's TAC-setting process have been released by the USFWS to the public. The BiOps conclude that implementation of the groundfish fishery FMPs and the actions related to the TAC-setting process are not likely to jeopardize the continued existence of these species. An Incidental Take Statement (ITS) accompanies the TAC-setting BiOp. This ITS authorizes the incidental take of four short-tailed albatross over a two year period in the Alaskan hook and line groundfish fisheries, and an incidental take of two short-tailed albatross in the Alaskan trawl groundfish fisheries over the time period the BiOp remains in effect (about five years). These incidental take limits are in addition to the take limit established in 1998 for the Pacific halibut hook-and-line fishery off Alaska, two short-tailed albatrosses in a two year period. If the level of anticipated take is exceeded in any of these fisheries, NMFS must immediately reinitiate a consultation with the USFWS to review the need for possible modification to the fishery. The ITS also includes specific Reasonable and Prudent Measures NMFS must take to minimize the potential for take of these species. Staff contact is Bill Wilson.

Sea Otters & Short-tailed Albatross

The Council received reports from the US Fish & Wildlife Service on sea otters and short-tailed albatross. The southwest Alaska stock of sea otters has been declining in recent years, and the USFWS has designated this stock as a candidate for listing under the Endangered Species Act. Surveys conducted in 2003 show the decline continues; between 2000 and 2003, sea otter populations at specific islands in the Aleutians declined between 35 and 79 percent. The reasons for the decline are unknown, but killer whale predation has been implicated as a likely factor.

The USFWS, in cooperation with NMFS and other groups, is supporting research on the movement patterns of the endangered short-tailed albatross. Albatross were captured in May 2003 on their principal nesting grounds, Torishima Island near Japan, and were instrumented with satellite transmitters that relay the positions of these seabirds as they disperse and forage over the marine waters in the North Pacific. Another group of short-tailed albatross was instrumented in the Seguam Pass area of the Aleutian Islands in August. Rob Suryan, a Ph.D. student at Oregon State University, is the lead investigator of these studies. The Council was provided a series of maps showing positions of the albatross tagged in 2003. Most of the albatross tagged at Torishima appear to move northward during spring and summer and seem to congregate in the Aleutian Islands and portions of the Bering Sea. Birds tagged in Seguam Pass appear to disperse into similar areas. Staff contact is Bill Wilson.

BSAI Crab EIS

The Council has directed staff to release the crab EIS for Council review by November 24, 2003. Staff anticipates that final internal reviews will take a few weeks and the document will be released at about that time and will be available to the public upon request. Council has also expressed its intent to review the EIS at its February meeting, and release it for official public review and comment if it is deemed adequate. Staff contact is Mark Fina.

BSAI Groundfish Harvest Specifications

The Council approved preliminary and interim OFLs, ABCs and TACs for BSAI groundfish. The preliminary total allowable catches (TACs) were set equal to 2003 TACs for all species with some exceptions. The 2004 sablefish TAC was set equal to the 2004 ABC. The 2004 Pacific Ocean Perch TAC was set equal to the 2003 TAC in the Bering Sea, but was set slightly lower in the Aleutian Islands where it is equal to the 2004 ABC. The 2004 Atka mackerel TAC was set equal to the 2004 ABC for all but the Western area of the AI where it is slightly less than the ABC. The Council adopted the 2003 prohibited species catch (PSC) limits for halibut, crab and herring and the halibut discard mortality rates (DMRs) to start the 2004 BSAI fisheries (these are posted on the NMFS website). The specifications for the BSAI are included as an attachment. Staff contact is Jane DiCosimo.

GOA Groundfish Harvest Specifications

The Council approved preliminary and interim OFLs, ABCs and TACs for GOA groundfish. Model projections as described above were used for all applicable stocks except in the case of GOA pollock and Thornyhead rockfish. For these two stocks a rollover of the 2003 ABC was utilized instead. The 2004 TACs were set equal to the 2004 ABCs except for Pacific cod, Shallow water flatfish, Flathead sole, Arrowtooth flounder, other slope rockfish, and Pacific ocean perch. The 2004 Pacific cod TAC was reduced to account for the guideline harvest levels (GHLs) in the state waters Pacific cod fishery. The 2004 Shallow water flatfish, Arrowtooth flounder, other slope rockfish and Pacific ocean perch TACs were set equal to the 2003 TACs. The Flathead sole 2004 TAC was slightly reduced from the 2003 TAC in the WYAK and EYAK/SEO management areas. The halibut PSC limits of 2000 mt for the trawl fishery and 300 mt for the hook and line fishery were rolled over from 2003 to start the 2004 fisheries. The 2003 halibut DMRs were also rolled over. The specifications for the GOA are included as an attachment. Staff contact is Diana Stram.

Halibut Subsistence Management

At its October 2003 meeting, the Council chose to take no action to include Ninilchik and Happy Valley to the list of eligible communities for halibut subsistence fishing. The Council determined that those communities do not meet the State criteria to be deemed rural, which is the primary basis for inclusion in the program. Findings that Ninilchik met Federal criteria for rural and had a halibut customary and traditional use determination from US Fish and Wildlife Service (USFWS) staff was not sufficient cause to be added to the list because those communities would not be deemed rural by the Council. To clarify additional potential USFWS determinations, the Council will request that the Federal Subsistence Board (and not USFWS staff) provide halibut customary and traditional use determinations for individual, petitioning communities that qualify as rural by the Council. Currently, US Fish and Wildlife Services staff interpret Board findings for larger geographic areas, which meet Federal criteria for rural and customary and traditional use of fish, rather than specifically for halibut for a community.

The Council also received a report from the Alaska Board of Fisheries, which set up a process during its October work session to address appeals concerning eligibility. The Council requested, and the Board agreed to provide, recommendations for any communities that seek to be included on the Council's list of eligible communities for subsistence use of halibut. Appeals have been received by several communities that did not make the Council's original list, and a small population of individuals who are homesteaders in areas of the State with less than 25 people. These petitioners were not identified as residing in an eligible community and were passed over by the eligibility process. Board members agreed to hear appeals during this year's cycle and will take public testimony during its February 2004 meeting. Additionally, the Board will schedule appeals for specific meetings during future cycles and make recommendations on appeals and forward those recommendations to the Council. The Council would then schedule a subsequent analysis of whether to add the recommended community to the list.

The Council also clarified its intent regarding some aspects of the proposed rule for implementing its April 2002 preferred alternative for amending the program. The Council approved submitting the following actions to the Secretary of Commerce for approval and implementation. Publication of the proposed rule may occur before the end of 2003.

1. Remove gear restrictions in IPHC Areas 4C, 4D, and 4E to mirror the absence of harvest levels in those areas.
2. Legal size halibut may be retained for subsistence use by residents of eligible Area 4C, 4D, and 4E communities while CDQ fishing on their own vessels.
3. The gear limit is no more than 3 times the per person hook limit on a single unit of gear set or retrieved from a vessel provided there are at least 3 permit holders on board.
4. In Area 2C, reduce the gear and harvest restrictions to a vessel limit of 30 hooks and 20 fish. Stacking of gear and proxy fishing are not permitted. A community harvest permit (CHP) program would be allowed in Area 2C, except the Sitka LAMP, because of these additional restrictions.

5. The Cook Inlet non-subsistence use area southern boundary would be set at 59°30.40'N.
6. Longline fishing would be prohibited in a four nautical mile radius extending south from Low Island at 57°00'42 N and 135°36'34 W (inside the Sitka LAMP area).
7. A ceremonial, cultural, or educational harvest permit system would be implemented for Alaska Native Tribes that are eligible for halibut subsistence to conduct cultural/educational camps and for ceremonial purposes. The permit would be limited to a harvest of 25 fish.

Those actions from the April 2002 preferred alternative will be rescheduled for Council action in October 2004. The following actions would analyze 5, 10, and 30 hooks to address rockfish and ling cod bycatch. Note that staff interpreted Council intent to also reschedule action for the community harvest permit program for Area 3A, as the CHP is intrinsically linked to proposed reductions in the gear limit and imposition of an annual limit.

1. 10 hooks, 20 fish annual limit, and CHP program in Kodiak road zone and Chiniak Bay.
2. 10 hooks, no annual limit, and CHP program in Prince William Sound.
3. 10 hooks, no annual limit, and CHP program in Cook Inlet.
4. Sitka local area management plan (LAMP):
During 9/1 to 5/31, 30 hooks/vessel, power hauling allowed, and 10 halibut/day/vessel; and
During 6/1 to 8/31, 15 hooks/vessel, no power hauling, no proxy, no stacking, and 5 halibut/day/vessel.

The Council also initiated new analyses of the following proposed amendments to the regulations for review and action in 2004:

1. Possession limits of none or two daily bag limits.
2. Allow use of charter vessels or adopt the State of Alaska definition of charter vessels to enhance enforcement of prohibition of their use for subsistence halibut fishing.
3. Revise the \$400 customary trade limit to either \$100 or no cash trade.
4. Revise the proposed 3 permit stacking limit to either 1 or 2 per vessel.
5. Add community harvest, ceremonial, cultural, or educational harvest permit systems in non-subsistence use areas by Alaska Native Tribes whose traditional fishing grounds are located within these areas. The permit would be limited to a harvest of 20 fish per day.

Commercial Halibut/Sablefish IFQ proposals

The Council scheduled a review of recommendations regarding proposed amendments to the commercial halibut and sablefish individual fishing quota program (IFQ) from the IFQ Implementation and Cost Recovery Team and Advisory Panel for the December Council meeting. Nineteen proposals were reviewed by the team. Those that were recommended for consideration by the Council were integrated into those approved by the Council in 2000 for analysis but were never tasked to staff due to the press of other business. The team grouped the proposed

amendments into separate analytical packages and ranked their priority:

1. Changes to the block program, QS categories, fish down, 20% ownership requirements to hire a skipper, and medical transfers
2. A discussion paper to allow the use of pots in the GOA
3. Changes affecting forfeiture of QS that was never fished, check-in/out, and sablefish product recovery rate

The minutes from the IFQ Team's October 5, 2003 meeting are posted on the Council website. Information about the 2003 subsistence and commercial halibut fisheries may be found at www.fakr.noaa.gov/ram/subsistence/halibut.htm. Staff contact is Jane DiCosimo.

Groundfish Programmatic SEIS

NOAA Fisheries has extended the public comment period for the PSEIS to November 6, 2003, in response to requests from the public. Comments may be submitted in writing or through the website, www.fakr.noaa.gov/sustainablefisheries/seis/default.htm for further information. CD-Rom and paper copies of the document are available by contacting Steve Davis at (907) 271-3523. The Council is still scheduled to finalize its preferred alternative at the April 2004 meeting. Staff contact is Diana Evans.

Automatic Information System

The U.S. Coast Guard provided an update on the current status of regulations under development concerning Automatic Information System (AIS), which was mandated by Congressional action. This update encouraged all members of the Council and the public to monitor the Federal Register for the pending Final Rule concerning AIS and its applicability in Vessel Traffic System areas, to be published by 25 Oct 2003. Also included in the update was the extension of the comment period for the proposed expanded rule for AIS to include all commercial vessels over 65 ft. in all U.S. waters. The comment period now continues through 05 Jan 2004 and includes three public meetings, one of which is scheduled for Seattle, WA on 05 Dec 2003. The Seattle public meeting will be held from 0900-1230 at:

Federal Building, 4th Floor
Northern Auditorium
915 Second Avenue
Seattle, WA 98174

The public is encouraged to attend.

Further details about the AIS program can be found at: www.gpoaccess.gov/fr/advanced.html for Federal Register notices (enter AIS in search block) and www.navcen.uscg.gov/enav/ais/default.html for general AIS information.

NPFMC Tentative Meeting Dates for 2001-2006*

	February Week of/ Location	April Week of/ Location	June Week of/ Location	October Week of/ Location	December Week of/ Location
2003	1/27 Seattle	3/31 Anchorage	9/Kodiak	6/Anchorage	8/Anchorage Hilton
2004	2/Anchorage Hilton	3/29 Hilton Anchorage	7/Portland	4/Sitka	6/Anchorage
2005	7/Seattle	4/Anchorage	6/Dutch Harbor	3/Anchorage	5/Anchorage
2006	6/Seattle	3/Anchorage	5/Kodiak	2/Anchorage	4/Anchorage

*Meeting dates subject to change depending on availability of meeting space. Any changes will be published in the Council's newsletter.

DRAFT NPFMC THREE-MEETING OUTLOOK

December 8, 2003 Anchorage Hilton	February 2, 2004 Anchorage Hilton	March 29, 2004 Anchorage Hilton
NPFMC/BOF Joint Protocol Committee to meet	CDQ Elegibility Amendments: Initial Review	CDQ Elegibility Amendments: Final Action
IFQ Implementation Committee Report: Action as necessary & Proposal Review		Repeal VIP: Initial Review
Information Quality Act: Finalize comments		
GOA Rationalization: Review and refine alternatives, elements and options	GOA Rationalization: Action as necessary	GOA Rationalization: Action as necessary
	HAPC: Report and action as necessary	HAPC: Report and action as necessary
	DPSEIS: Review comments on Draft	DPSEIS: Final Action
Groundfish Specifications: Final Action	SSL adjustments in GOA: Initial Review (T)	SSL adjustments in GOA: Final Action (T)
AI pollock fishery: Discussion of timing for analysis	Crab EIS: Initial Review	
Flatfish IRIU Amendment 80A and 80B: Receive Committee Report & refine alternatives	Flatfish IRIU Trailing Amendment 80A & 80B: Review Progress	Flatfish IRIU Trailing Amendment 80A & 80B: Initial Review (T)
Observer Program: Preliminary Review	Observer Program: Initial Review (T)	
BSAI Salmon bycatch: Discuss and provide direction	Non -Target: Discuss and action as necessary	
	Scallop SAFE and FMP: Review drafts	Scallop SAFE and FMP: Final Action

TAC - Total Allowable Catch
 BSAI - Bering Sea and Aleutian Islands
 IFQ - Individual Fishing Quota
 AFA - American Fisheries Act
 HAPC - Habitat Areas of Particular Concern
 LLP - License Limitation Program
 PSC - Prohibited Species Catch

MSA - Magnuson Stevens Act
 GOA - Gulf of Alaska
 SSL - Steller Sea Lion
 VIP - Vessel Incentive Program
 SEIS - Supplemental Environmental Impact Statement
 CDQ - Community Development Quota
 IRIU - Improved Retention/Improved Utilization

SAFE - Stock assessment and fishery evaluation
 VMS - Vessel Monitoring System
 CV - Catcher Vessel CP- Catcher Processor
 MSST - Minimum Stock Size Threshold
 FMP - Fishery Management Plan
 DPSEIS - Draft Programmatic Groundfish SEIS
(T) Tentatively scheduled

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL RECOMMENDATIONS

Bering Sea and Aleutian Islands

2003 Specifications and Recommendations for Preliminary 2004 Specifications (mt)

Species	Area	2003 Biomass	2003 OFL	2003 ABC	2003 TAC	2003 *Catch	2004 OFL	2004 ABC	2004 TAC
Pollock	EBS	11,100,000	3,530,000	2,330,000	1,491,760	1,430,285	2,636,000	2,127,700	1,491,760
	AI	175,000	52,600	39,400	1,000	1,603	52,600	39,400	1,000
	Bogoslof	227,000	45,300	4,070	50	24	45,300	4,070	50
Pacific cod	BSAI	1,680,000	324,000	223,000	207,500	166,208	359,000	245,000	207,500
Yellowfin sole	BSAI	1,550,000	136,000	114,000	83,750	77,643	130,000	109,600	83,750
Greenland turbot	BSAI	112,000	17,800	5,880	4,000	2,886	16,755	6,900	4,000
	BS				2,680	2,291		4,600	2,680
	AI				1,320	595		2,300	1,320
Arrowtooth flounder	BSAI	597,000	139,000	112,000	12,000	12,115	175,800	142,200	12,000
Rock sole	BSAI	877,000	132,000	110,000	44,000	35,741	119,400	99,900	44,000
Flathead sole	BSAI	550,000	81,000	66,000	20,000	13,584	74,100	61,100	20,000
Alaska plaice	BSAI	1,080,000	165,000	137,000	10,000	9,844	166,300	138,200	10,000
Other flatfish	BSAI	107,000	21,400	16,000	3,000	2,736	21,400	16,000	3,000
Sablefish	EBS	31,000	4,290	2,900	2,900	901	3,818	2,658	2,658
	AI	39,000	4,590	3,100	3,100	971	4,082	2,842	2,842
Pacific Ocean Perch	BSAI	375,000	18,000	15,100	14,100	13,813	17,600	14,900	13,932
	<i>Bering Sea</i>			2,410	1,410	1,183		2,378	1,410
	<i>Eastern</i>			3,500	3,500	3,902		3,454	3,454
	<i>Central</i>			3,340	3,340	3,008		3,296	3,296
	<i>Western</i>			5,850	5,850	5,720		5,773	5,773
Northern rockfish	BSAI	156,000					9,468	7,101	
	BS		161	121	121	63			121
	AI		9,332	6,980	5,879	4,016			5,879
Shortraker/rougheye	BSAI	32,000	1,290	967			1,289	967	
	BS				137	98			137
	AI				830	258			830
Other rockfish (incl. sharpchin)	EBS	18,000	1,280	960	960	308	1,280	960	960
	AI	15,000	846	634	634	374	846	634	634
Atka mackerel	AI	358,300	99,700	63,000	60,000	50,238	104,100	61,600	59,111
	<i>Eastern</i>			10,650	10,650	11,001		10,413	10,413
	<i>Central</i>			29,360	29,360	25,760		28,708	28,708
	<i>Western</i>			22,990	19,990	13,477		22,479	19,990
Squid	BSAI	n/a	2,620	1,970	1,970	1,150	2,620	1,970	1,970
Other Species	BSAI	695,000	81,100	43,300	32,309	22,309	81,100	43,300	32,309
BS/AI TOTAL		19,774,300	4,867,309	3,298,792	2,000,000	1,847,168	4,022,858	3,127,002	1,998,443

EBS = eastern Bering Sea

BSAI = Bering Sea & Aleutians

BS = Bering Sea

AI = Aleutian Islands

OFL = overfishing level

ABC = acceptable biological catch

TAC = total allowable catch

*through 9/27/03 including CDQ harvest

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL RECOMMENDATIONS

Gulf of Alaska

2003 Specifications and Recommendations for Preliminary 2004 Specifications (in mt)

SPECIES		OFL 2003	ABC 2003	TAC 2003	*Catch 2003	OFL 2004	ABC 2004	TAC 2004
Pollock	W (61)		16,788	16,788	11,850		16,788	16,788
	C (62)		19,685	19,685	17,507		19,685	19,685
	C (63)		10,339	10,339	8,336		10,339	10,339
	WYAK	69,410	1,078	1,078	943		1,078	1,078
	SubTotal	69,410	47,890	47,890		90,900	47,890	47,890
	EYAK/SEO	8,610	6,460	6,460	0	8,610	6,460	6,460
	TOTAL	78,020	54,350	54,350	38,636	99,510	54,350	54,350
Pacific Cod	W		20,600	15,450	15,931		18,649	13,987
	C		29,000	22,690	23,769		26,254	20,215
	E		3,200	2,400	56		2,897	2,607
	TOTAL	70,100	52,800	40,540	39,756	63,700	47,800	36,809
Deep water flatfish ¹	W		180	180	27		180	180
	C		2,220	2,220	752		2,220	2,220
	WYAK		1,330	1,330	2		1,330	1,330
	EYAK/SEO		1,150	1,150	2		1,150	1,150
	TOTAL	6,430	4,880	4,880	783	6,430	4,880	4,880
Rex sole	W		1,280	1,280	709		1,280	1,280
	C		5,540	5,540	2,390		5,540	5,540
	WYAK		1,600	1,600	1		1,600	1,600
	EYAK/SEO		1,050	1,050	1		1,050	1,050
	TOTAL	12,320	9,470	9,470	3,101	12,320	9,470	9,470
Shallow water flatfish ²	W		23,480	4,500	144		23,480	4,500
	C		21,740	13,000	4,039		21,740	13,000
	WYAK		1,160	1,160	0		1,160	1,160
	EYAK/SEO		2,960	2,960	3		2,960	2,960
	TOTAL	61,810	49,340	21,620	4,186	61,810	49,340	21,620
Flathead sole	W		16,420	2,000	433		14,916	2,000
	C		20,820	5,000	1,536		18,914	5,000
	WYAK		2,900	2,900	0		2,634	2,634
	EYAK/SEO		1,250	1,250	0		1,136	1,136
	TOTAL	51,560	41,390	11,150	1,969	46,600	37,600	10,770
Arrowtooth flounder	W		17,990	8,000	7,901		18,670	8,000
	C		113,050	25,000	15,359		117,320	25,000
	WYAK		18,190	2,500	34		18,877	2,500
	EYAK/SEO		5,910	2,500	22		6,133	2,500
	TOTAL	181,390	155,140	38,000	23,316	188,300	161,000	38,000
Sablefish	W		2,570	2,570	1,953		1,968	1,968
	C		6,440	6,440	6,875		4,931	4,931
	WYAK		2,320	2,320	1,727		1,776	1,776
	SEO		3,560	3,560	2,907		2,726	2,726
	TOTAL	20,020	14,890	14,890	13,462	16,500	11,400	11,400

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL RECOMMENDATIONS

Gulf of Alaska

2003 Specifications and Recommendations for Preliminary 2004 Specifications (in mt)

SPECIES		OFL 2003	ABC 2003	TAC 2003	*Catch 2003	OFL 2004	ABC 2004	TAC 2004
Other Slope rockfish	W		90	90	106		90	90
	C		550	550	710		550	550
	WYAK		270	150	227		270	150
	EYAK/SEO		4,140	200	17		4,140	200
	TOTAL	6,610	5,050	990	1,060	6,610	5,050	990
Northern rockfish	W		890	890	2003		789	789
	C		4,640	4,640	4,720		4,111	4,111
	E ³		0	0	0		0	0
	TOTAL	6,560	5,530	5,530	6,723	5,800	4,900	4,900
Pacific ocean perch	W	3,220	2,700	2,700	2,073		2,728	2,700
	C	10,120	8,510	8,510	7,848		8,597	8,510
	WYAK		810	810	606		818	810
	SEO	2,900	1,640	1,640	0		1,657	1,640
	TOTAL	16,240	13,660	13,660	10,527	16,400	13,800	13,660
Shortraker/ rougheye	W		220	220	192		220	220
	C		840	840	938		840	840
	E		560	560	374		560	560
	TOTAL	2,340	1,620	1,620	1,504	2,340	1,620	1,620
Pelagic shelf rockfish	W		510	510	101		510	510
	C		3,480	3,480	2,179		3,480	3,480
	WYAK		640	640	607		640	640
	EYAK/SEO		860	860	10		860	860
	TOTAL	8,220	5,490	5,490	2,897	8,220	5,490	5,490
Demersal Shelf Rockfish		540	390	390	222	540	390	390
Atka Mackerel	GW	6,200	600	600	387	6,200	600	600
Thornyhead rockfish	W		360	360	318		360	360
	C		840	840	733		840	840
	E		800	800	101		800	800
	TOTAL	3,050	2,000	2,000	1,152	3,050	2,000	2,000
Other Species	GW	NA	NA	11,260	6,498	NA	NA	10,847
TOTAL		531,410	416,600	236,440	156,179	544,330	409,690	227,797

1/ "Deep water flatfish" includes dover sole, Greenland turbot and deepsea sole.

2/ "Shallow water flatfish" includes rock sole, yellowfin sole, butter sole, starry flounder, English sole, Alaska plaice, and sand sole.

3/ The EGOA ABC of 5 mt for northern rockfish has been included in the WYAK ABC for other slope rockfish.

NOTE: ABCs and TACs are rounded to nearest 10 mt.

GW means Gulfwide.

*Catch through 9/27/03 data source: NMFS Blend Reports.

HABITAT AREAS OF PARTICULAR CONCERN (HAPC) PROPOSALS

Please check applicable box (es):
<input type="checkbox"/> GOA Groundfish FMP
<input type="checkbox"/> BSAI Groundfish FMP
<input type="checkbox"/> Scallop FMP
<input type="checkbox"/> BSAI Crab FMP
<input type="checkbox"/> Salmon FMP

Name of Proposer:

Date:

Address:

Affiliation:

Title and Brief Statement of Proposal:

(Provide a title for the HAPC proposal and a single, brief paragraph concisely describing the proposed action.)

Objectives of Proposal:

(Identification of the habitat and FMP species the HAPC proposal is intended to protect.)

Statement of purpose and need:

A description of how the proposed HAPC addresses the four considerations set out in the final EFH regulations:

Proposed management measures and their specific objectives, if appropriate:

Proposed solutions to achieve these objectives: *(how might the problem be solved?)* Include concepts of methods of measuring progress towards those objectives.

Expected benefits to the FMP species of the proposed HAPC, and supporting information/data:

Identification of the fisheries, sectors, stakeholders and communities to be affected by the establishment of the proposed HAPC (Who benefits from the proposal and who would it harm?) and any information you can provide on socioeconomic costs, including catch data from the proposed area over the last five years:

Clear geographic delineation for proposed HAPC (example written latitude and longitude reference points and/or delineation on an appropriately scaled NOAA chart):

Provide best available information and sources of such information to support the objectives for the proposed HAPC. (Citations for common information or copies of uncommon information):

Address proposals or request further information to:
North Pacific Fishery Management Council
605 W 4th Ave Suite306
Anchorage AK 99501-2282,
Attention: Cathy Coon
Cathy.Coon@noaa.gov