

# North Pacific Fishery Management Council

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August 29, 2003

**DRAFT AGENDA**  
**163rd Plenary Session**  
**North Pacific Fishery Management Council**  
**October 8-14, 2003**  
**SHERATON HOTEL**  
**401 E. 6<sup>th</sup> Avenue**  
**Anchorage, AK**

The North Pacific Fishery Management Council will meet October 8 through October 14, 2003 at the Sheraton Hotel in Anchorage, AK. Other meetings to be held during the week are:

Committee/Panel

Advisory Panel  
Scientific and Statistical Committee  
IFQ Implementation Committee  
Groundfish PSEIS Public Hearing  
Enforcement Committee  
Non-Target Committee

Beginning

8:00 am, Mon., October 6 (Kuskokwim Room)  
8:00 am, Mon., October 6 (Ballroom C)  
9:00 am, Sun., October 5 (Yukon Room)  
6:00 pm, Tues., October 7 (Kuskokwim Room)  
6:30 pm, Tues., October 7 (Ballroom C)  
6:00 pm, Thur., October 9 (Ballroom C)

All meetings will be held at the Hotel unless otherwise noted. All meetings are open to the public, except executive sessions of the Council. Other committee and workgroup meetings may be scheduled on short notice during the week, and will be posted at the hotel.

## INFORMATION FOR PERSONS WISHING TO PROVIDE PUBLIC COMMENTS

Sign-up sheets are available at the registration table for those wishing to provide public comments on a specific agenda item. Sign-up must be completed **before** public comment begins on that agenda item. Additional names are generally not accepted **after** public comment has begun.

**Submission of Written Comments.** Written comments and materials to be included in Council meeting notebooks must be received at the Council office **by 5:00 pm (Alaska Time) on Wednesday October 1.** Written and oral comments should include a statement of the source and date of information provided as well as a brief description of the background and interests of the person(s) submitting the statement. Comments can be sent by mail or fax—please **do not** submit comments by e-mail. **It is the submitter's responsibility to provide an adequate number of copies of comments after the deadline.** Materials provided **during** the meeting for distribution to Council members should be provided to the Council secretary. A minimum of **25** copies is needed to ensure that Council members, the executive director, NOAA General Counsel, appropriate staff, and the official meeting record each receive a copy. If copies are to be made available for the Advisory Panel (**28**), Scientific and Statistical Committee (**18**), or the public after the pre-meeting deadline, they must also be provided by the submitter.

## FOR THOSE WISHING TO TESTIFY BEFORE THE ADVISORY PANEL

The Advisory Panel has revised its operating guidelines to incorporate a strict time management approach to its meetings. Rules for testimony before the Advisory Panel have been developed which are similar to those used by the Council. Members of the public wishing to testify before the AP **must** sign up on the list for each topic listed on the agenda. Sign-up sheets are provided in a special notebook located at the back of the room. The deadline for registering to testify is when the agenda topic comes before the AP. The time available for individual and group testimony will be based on the number registered and determined by the AP Chairman. **The AP may not take public testimony on items for which they will not be making recommendations to the Council.**

## FOR THOSE WISHING TO TESTIFY BEFORE THE SCIENTIFIC AND STATISTICAL COMMITTEE

The usual practice is for the SSC to call for public comment immediately following the staff presentation on each agenda item. In addition, the SSC will designate a time, normally at the beginning of the afternoon session on the first day of the SSC meeting, when members of the public will have the opportunity to present testimony on any agenda item. The Committee will discourage testimony that does not directly address the technical issues of concern to the SSC, and **presentations lasting more than ten minutes will require prior approval from the Chair.**

## COMMONLY USED ACRONYMS

<b>ABC</b>	Acceptable Biological Catch	<b>MSFCMA</b>	Magnuson-Stevens Fishery Conservation and Management Act
<b>AP</b>	Advisory Panel	<b>MMPA</b>	Marine Mammal Protection Act
<b>ADFG</b>	Alaska Dept. of Fish and Game	<b>MRB</b>	Maximum Retainable Bycatch
<b>BSAI</b>	Bering Sea and Aleutian Islands	<b>MSY</b>	Maximum Sustainable Yield
<b>CDQ</b>	Community Development Quota	<b>mt</b>	Metric tons
<b>CRP</b>	Comprehensive Rationalization Program	<b>NMFS</b>	National Marine Fisheries Service
<b>CVOA</b>	Catcher Vessel Operational Area	<b>NOAA</b>	National Oceanic & Atmospheric Adm.
<b>EA/RIR</b>	Environmental Assessment/Regulatory Impact Review	<b>NPFMC</b>	North Pacific Fishery Management Council
<b>EEZ</b>	Exclusive Economic Zone	<b>OY</b>	Optimum Yield
<b>EFH</b>	Essential Fish Habitat	<b>POP</b>	Pacific ocean perch
<b>FMP</b>	Fishery Management Plan	<b>PSC</b>	Prohibited Species Catch
<b>GHL</b>	Guideline Harvest Level	<b>SAFE</b>	Stock Assessment and Fishery Evaluation Document
<b>GOA</b>	Gulf of Alaska	<b>SSC</b>	Scientific and Statistical Committee
<b>HAPC</b>	Habitat Areas of Particular Concern	<b>TAC</b>	Total Allowable Catch
<b>IBQ</b>	Individual Bycatch Quota	<b>VBA</b>	Vessel Bycatch Accounting
<b>IFQ</b>	Individual Fishing Quota	<b>VIP</b>	Vessel Incentive Program
<b>IPHC</b>	International Pacific Halibut Commission		
<b>IRFA</b>	Initial Regulatory Flexibility Analysis		
<b>IRIU</b>	Improved Retention/Improved Utilization		
<b>ITAC</b>	Initial Total Allowable Catch		
<b>LAMP</b>	Local Area Management Plan		
<b>LLP</b>	License Limitation Program		

August 29, 2003

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**163rd Plenary Session**  
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**October 8 through October 14, 2003**  
**Sheraton Hotel**

Estimated Hours

A. CALL MEETING TO ORDER

- (a) Election of Officers •
- (b) Approval of Agenda •
- (c) Approve Minutes of Previous Meeting(s) •

B. REPORTS

- B-1 Executive Director's Report. (2 hrs)
- B-2 NMFS Management Report.
- B-3 Coast Guard Report.
- B-4 ADF&G Report.

C. NEW OR CONTINUING BUSINESS

- C-1 Gulf of Alaska Rationalization (14 hrs)
  - (a) Receive report from Joint Protocol Committee.
  - (b) Review discussion paper on GOA crab/salmon bycatch and take action as necessary.
  - (c) Review staff discussion paper on alternatives and options, open access fisheries, LLP transfers and catch history, allocation of community shares, observer issues, and EIS alternatives.
- C-2 CDQ Issues (4 hrs)
  - (a) Review proposed appeals process.
  - (b) Review discussion paper on eligible CDQ communities.
- C-3 Essential Fish Habitat/Habitat Areas of Particular Concern (16 hrs)
  - (a) Preliminary Review of EIS.
  - (b) Finalize HAPC Process.
- C-4 IR/IU (6 hrs)
  - (a) Receive Committee report.
  - (b) Discuss implementation issues for Amendment C.
  - (c) Finalize alternatives for Amendment A.
- C-5 SSL (2 hrs)
  - Receive SSL Mitigation Committee report and discuss next steps.

- C-6 Halibut Subsistence (4 hrs)  
(a) Discuss subsistence regulations (data collection, sale, gear regulations)  
(b) Final action on Ninilchik eligibility.  
(c) Discuss petitions from other communities.

D. FISHERY MANAGEMENT PLANS

- D-1 Groundfish Management (6 hrs)  
(a) Discuss AI pollock fishery management.  
(b) Receive report on F40 recommendations.  
(c) Receive report from non-target species committee.  
(d) Review Preliminary SAFE report  
(e) Set initial groundfish specifications for 2004.  
(f) Take final action on TAC-setting process.  
(g) Review discussion paper on repeal of VIP.

- D-2 Crab Management (2 hrs)  
(a) Review BSAI Crab SAFE Report  
(b) Take final action on Pribilof blue king crab rebuilding plan.

- D-3 Staff Tasking (2 hrs)  
(a) Receive report from IFQ Implementation and Cost Recovery Committee, and review IFQ proposals received.  
(b) Review tasking and provide direction to staff, and discuss direction to Committees.

- D-4 Other Business

E. PUBLIC COMMENTS

F. CHAIRMAN'S REMARKS AND ADJOURNMENT

Total Agenda Hours: 58 Hours

Sunday, Oct. 5 9am IFQ Impl. Cmtee Yukon Room	SSC Ballroom C	AP Kuskokwim	Council Ballroom B
Monday, Oct 6	8:00am C-3 EFH	8:00am C-1 GOA Rationalization	
	1:00pm C-3 continued C-5 SSL D-2 Crab Management	1:00pm C-1 continued	
Tuesday, Oct 7  Groundfish PSEIS Public Hearing/6:00 pm (AP Room) Enforcement Comm./6:30 pm (SSC Room)	8:00am D-1 (b-f) Groundfish Management	8:00am C-1 continued	
	1:00pm D-1 (b-f) continued	1:00pm C-2 CDQ Issues D-1(b) F40 Recommendations D-2 Crab Management	
Wednesday, Oct 8  Reserved, 6-8pm	8:00am D-1 continued	8:00am C-3 EFH	8:00am Call to Order B Reports D-1(b) F40 Recommendations D-2 Crab Management C-1 GOA Rationalization
	1:00pm continue as necessary	1:00pm C-3 continued	1:00pm C-1 continued
Thursday, Oct 9  6pm Non-Target Committee Ballroom C		8:00am C-3 continued	8:00am C-1 continued
		1:00pm C-3 continued	1:00pm C-1 continued
Friday, Oct 10		8:00am C-4 IR/IU	8:00am C-2 CDQ Issues
		1:00pm C-5 SSL C-6 Halibut Subsistence <b>AP needs to move to Ballroom C</b>	1:00pm C-3 EFH
Saturday, Oct 11		8:00am D-1 Groundfish Management	8:00am C-3 continued
		1:00pm D-3 Staff Tasking	1:00pm C-3 continued
Sunday, Oct 12			8:00am C-4 IR/IU
			1:00pm C-4 continued C-5 SSL
Monday, Oct 13			8:00am C-6 Halibut Subsistence
			1:00pm D-1 Groundfish Management
Tuesday, Oct 14			8:00am D-1 continued
			1:00pm D-3 Staff Tasking

NOTE: The above agenda items may not be taken in the order in which they appear and are subject to change as necessary. All meetings are open to the public with the exception of Council Executive Sessions.

## -HALIBUT SUBSISTENCE FISHERY-

On May 15, 2003, Federal regulations defined a subsistence halibut fishery for approximately 88,000 eligible Alaska residents who were identified as having customary and traditional use of halibut. Participants must: (1) hold a Subsistence Halibut Registration Certificate; (2) use legal gear of up to 30 hooks per longline, hand line, rod and reel, or spear; (3) participate only in customary and traditional trade; and (4) not exceed a daily harvest limit of 20 halibut. **Commercial sale of subsistence halibut is prohibited.**

As of August 2003, 10,600 registration certificates have been issued, nearly equally split between Tribal and rural residents. Harvest data will be collected through cooperative agreements between local governments and Tribes. More information can be found at [www.fakr.noaa.gov/ram/subsistence/halibut.htm](http://www.fakr.noaa.gov/ram/subsistence/halibut.htm).

In April 2002, the Council approved changes to reduce the subsistence gear and bag limits in all of Southeast Alaska, Cook Inlet, Prince William Sound, and the Kodiak Road Zone and Chiniak Bay to limit rockfish and lingcod catches. The proposed rule will be addressed at the October 2003 Council meeting. The Council also will hear a report on the process under which the Board of Fisheries and the Federal Subsistence Board will review proposals for eligibility from excluded communities, Tribes, and individuals. Any changes to the eligibility lists requires a regulatory amendment and could take up to a year to be implemented. Final action to include Ninilchik will be debated at the October meeting. If approved, Ninilchik could be included by Spring 2004.

### -LOCAL AREA MANAGEMENT PLANS-

The Board of Fisheries has been awaiting implementation of the GHGs and Charter IFQs prior to recommending additional LAMPs to reduce competition for halibut. The Sitka Sound LAMP was implemented in 1998. Kodiak, Cook Inlet, and Prince William Sound communities want to develop halibut LAMPs. Other communities that can reach consensus will be considered. All proposals affecting halibut allocation first must be forwarded by the Board, adopted by the Council and approved by the Secretary.



North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, AK 99501

#### General Information:

Updates will be posted on these sites as they are available.

**Council Website:** Information on the Council's management actions for halibut for the guided sport and subsistence fisheries are on its website at:

<http://www.fakr.noaa.gov/nplfmc>

**NMFS Website:** Information on halibut management is available at:

<http://www.fakr.noaa.gov/ram/default.htm>

**IPHC Website:** Information on IPHC management of halibut is available at:

<http://www.iphc.washington.edu/halcom/default.htm>

#### Council Staff:

Address questions on halibut management to:

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## PACIFIC HALIBUT RECENT MANAGEMENT CHANGES AFFECTING ALASKAN COMMERCIAL, GUIDED SPORT, AND SUBSISTENCE HALIBUT FISHERIES as of August 2003

### -OVERVIEW-

The Pacific halibut *Hippoglossus stenolepis* population is currently near peak abundance in Alaska, but is projected to decline due to low levels of recruitment of juvenile fish. Halibut are harvested by commercial, subsistence, personal use, guided sport, and non-guided sport users. Allocation issues likely will intensify as abundance declines.

Over the past 16 years, the North Pacific Fishery Management Council has addressed allocation issues in the commercial and guided sport halibut fisheries. Beginning in May 2003, a subsistence halibut fishery was defined in Alaska. The National Marine Fisheries Service (NMFS) is reviewing proposed changes to the subsistence program and inclusion of the charter halibut fishery in the current commercial Individual Fishing Quota program, prior to submission to the Secretary of Commerce for implementation. The Council has no plans to revise management of the non-guided sport halibut fishery.

### -AUTHORITIES-

Halibut fisheries are regulated under the authority of the Northern Pacific Halibut Act of 1982, through the International Pacific Halibut Commission (IPHC), the Council and, ultimately through regulation by NMFS. Generally speaking, the IPHC is responsible for halibut conservation decisions, the Council makes allocation decisions, and NMFS manages the fisheries and enforces regulations under the authority of the Secretary of Commerce and the National Oceanic and Atmospheric Administration (NOAA). The State of Alaska has limited authority under the Halibut Act, but may pass halibut regulations that conform with federal regulations or laws.

## -COMMERCIAL HALIBUT FISHERY-

The halibut IFQ program began in 1995 after years of debate on how to address overcapitalization (“too many boats chasing too few fish”) in the Alaska longline fisheries while maintaining the character and size of the fleet. Problems in the fishery included short “derby” openings (1 day to 1 week), lost gear and resultant “ghost” fishing, gear conflicts, safety concerns, poor product quality, and low dockside prices.

Commercial halibut quota shares are defined by IPHC regulatory area, vessel size, and block status. Quota shares are used to calculate each person’s share of the annual quota set by the IPHC. Fishermen may buy and sell shares, but individual and vessel use caps, quota share block caps, and owner-on-board requirements limit the amount of consolidation that may occur. Strict recordkeeping and reporting requirements for both harvesters and buyers enhance monitoring and enforcement.

The season for halibut is now more than eight months, from March 1 to November 15. Twenty-two percent of the commercial halibut quota in Western Alaska (Areas 4B-E) is allocated to 65 Bering Sea communities; this is known as the halibut community development quota program.

The original IFQ program was approved with strict limitations. Some of these have been relaxed as industry and managers learned what restrictions could be lifted without jeopardizing the success of the program. In 2004, the IPHC and Council may consider extending the halibut season to nearly year-round. The Council has identified additional proposed changes for the IFQ halibut fisheries in Areas 3B, 4A, and 4B for analysis when staff becomes available. The Council also has called for new proposals. New and previously submitted proposals will be reviewed during its October 2003 meeting, including:

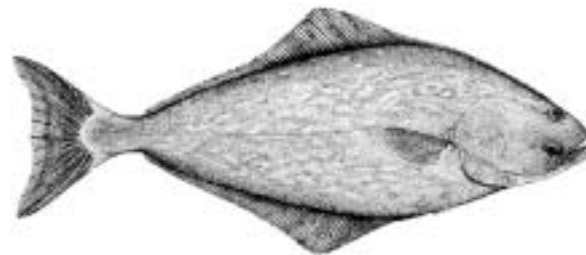
- Change the block program
- Allow D-category quota shares to be fished on larger vessels
- Sunset hired skipper provisions of initial recipients in all areas

## -GUIDED SPORT (CHARTER) GUIDELINE HARVEST LEVEL-

The Council has debated the need to limit halibut catch in the guided sport halibut fishery since 1993. Considerations included the ability to maintain the stability, economic viability and diversity of the halibut industry; the quality of the recreational experience; the access of subsistence users; and the socioeconomic well-being of the coastal communities dependent on the halibut resource.

The Council approved a Guideline Harvest Level (GHL), or harvest cap, for guided sport halibut anglers in February 2000. The Secretary of Commerce implemented GHLs of 1,432,000 lb (net weight) for Southeast Alaska (Area 2C) and 3,650,000 lb for Southcentral Alaska (Area 3A), effective on September 8, 2003. These amounts equate to 13.05 percent, and 14.11 percent, respectively, of the combined commercial and guided sport quota.

The GHLs establish an amount of halibut that will be monitored annually in the guided sport fishery. NOAA legal review identified concerns with the ability to automatically impose or lift management measures without additional public process as harvests exceed or drop below the GHL. **Therefore, proposed GHL management measures that were adopted by the Council in October 2000 such as prohibiting skipper or crew harvest, annual limits, and lowered bag limits were not approved.** Once a GHL has been exceeded, the Council would initiate analysis of management measures to restrain guided sport harvest to below the respective GHL.



## -GUIDED SPORT (CHARTER) IFQ's-

In 2001, the Council approved adding the guided sport fishery to the commercial halibut IFQ program as a more equitable way to distribute fishing privileges between the two sectors. The guided sport sector initially would be allocated approximately 13% of the combined commercial and guided sport quota in Southeast Alaska and Southcentral Alaska, which includes a buffer for growth. After initial allocation, quota shares could be bought and sold between and within sectors.

IFQs would fluctuate annually with the combined commercial and guided sport quotas as determined by the IPHC, **and would decrease as the halibut stock declines.** Quota would be initially issued to a vessel owner, or to a person who leased a vessel from an owner, and who carried clients in 1998 or 1999, and 2000. Seventy percent of an individual’s initial allocation would be based on the average of his/her 1998 and 1999 Sport Charter Vessel Logbook records with an additional 10% allocation for each year of operation for 1995-97. IFQs would be issued in numbers of fish. Up to 2% of the combined quota share would be set aside initially for underdeveloped Gulf of Alaska coastal communities.

The Council submitted the analysis for this program for NMFS review in May 2003. Revision of the analysis in response to NMFS review and submission for Secretarial review is anticipated prior to the end of this year. **Guided sport halibut IFQ measures are not yet in effect.**

These regulations may be effective in 2007, assuming Secretarial approval in 2004, program development by NMFS in 2005 (including calculation, distribution, and appeals), and a one year delay between the issuance of quota and fishing to examine the geographic distribution of quota in 2006. The Council will be calling for nominations to a Charter IFQ Implementation Committee after the October 2003 Council meeting. The committee will provide advice on the development of proposed regulations. Letters of interest should be sent to the Council office. Appointees will be responsible for their own travel costs.