

# North Pacific Fishery Management Council

## *News and Notes*



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## Call for Nominations

The Council is calling for nominations to the Council's **Advisory Panel (AP)** and **Scientific and Statistical Committee (SSC)**. 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 fishing industry and others interested in managing the North Pacific fisheries, and provides advice from those perspectives. Members of these panels are expected to attend up to five meetings, three to six days in length, each year. SSC members serve one year appointments; members of the AP serve three-year terms. There are 8 AP seats up for appointment. AP members whose terms expire at the end of this year include Julianne Curry, Joe Childers, Tom Enlow, Bob Jacobson, Simon Kinneen, Ed Poulsen, and John Henderschedt. The remaining 1 year term vacated when Duncan Fields was appointed to the Council will also be filled.

Letters of interest or nomination, along with a resume of experience, for persons wishing to be considered for either of these panels, should be sent to the NPFMC, 605 W. 4th Avenue, #306, Anchorage, AK 99501, by 5:00 pm on Monday, **November 19th**. Appointments will be announced at the end of the next Council meeting the week of December 3rd at the Hilton Hotel in Anchorage and will become effective in January 2008. For more information, contact the Council office.

## Call for Committee Appointments

Vacancies also exist on several other committees. There is a vacancy on the **IFQ Implementation Committee** and a vacancy on the **Observer Advisory Committee**. The Council has decided to add four community representatives and two skipper/crew representatives to the **BSAI Crab Committee**. Lastly, the Council is forming a new **Social and Economic Data Committee** to work with Agency staff in the development of a comprehensive data collection program. Persons wishing to be considered for appointment on one of these committees should submit a letter of interest to the Council office by **Friday, November 2**.

## Olson Elected Chairman, Bundy Vice Chairman

Eric Olson was unanimously elected Chair of the North Pacific Fishery Management Council at its October meeting. Mr. Olson, originally from Dillingham, has been a Council member since August 2005 and served on the Advisory Panel 2002-2005. He was appointed Chairman of the AP in February 2005 until he was appointed to the Council. When not commercial fishing in Bristol Bay, he works for Kwikpack Fisheries owned and operated by YDFDA and formerly worked for the Bristol Bay Economic Development Corporation. John Bundy, a long-time Council participant, was also unanimously re-elected to his third term as Vice-Chairman. Mr. Bundy has been a Council member since 1999. He is an owner of the Glacier Fish Company, based in Seattle.

## GOA Sideboard Limits

Due to time limitations, the Council postponed presentation of the GOA sideboard limits discussion paper until the December 2007 meeting. The AP did provide recommendations to the Council concerning the GOA sideboard limits and these recommendations will be forwarded to the Council in December 2007. Staff contact is Jon McCracken.

## NPRB Request for Proposals

The North Pacific Research Board seeking proposals for research projects starting in 2008, adding to a total amount of \$4 million. Online submission for proposals will be available November 1-30, 2007. Proposals will be due at 4:00 p.m. on November 30. More information can be found at [www.nprb.org](http://www.nprb.org)

# Amendment 80

## Post Harvest Transfers

The Council received a discussion paper from staff concerning a potential amendment to the Amendment 80 cooperative program that would allow participating cooperatives to engage in post-harvest transfers of cooperative quota to cover overharvests. The Council adopted the following purpose and need statement for this action:

*Participants in the Amendment 80 cooperative program are permitted to join cooperatives that receive annual allocations of cooperative quota, which provide exclusive privileges to catch specific amounts of Atka mackerel, Pacific ocean perch, flathead sole, Pacific cod, rock sole, and yellowfin sole and halibut, Zone 1 red king crab, C. opilio, Zone 1 C. bairdi, and Zone 2 C. bairdi prohibited species catch. Any harvest in excess of a cooperative quota allocation is a regulatory violation punishable by confiscation of catch and other penalties. Since all catch is counted against cooperative quota, the uncertainty of catch quantities and composition creates potential for overages. A provision allowing for post-delivery transfer of cooperative quota to cover overages could reduce the number of violations, allowing for more complete harvest of allocations, and reduce enforcement costs without increasing the risk of overharvest of allocations.*

The Council adopted two alternatives for analysis. The first allows cooperatives to make an unlimited number of post-harvest transfers with no limit on the size of any transfer. The second alternative limits each cooperative to receiving 5 post-harvest transfers for each allocation and limits the size of the transfer for each allocated species. Both alternatives contain options to require post-harvest transfers to be completed by either 30 days after the harvest (i.e., weekending date reporting the overage) or by December 31<sup>st</sup> each year.

The Council also initiated an action to allow for the rollover of any portion of the Amendment 80 limited access allocation that is projected to be unharvested to the Amendment 80 cooperatives. The Council adopted the following draft purpose and need statement for the action:

*Amendment 80 allocates six target species and five PSC categories to vessels fishing in the non-AFA trawl catcher-processor sector. Vessels may choose to form cooperatives and combine their allocations, or they may choose to fish in a 'AM80 limited access' fishery that continues to operate under a 'race for fish' within the combined allocations. Given that each allocation represents a cap, it is likely that the AM80 limited access fishery will be closed on one species or PSC while leaving significant amount(s) of the other species unharvested. Amendment 80 does not provide a mechanism for this unharvested fish to roll from the AM80 limited access fishery to the Amendment 80 cooperatives for harvest. Without this provision, some amount of allocated species may be stranded in the AM80 limited access sector. Creating a mechanism to roll this unharvested amount to the Amendment 80 cooperatives prior to the end of the year will facilitate more complete harvest and utilization of these allocations.*

The analysis of both of these issues is tentatively scheduled for initial review at the Council's December 2007 meeting. Staff contact is Mark Fina.

## Staff Tasking

The Council took action to move forward on several issues during staff tasking, in addition to those actions mentioned elsewhere in the newsletter.

- The Council provided NMFS with guidance on vessel ownership and "constructive loss" pursuant to proposed regulatory changes in the Halibut and Sablefish IFQ Program. The Council recommended a 12 month pre-ownership requirement, with an exemption for a total loss or a temporary loss that resulted in at least 60 days of repair and reconstruction. The exemption would be granted from the date of the vessel event until December 31 of the following year.
- The Council requested that NMFS report back to the Council at a future meeting on the status of appropriations and other issues with respect to the BSAI crab IFQ loan program. The Council reaffirmed that its intent was that the loans be issued with a higher priority given to new entrants and small quota share holders.
- The Council requested staff to update the discussion paper on salmon and crab bycatch in the GOA groundfish fisheries for the December meeting. Revised graphs, charts and updated annual bycatch information will be provided.
- The Council decided that they will take public comment on an application from Adak Fisheries for an unrestricted AFA inshore processor permit at the December Council meeting.

## Rockfish post delivery transfers

The Council reviewed an analysis of an amendment to the Central Gulf of Alaska rockfish pilot program that would allow cooperatives to engage in post-delivery transfers to cover quota overages. The Council directed staff to release the analysis for public review and final action at the December 2007 meeting. The analysis examines two alternatives. One allows liberal post-delivery transfers to cover overages, provided that all overages are covered by a date certain. The second alternative limits each cooperative to five post delivery transfers for each allocated species and limits the size of any transfer. Staff contact is Mark Fina.

## Data Collection

The Council received a report from Alaska Fisheries Science Center staff concerning the development of a comprehensive program to collect social and economic data in fisheries managed by the Council. In response to the report and public testimony, the Council passed a motion to form a committee to work with agency staff in the development of the data collection program. Nominations for the committee will be accepted in the Council office until **November 2<sup>nd</sup>**. Staff contact is Mark Fina.

# Charter Halibut

The Council received a number of reports related to charter halibut fishery management, including reviews by its SSC of two reports by ADF&G Sport Fish Division staff on charter halibut discard mortality data and estimation procedures for charter halibut, demersal shelf rockfish, and shark harvests. SSC comments are posted on the Council's website.

The Council reviewed final estimates of 2006 charter halibut harvests by ADF&G Sport Fish Division staff. The Area 2C charter harvest was 1.804 M lb, which is 26 percent over the Area 2C GHl of 1.432 M lb. The final estimate is about 225,000 lb lower than last year's projection of 2006 harvest. Last year's projection was high by 12.4 percent. The Area 3A charter harvest was 3.664 M lb, which is 0.37 percent over the Area 3A GHl of 3.650 M lb. The final estimate for Area 3A is about 284,000 lb lower than last year's projection of 2006 harvest. Last year's projection was high by 7.7 percent. The differences between the projections and final estimates are due almost entirely to differences in the numbers of fish harvested.

The Council reviewed a draft analysis of proposed measures to reduce charter halibut harvest to the Area 3A GHl of 3.65 Mlb. The Council also reviewed a supplemental analysis that incorporated the final 2006 harvest estimates. The Council approved release of the analysis to the public and scheduled final action in October 2008, after final 2007 charter halibut harvests will be released by ADF&G. Potential management measures include: (1) No more than one trip per charter vessel per day; (2) No harvest by skipper or crew and a limit on the number of lines to not exceed the number of paying clients; (3) Annual limits of four fish, five fish, or six fish per charter angler; (4) Reduced bag limits of one fish per day in May, June, July, August, September or for the entire season; (5) Requiring one of two fish in a daily bag to be larger than 45 inches or 50 inches; or (6) Requiring one of two fish in a daily bag to measure less than, or equal to, 32 inches, 34 inches, or 36 inches. The public review draft of the analysis will be available in August 2008. The Council recommended, that the ADF&G Commissioner issued, an emergency order for 2008 for the same line limits and prohibition on retention of halibut by charter skippers and crew as was implemented in 2007 in Area 3A.

The Council reviewed a preliminary analysis of options to set an allocation between the charter and commercial halibut sectors and options for a compensated reallocation program, in which a Federal, State, regional non-profit, or individual entity would be allowed to purchase commercial halibut quota shares (QS) for use in the charter sector. Elements of the compensated reallocation program were sent to the Halibut Stakeholder Committee as part of its development of a permanent solution to the growth in the charter halibut sector during its meeting on October 30 through November 1 in Anchorage.

The Council replaced the compensated reallocation approach with a market-based reallocation approach in the current analysis. The initial charter allocation would be a common harvest pool for all charter moratorium permit holders. The charter allocation would not be a hard cap that would result in closing the fishery when the charter allocation is exceeded. Instead, the "buffered hard cap" would address each year's overage in subsequent years through

an annual regulatory analysis of management measures that take into account the projected CEY for the following year and any overages by the charter industry in the past year. This will result in the charter industry "paying back" the commercial industry by the number of pounds by which it exceeded its allocation in a future year. In factoring such payback into its subsequent allocations, the Council will not revisit or readjust the sector split. An allocation overage would trigger the regulatory process automatically, in contrast with current GHl management. Any underages would accrue to the benefit of the halibut biomass and would not be reallocated or paid forward.

The annual regulatory analysis would examine a suite of potential measures in its management toolbox. The Council identified two tiers of measures to manage the charter common pool for a season of historic length. Tier 1 measures include: (1) One trip per vessel per day; (2) No retention by skipper or crew; (3) Line limits; (4) Second fish of a minimum size; and (5) Second fish at or below a specific length. Tier 2 measures would be analyzed if staff identifies in the preparation of the analysis that Tier 1 options are inadequate to constrain harvest by the charter common pool to its allocation. These include (1) Annual catch limits; (2) 1 fish bag limit for all or a portion of the season; and (3) Season closure on either monthly or sub-seasonal basis. Specific suboptions that were analyzed in previous GHl analyses would be included.

Due to the lag in implementation after an overage, management measures will, in general, be slightly more restrictive than necessary for conservation purposes. In providing predictability and stability for the charter sector, it is likely that charter fish may be left in the water. Individual moratorium permit holders would be allowed to lease commercial halibut IFQ, or use the IFQ resulting from commercial QS already in their possession, to allow their clients relief from those regulations that would be implemented for the common pool, so long as that relief did not result in less restrictive regulations than in place for unguided anglers. The qualification criteria to hold commercial QS would not be changed to allow charter moratorium permit holders to purchase QS for use in the charter sector.

Staff will provide a report on recordkeeping, implementation, and enforcement issues related to the proposed allocation/market-based reallocation program in December 2007. Initial review of the analysis is scheduled for February 2008, with final action scheduled for 2008. Implementation would likely not occur prior to 2010 to facilitate implementation of the moratorium program in 2009, at the earliest. The Stakeholder Committee will also report on its recommendations for a permanent solution, along with comments on the market-based approach outlined above, and elements of the compensated reallocation program that were not moved forward by the Council in October. The Council's motion and committee meeting material will be posted on the Council's website. Staff contact is Jane DiCosimo.

# Crab Rationalization Program

At its October meeting, the Council took up the following issues in the crab rationalization program:

- A discussion paper concerning the A share/B share split and a report from the crab advisory committee.
- An initial review of an analysis of a C share exemption from 90/10 A share/B share split.
- An initial review of an exemption of custom processing from processor share cap.
- An initial review of provision for post-delivery transfers of quota.

In response to the committee report and discussion paper, the Council requested staff prepare an analysis for review at the October 2008 meeting (concurrent with the broader 3-year review) examining the effects of a change in the A share/B share split on the distribution of benefits between harvesters and processors and on the role or necessity of binding arbitration in harvester and processor negotiations. The analysis should include a discussion of expected effects of such a change on the distribution of landings among communities and expected effects on crew and a comparison of various A share/B share splits, including the 90/10 (status quo), 80/20, 70/30, 50/50, and 0/100. The effects of these changes should be examined for each fishery separately. The analysis should examine options to achieve each of these levels incrementally over time (e.g., 5 percent per year for a shift to 80/20 and 10 percent per year for each of the other split levels). The analysis should also examine a one-pie IFQ allocation to vessel owners, processors, and skippers and crewmembers based upon each sector's investments and participation in the fishery. The analysis should also consider the effect of annual TAC changes in each fishery, with the proportion of B shares dependent on TAC. A problem statement for this action will be finalized at the December 2007 meeting.

The Council also requested that the Crab Advisory Committee continue their work, focusing on programmatic issues and the effects of policy decisions related to the BSAI crab rationalization program. The committee membership shall be revised to include four community members and two crew representatives appointed by the Council Chairman. In addition, the Council Chair may choose to revise existing membership. This newly formed committee shall also be tasked with discussing potential solutions to concerns that may arise from any adjustments to the A share/B share split, including compensation to processors from harvesters for lost economic opportunity from a shift in market power, changes in landing distribution, the remaining need and necessary changes to the binding arbitration program, use and effectiveness of regional landing requirements to protect communities, and respective impacts on crew. The committee is also requested to consider potential solutions to existing data needs, including the need for exvessel prices, by share type and region, and first wholesale price information. The committee will report to the Council at the February 2008 meeting indicating its progress.

The report of the committee also addressed several regulatory issues that have arisen under the program. After reviewing the

report, the Council directed staff to prepare analyses of the following regulatory recommendations of the committee:

- A process for waiver of the requirement for market reports and non-binding price formulas for fisheries unlikely to open;
- Adjustment of the timeline for the market report and non-binding formula for golden king crab fisheries (which does not allow for use of data from the most recent fisheries);
- Revision of the requirements for market reports to ensure the information in those reports are timely; and
- A provision for immunity of arbitrators, arbitration organizations, market analysts, and third party data providers to ensure independence of these persons.

The Council reviewed an analysis of an amendment to indefinitely exempt C shares from processor share and regional landing requirements applicable to catcher vessel Class A IFQ. In the absence of this action, the 90/10 A share/B share split would apply to annual allocations of IFQ to C share holders beginning in August of 2008. The Council approved release the analysis for public review and Council action at the December 2007 meeting.

The Council also reviewed an analysis of the possible exemptions of custom processing from processor share use caps. Under the current rules, shares processed at a person's plant count against that person's share cap regardless of the shareholder. The Council made minor revisions to the elements and options and directed staff to release the analysis for public review and action at the December 2007 Council meeting.

Lastly, the Council reviewed an analysis of a proposed amendment to allow for post-delivery transfer of IFQ to cover overages. The Council also directed that this analysis be released for public review and Council action at its December 2007 meeting. The Council identified a preliminary preferred alternative for this action that places few limits on the use of post-delivery transfers.

The Council's motion can be viewed in its entirety on our website. Staff contact is Mark Fina.

## Upcoming Meetings

**Halibut Stakeholder Committee.** October 30-November 1st, NPRB Conference Room, 1007 West 3<sup>rd</sup> Avenue, Suite 100, Anchorage, AK.

**Salmon Bycatch Workgroup:** November 2<sup>nd</sup>, 9am-2pm Hawthorne Suites, Ballroom B, Anchorage, AK.

**Non-Target Species Committee:** Nov 12, 1:30 - 4:30 pm, Seattle, location TBA (T)

**Groundfish Plan Teams:** November 13-16<sup>th</sup>, 9am-5pm, Alaska Fisheries Science Center, Seattle, WA.

**Ecosystem Committee:** December 4, 1-5 pm; Hilton Hotel, Anchorage, AK.

# Status of Crab Stocks

The Council reviewed and approved the Stock Assessment and Fishery Evaluation (SAFE) Report for Bering Sea and Aleutian Islands King and Tanner crabs. The SAFE report summarizes the current biological status of fisheries, guideline harvest levels (GHLs), and analytical information used for management decisions or changes in harvest strategies. Of the six annually surveyed stocks, three remain under federally-approved rebuilding plans: Pribilof Islands blue king crab, Saint Matthew blue king crab, and EBS snow crab. Of these stocks only Pribilof Islands blue king crab stock remains in an overfished condition while the other two stocks are in rebuilding phases. The EBS Tanner crab stock is now officially “rebuilt” and no longer under a rebuilding plan following a survey biomass estimate above  $B_{MSY}$  for the second year in a row. Of the two remaining surveyed stocks, biomass of Bristol Bay red king crab is well above the approved harvest threshold and thus is open for a directed fishery. Although at apparently high survey abundance levels, the Pribilof Islands red king crab stock remains closed due to imprecision of estimates and concerns about potential bycatch of blue king crab. Directed crab fisheries in 2007/08 will occur for the Bristol Bay red king crab, EBS Tanner crab, EBS snow crab and the AI golden king crab stocks. Copies of the SAFE report may be obtained through the Council office, or on-line at: <http://www.fakr.noaa.gov/npfmc/SAFE/SAFE.htm>. Staff contact is Dina Stram.

## Crab Overfishing Definitions

The Council took initial review of the EA for amendment 24 to the BSAI Crab FMP. The proposed action is to establish a set of overfishing levels (OFLs) that provide objective and measurable criteria for identifying when a BSAI crab fishery is overfished or when overfishing is occurring, in compliance with the Magnuson-Stevens Act.

The following alternatives and options are considered:

Alternative 1 (status quo) : Fixed status determination criteria

Alternative 2: Tier system with 5 tiers and review process

Alternative 3: Tier system with 6 tiers and review process

Timing options:

Option 1: Council annually adopts OFLs (June)

Option 2: Council annually reviews OFLs (October)

Stock removal options:

Option A: Removal of 12 stocks from the FMP

Option B: No stock removal (status quo)

The analysis summarizes the impacts on crab stocks, groundfish incidental catch limits for crab species and the economic impacts on participants in the crab fisheries. The Council approved the analysis for public review. Copies of the Public Review Draft of the analysis will be available in early November on the Council’s website. The Council noted the implementation issues raised by the Crab Plan Team and SSC and suggested that NOAA Fisheries and the State of Alaska staff should meet to resolve these issues as soon as possible. Final action on this analysis is scheduled for December 2007. Staff contact is Diana Stram.

# SSL Consultation and EIS

NMFS recommended that the Council approve publishing a Notice of Intent (NOI) to begin scoping for an EIS on possible changes to Steller sea lion protection measures. However, the Council requested that discussion of scoping be postponed until the April 2008 Council meeting. At that time, the final SSL Recovery Plan would be available (scheduled for completion in March 2008) to inform a discussion of issues and range of alternatives for possible changes to mitigation measures. The Council believes that after the Recovery Plan is available and the Council has the opportunity to discuss a range of possible alternatives for changes in SSL protection measures, publication of a NOI and initiating scoping would be more appropriate. The Council also recommended that work on the status quo Biological Opinion remain on schedule and be available for public review in May 2008. Staff contact is Bill Wilson.

## BSAI Salmon Bycatch

The Council received the Salmon Bycatch Workgroup's recommendations for the forthcoming analysis of salmon bycatch reduction measures. The Salmon Bycatch Workgroup was appointed at the April 2007 Council meeting and has convened three meetings since that time. The workgroup recommended several specific aspects to be included in the methodology for determining caps in the analysis. The suite of alternatives currently includes fixed time/area closures, triggered time/area closures, hard caps by salmon species on the pollock fishery, and a modified PSC accounting period.

The Council received a discussion paper that reviewed the current elements and options in the Council’s alternatives and presented issues for refinement by the Council and agency prior to analysis. The Council proposed specific changes to these alternatives and moved to request the Salmon Bycatch Workgroup review the proposed changes prior to the December Council meeting. These changes include a narrowed range of cap formulation options as well as a sector split on any proposed cap. The Salmon Bycatch Workgroup will convene a meeting to discuss these changes on November 2<sup>nd</sup> at the Hawthorne Suites in Anchorage. The agency has determined that an EIS will be necessary for this analysis. The Council plans to review a Notice of Intent (NOI) to prepare an EIS at the December meeting. The Council will also receive the report from the workgroup on their recommendations for the alternatives and refine alternatives as necessary in December. The motion from the October 2007 meeting is on the Council website, as well as additional background materials related to the forthcoming analysis. Staff contact is Diana Stram.

## 4E Seabird Avoidance

At the February 2007 meeting, the Council requested an analysis of a regulatory amendment to exempt small vessels from seabird deterrence regulations in IPHC Area 4E. This request was based on public comments that the small boat fishery in this area rarely encounters seabirds, and that use of deterrence devices is difficult given the type of boats used. Available data suggest that exempting all or part of Area 4E might be appropriate, but an analysis of new short-tailed albatross (STAL) satellite tagging data would be required to better inform such a decision. Staff is proceeding with that analysis, and has developed a preliminary draft set of alternatives for Council review and comment. The Council reviewed the proposed alternatives, and approved proceeding with the regulatory amendment package. Alternatives that will be analyzed are:

### 1. Status Quo for vessels >26' LOA in Area 4E:

- a. Vessels ≤55' LOA with masts, poles, or rigging using snap-on hook-and-line gear are required to deploy one streamer line while setting gear. Specifically, the streamer line must be at least 45 m long and must be maintained with a minimum aerial extent of 20 m.
- b. Vessels ≤55' LOA with masts, poles, or rigging not using snap-on hook-and-line gear (conventional gear) are required to deploy one streamer line while setting gear. Specifically, the streamer line must be at minimum of 90 m long and must be maintained with a minimum aerial extent of 40 m.
- c. Vessels ≤55' LOA without masts, poles, or rigging and not capable of adding poles or davits to accommodate a streamer line (including bowpickers) must tow a buoy in such a way to deter birds from the sinking groundline, without fouling on the gear, while setting hook-and-line gear.
- d. Vessels ≤32' LOA in IPHC area 4E shoreward of EEZ (inside 3 nm) are currently not required to use seabird avoidance measures.
- e. Vessels >55' LOA with snap-on gear are required to use one streamer line that meets the standard. Vessels greater than 55 ft LOA with other than snap-on gear are required to use paired streamer lines with standard.

2. EXEMPTION IN AREA 4E FOR ≤32' VESSELS: Maintain status quo seabird protection measures except that vessels less than or equal to 32 ft LOA are not required to use seabird avoidance measures in area 4E. One of the following options would continue to require seabird avoidance measures in the STAL subarea of 4E:

Option 1. Vessels fishing in the STAL subarea of 4E are required to use seabird avoidance regulations as detailed in alternative 1, above.

Option 2. Vessels fishing in the STAL subarea of 4E are required to use only a buoy bag to deter seabirds.

3. EXEMPTION IN AREA 4E FOR ≤55' VESSELS: Maintain status quo seabird protection measures except that vessels less than or equal to 55 ft LOA are not required to use seabird avoidance measures in area 4E. One of the following options would continue to require seabird avoidance measures in the STAL subarea of 4E:

Option 1. Vessels fishing in the STAL subarea of 4E are required to use seabird avoidance regulations as detailed in alternative 1, above.

Option 2. Vessels fishing in the STAL subarea of 4E are required to use a buoy bag to deter seabirds.

### 4. EXEMPTION IN AREA E FOR ALL VESSELS:

Seabird avoidance measures are not required in area 4E, except as required by one of the following options:

Option 1. Vessels fishing in the STAL subarea of 4E are required to use seabird avoidance regulations as detailed in alternative 1, above.

Option 2. Vessels fishing in the STAL subarea of 4E are required to use only a buoy bag to deter seabirds.

The "STAL subarea" within IPHC area 4E will be defined by spatial analysis of available data on distribution of short-tailed albatross in the BSAI area. The SSC will review proposed methods for identifying the STAL area at its December 2007 meeting. The Council is scheduled to receive the full draft analysis for initial review at its February 2008 meeting pending staff tasking and coordination with the U.S. Fish and Wildlife Service. Staff contact is Bill Wilson.

## Proposed Groundfish Harvest Specifications for 2008/2009

The Council approved proposed overfishing levels (OFLs), acceptable biological catches (ABCs), and total allowable catches (TACs) for BSAI and GOA groundfish for 2008 and 2009. These recommendations will be incorporated into the proposed rule for setting 2008-2009 groundfish specifications. The Council also recommended rolling over the annual and seasonal BSAI prohibited species bycatch allowances for halibut, crab, and herring in the BSAI trawl and non-trawl fisheries and the GOA halibut PSC apportionments, annually and seasonally, for 2008 and 2009. The Council also adopted halibut discard mortality rates for the 2008 CDQ fisheries, as recommended by the International Pacific Halibut Commission staff. Note that the fisheries will begin in 2008 on the final specifications established by the Council in December 2006. The purpose of establishing proposed specifications in the proposed rule is to better inform the public as to the likely final specifications that will be adopted by the Council during its December 2007 meeting. The OFLs, ABCs, and TACs that will start the 2008 fishing year in the GOA and BSAI and the proposed specifications adopted at this meeting, which will be replaced by final specifications at the December Council meeting, are posted on the Council website. Staff contacts are Diana Stram (GOA) and Jane DiCosimo (BSAI).

# Arctic FMP

The Council approved proceeding with development of an Arctic FMP. The Council's motion was:

The Council recommends development of a comprehensive fishery management plan (FMP) and environmental assessment for the Arctic Management Region defined in the staff discussion paper (north of Bering Strait). This FMP should accommodate existing fisheries in that region. The Council also supports the proposed outreach plan and recommends that staff consider specific outreach during AFN and other seasonal gatherings of northern region community members. The Council recognizes that letters to communities and other entities may be appropriate as part of the outreach program.

The Council also supports these recommendations from the Ecosystem Committee:

1. That the document under development be called an Arctic Fishery Management Plan.
2. That final action on the Arctic FMP be targeted for June 2008.
3. That Arctic fishery management proceed in a stepwise progression. The Council's first step would be expeditious implementation of an Arctic FMP that is simple and straightforward. The conditions under which fisheries might be permitted in the future, and their management, would be addressed at a later stage.
4. That the Ecosystem Committee continue to oversee the development of the Arctic FMP.

The Council clarified the schedule for development of the Arctic FMP:

- December 3-11, 2007, Council meeting in Anchorage – Additional review of FMP outreach plan
- February 4-12, 2008, Council meeting in Seattle – Preliminary review of FMP analysis and draft FMP
- April 1-8, 2008, Council meeting in Anchorage – Initial review of FMP analysis and draft FMP
- April to June 2008 – Ongoing public review of FMP analysis and draft FMP language
- June 2-10, 2008, Council meeting in Kodiak – Final review of FMP analysis and Council approval of FMP
- After the June 2008 meeting, the Council would send its recommended FMP to the Secretary of Commerce for review and approval. Prior to approval by the Secretary, a public comment period would be noticed in the Federal Register.
- 2009 – Anticipated date when the Arctic FMP would be effective

Staff contact is Bill Wilson.

# GOA Arrowtooth MRAs

At its October 2007 meeting, the Council took final action revising the maximum retainable amounts (MRAs) of groundfish in the GOA arrowtooth flounder fishery.

MRAs are the primary tool NMFS uses to regulate the catch of species closed to directed fishing. MRA percentages are intended to slow the rate of harvest of a species when insufficient TAC or PSC amounts are available to support a directed fishery. Currently, the MRAs for the directed GOA arrowtooth flounder fishery are set at zero percent except for pollock (5%), Pacific cod (5%), other species (20%), and forage fish (2%). In October 2006, the Council received a proposal from industry to revise the MRAs of groundfish in the arrowtooth flounder fishery in the GOA. In April 2007, the Council adopted a problem statement and tasked

## The Council's Preferred Alternative

Pollock	5%
Pacific cod	5%
Deep-water flatfish	20%
Rex sole	20%
Flathead sole	20%
Shallow-water flatfish	20%
Sablefish	1%
Aggregated rockfish	5%
Atka mackerel	20%
Skates	20%
Other species	20%
Forage fish	2%

staff to prepare an EA/RIR/IRFA for the June 2007 meeting. The June analysis included three alternatives. Alternative 1 was the no action alternative. Alternative 2 would have set the MRAs for incidental catch species relative to arrowtooth based on the industry

proposal. Alternative 3 would have set the MRAs for incidental catch species relative to arrowtooth near recent high catch levels in the arrowtooth target fishery. The Council selected Alternative 2 as the preferred alternative. The analysis will be sent to the Secretary of Commerce for final approval. Staff contact is Jon McCracken.

# GOA Pollock Trip Limit

The Council made an initial review of a proposed amendment to revise the Gulf of Alaska pollock trip limit. This issue has been before the Council a number of times, most recently at the March/April 2007 meeting when the Council requested that staff prepare this amendment. After reviewing the document, the Council released it for public review, with final action scheduled in December. They added two changes to the document presented. The problem statement was revised and the Council revised Alternative 2, which stipulates a new trip limit that is intended to replace the existing regulations. The problem statement and the revised alternative will be posted on the Council website. The Council acknowledged the contribution of the Enforcement Committee in reviewing the action alternative and working to revise it into a more effective measure. Staff contact is Jim Richardson.

# GOA Pcod Sector Split

At its October 2007 meeting, the Council reviewed a draft EA/RIR/IRFA for the proposed Gulf of Alaska Pacific cod sector split. The preliminary analysis provided new information on the range of potential sector allocations based on the definitions of qualifying catch and ranges of qualifying years identified in the Council's April 2007 motion. Based on this new information, the Council took action on several issues that will advance the analysis.

The Council refined options for sector definitions (Component 2). The Council elected to delete options to create separate allocations for inshore hook-and-line catcher processors and inshore trawl catcher processors and advanced an option to divide catcher processor allocations by vessel length. Under current regulations, catcher processors less than 125 feet in length make an annual election to participate in either the inshore or offshore processing component, which complicates the division of catch among sectors.

The Council reviewed information on meal production from Pacific cod in the GOA and decided to delete Component 3, Option 2, which would exclude meal from qualifying catch. No meal was produced from Pacific cod by catcher processors in the Western or Central Gulf during 1995-2006, and less than 1% of catcher vessel landings were used for meal.

The Council modified stairstep options for the jig sector allocation (Component 5). This component provides for 1% increases in the jig allocation, once the sector harvests in excess of 90% of its annual allocation. The Council added a corresponding provision to step down the jig allocation by 1%, if 90% of the federal jig allocation is not fished during 3 consecutive years, but the allocation would not fall below its initial level.

The Council replaced the initial set of rollover provisions (Component 7) with two options to address management of unharvested sector allocations. Finally, the Council added Component 8, which addresses the apportionment of halibut PSC between hook-and-line catcher vessels and hook-and-line catcher processors.

The Council requested additional information on the State Pacific cod fisheries to address issues of timing and coordination with federal GOA Pacific cod fisheries under sector allocations. Specifically, the Council requested information on overlap in participation in the State and federal cod fisheries in the GOA, and information on recent State harvests, GHLS, and season dates. In addition, the Council requested information on incidental catch of Pacific cod (including discards) in order to refine Component 6, which addresses allocations of Pacific cod to accommodate incidental catch by each sector.

At the December 2007 Council meeting, staff will present a discussion paper addressing coordination of sector splits with State-managed Pacific cod fisheries and management of Pacific cod incidental catch and discards. Initial review of the EA/RIR/IRFA is scheduled for February 2007 and will coincide with initial review of the GOA fixed gear LLP recency action. Staff contact is Jeannie Heltzel.

## Fixed Gear Recency

The Council directed staff to begin analysis of an amendment to remove latent fixed gear licenses from Central and Western Gulf of Alaska fisheries. The alternatives include options to consider catch during the four time periods (2000 to 2005; 2000 to 2006; 2002 to 2005; or 2002 to 2006). Various landings or catch thresholds could be applied for qualification. In addition, the Council also elected to include options that would remove licenses from the fisheries in their entirety or would create new Pacific cod endorsements for the various fixed gear types (longline, pot, or jig) and operation types (catcher vessel or catcher processor). General license eligibility would be based on all groundfish landings or catch, while Pacific cod endorsement eligibility would be based on catch of Pacific cod during the directed federal season. An option is included that would exempt jig gear from the action. The options also include provisions that would require holders of licenses with both trawl and non-trawl designations to elect (annually or one time) which gear type to use. A preliminary draft of the analysis will be presented to the Council at the February 2008 meeting. Staff contact is Mark Fina.

### NPFMC Tentative Meeting Dates for 2007-2009\*

	<b>February</b> Week of/ Location	<b>April</b> Week of/ Location	<b>June</b> Week of/ Location	<b>October</b> Week of/ Location	<b>December</b> Week of/ Location
2007	5/Portland	March 26/ Anchorage	4/Sitka	1/Anchorage	3/Anchorage
2008	4/Seattle Marriott Renaissance	March 31/ Anchorage	2/Kodiak	September 29/ Anchorage Sheraton	8/Anchorage
2009	2/Seattle (T)	30/Anchorage	TBA	TBA	7/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 - updated 10/12/07**

December 3, 2007 Anchorage, Alaska	February 4, 2008 Seattle, WA	March 31, 2008 Anchorage, AK
National Bycatch Report: <b>Update</b> SSL 2007 survey results: <b>Report</b>  AFA Processor Permit Application: <b>Receive Public Comment</b>  GOA P cod sector split: <b>Progress report/direction</b> GOA Sideboards: <b>Review discussion paper/AP report</b>  WGOA pollock trip limit: <b>Final Action</b> CGOA Rockfish post-delivery transfers: <b>Final Action</b> AM80 Post-delivery transfers/rollovers: <b>Initial Review (T)</b> Trawl LLP Recency: <b>Initial Review</b>  BSAI Crab 'C' Share 90/10 exemption: <b>Final Action</b> BSAI Crab custom processing: <b>Final Action</b> BSAI Crab post-delivery transfers: <b>Final Action</b> BSAI Crab 'C' Share active participation: <b>Prelim. Review (T)</b> BSAI Crab 3 Year Review: <b>Review Workplan, action as necessary</b>  Charter Halibut Allocation/Reallocation: <b>Review Progress/Provide Direction</b> Charter Halibut Longterm: <b>Committee Report</b>  Observer Program Reg. Package: <b>Initial Review</b>  BSAI Salmon Bycatch: <b>Workgroup Report/NOI/Refine Alts</b> GOA Crab and Salmon Bycatch: <b>Discussion paper</b>  Arctic FMP: <b>Update on Outreach</b> AI FEP: <b>Report from Ecosystem Committee</b> VMS Exemption for Dinglebar Gear: <b>Discussion paper (T)</b>  BSAI Crab Overfishing Definition: <b>Final Action</b>  Other Species: <b>Review discussion paper</b> Groundfish specifications and SAFE Reports: <b>Final Action</b> SIR on specifications EIS: <b>Action as necessary</b>  PSEIS Outreach Plan: <b>Review</b>	SSLMC Report on proposals SSL BiOp/Recovery Plan: <b>Progress Report</b>  GOA P cod sector split: <b>Initial Review</b> GOA fixed gear LLP recency: <b>Initial Review</b>  GOA Rockfish Pilot Program Review: <b>Review Outline</b> AM 80 Post Delivery Transfers/rollovers: <b>Final Action</b> Trawl LLP Recency: <b>Final Action</b> Social and Economic Data Committee: <b>Report</b> BSAI Crab data collection quality and confidentiality: <b>Report</b> BSAI Crab Committee: Report BSAI Crab Arbitrator Immunity: <b>Discussion paper (T)</b> BSAI Crab Arbitration Regulations: <b>Initial Review (T)</b>  BSAI Crab 'C' Share active participation: <b>Initial Review (T)</b> St George protection measures: <b>Initial Review</b>  Charter Halibut Allocation/Reallocation: <b>Initial Review</b>  Charter Halibut Longterm: <b>Action as necessary</b>  BSAI Salmon Bycatch: <b>Action as necessary</b>  Arctic FMP: <b>Preliminary Review</b> HAPC Criteria: <b>SSC Review</b> VMS Exemption for Dinglebar Gear: <b>Initial Review</b>  4E Seabird Avoidance Measures: <b>Initial Review</b>  GOA OSpecies ABC/OFL Specifications: <b>Initial Review (T)</b>  BS and AI P cod sector apportionment: <b>Review (T)</b>	SSL Recovery Plan: <b>Review Final Plan</b>  GOA P cod sector split: <b>Final Action</b> GOA fixed gear LLP recency: <b>Final Action</b>  BSAI Crab Arbitrator Immunity: <b>Initial Review (T)</b> BSAI Crab Arbitration Regulations: <b>Final Action (T)</b>  BSAI Crab 'C' Share active participation: <b>Final Action (T)</b>  Charter Halibut Allocation/Reallocation: <b>Final Action</b>  Halibut Subsistence Rural Definition: <b>Initial Review</b>  Observer Program Reg. Package: <b>Final Action</b>  BSAI Salmon Bycatch: <b>Preliminary Review (T)</b>  Arctic management: <b>Initial Review</b>  VMS Exemption for Dinglebar Gear: <b>Final Action (T)</b>  4E Seabird Avoidance Measures: <b>Final Action</b>  GOA OSpecies ABC/OFL Specifications: <b>Final Action (T)</b>

AI - Aleutian Islands  
GOA - Gulf of Alaska  
SSL - Steller Sea Lion  
BOF - Board of Fisheries  
FEP - Fishery Ecosystem Plan  
CDQ - Community Development Quota  
ESA - Endangered Species Act  
**(T) Tentatively scheduled**

TAC - Total Allowable Catch  
BSAI - Bering Sea and Aleutian Islands  
IFQ - Individual Fishing Quota  
GHL - Guideline Harvest Level  
EIS - Environmental Impact Statement  
LLP - License Limitation Program  
SAFE - Stock Assessment and Fishery Evaluation  
PSC - Prohibited Species Catch

**Future Meeting Dates and Locations**  
*December 3 - 11, 2007 in Anchorage*  
*February 4 - , 2008 in Seattle*  
*March 31 - , 2008 in Anchorage*  
*June 2- , 2008 in Kodiak*  
*September 29- , 2008 in Anchorage*



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## Subsistence Halibut

The Council adopted two alternatives for redefining eligibility for rural Alaska residents to participate in the subsistence halibut fishery. Current regulations do not allow certain Alaska residents who might otherwise meet eligibility criteria to participate in this fishery because they do not live in one of the designated rural places listed in Federal regulations. Some residents live adjacent to the legal boundaries of listed places or live in places too small (fewer than 30 people) to be listed. The proposed action is intended to broadly define the areas where subsistence halibut fishermen must reside to be deemed eligible, without broadly expanding participation or increasing harvests. In addition to the No Action alternative, the proposed action would allow residents to be deemed eligible to harvest Pacific halibut under subsistence regulations if they reside within 10 statute miles (from mean high water) of the coast outside all non-subsistence areas of Southeast Alaska east of 141° long. and all of the Alaska Peninsula, Aleutian Islands, Nunivak Island, and Kodiak Island south of Bristol Bay Borough and a line of latitude that approximates the Naknek River; and within 10 statute miles (from mean high water) of the coast from Naknek River north to Cape Espenberg, and all other areas within 10 statute miles of the coast from Dixon Entrance to Cape Espenberg. All non-subsistence areas would remain closed. The analysis is scheduled for initial review in April 2008, with final action in June 2008. Implementation could occur for the 2009 subsistence fishery, at the earliest. A map depicting the proposed action will be posted on the Council's halibut website. Contact Jane DiCosimo for more information.

## LLP Trawl Recency

Following public testimony, the Council voted to move ahead with development of an amendment to remove area endorsements of latent permits (i.e., those permits that originally qualified from the LLP program but have not been used in recent years) for trawl gear. In addition to the changes suggested by the AP and SSC, the Council added several new options for the analysis. One option would add 2006 to the qualifying period for BSAI (and possibly GOA) LLPs. The Council also added an option that would authorize NMFS to approve a limited number of vessels (up to 10 vessels < 60' and up to 4 vessels < 125') selected annually by the Aleut Corporation, to be exempt from the requirement to hold an AI endorsement on their LLP to fish groundfish in the AI. Another option that was added would exempt licenses in the AI from the proposed new threshold requirement. Lastly, the Council directed staff to provide in the analysis a discussion about the fleet that has fully harvested the GOA pollock since the implementation of the AFA, and the relationship and linkage between the Aleut Corporation, Aleut Enterprise, and Adak Fisheries and the opportunity to influence terms of delivery and participation as one of the annually approved vessels in the fishery. Initial review of the revised analysis is scheduled for December. Staff contact is Jim Richardson.