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News & Notes

North Pacific Fishery Management Council

June 2008

Sunny Kodiak

We held our June meeting on Alaska's Emerald Isle. We were treated to a few sunny, spectacular days, allowing for evening hiking, fishing, and other outdoor activities Kodiak offers. We look forward to returning!

John Bundy Farewell

The Council held a reception to say farewell to John Bundy, who has served on the Council for 9 years and serving as Vice Chair for the last 3 years. We would like to thank him for his contribution to fishery management, and wish him luck in the future.



Photo credit: Peggy Kircher

Also retiring this year is long-time industry representative Terry Leitzell, General Counsel of Iccle Seafoods. Terry has served on various Council committees and panels throughout the years as well as working in NOAA Fisheries and the State Department. We wish him luck in his future endeavors.



Photo credit: Bill Wilson

Bering Sea Chinook Salmon Bycatch

The Council reviewed an initial analysis of Chinook salmon bycatch measures at the June meeting. In accordance with SSC comments, the Council recommended the draft be released for public review once revised as the official draft EIS/RIR/IRFA. The Council also chose to recommend a preliminary preferred alternative (PPA) to be analyzed in the draft prior to public release. The purpose of selecting a PPA at this time is to indicate to the public the likely direction the Council may select at final action and to serve as an illustrative example of mixing and matching across the various components and options in the analysis to better illustrate the potential impacts of this alternative. The PPA will be analyzed as a stand-alone alternative and compared to the analysis of the other alternatives, components and options contained in the draft. The Council is not obligated to select the PPA at final action and may continue to mix and match amongst the various available options.

The PPA provides for two different annual scenarios with different caps for each scenario. The distinction between the scenarios lies in the presence or absence of a NMFS approved inter-cooperative agreement (ICA) which provides explicit incentive for the pollock fleet to avoid salmon in all years. The requirements of the ICA are the following:

- An ICA must provide incentive(s) for each vessel to avoid salmon bycatch under any condition of pollock and salmon abundance in all years.
- Incentive measures must include rewards for salmon bycatch avoidance and/or penalties for failure to avoid salmon bycatch at the vessel level.
- The ICA must specify how those incentives are expected to promote reductions in actual

individual vessel bycatch rates relative to what would have occurred in absence of the incentive program. Incentive measures must promote salmon savings in any condition of pollock and salmon abundance, such that they are expected to influence operational decisions at bycatch levels below the hard cap.

Under this scenario with the NMFS approved ICA, the overall cap (to be divided seasonally and by sector) would be 68,392. In the absence of an ICA agreement which provides explicit incentive for salmon avoidance, a lower threshold cap (47,591) is provided. Similar seasonal splits and sector splits (and provisions to divide to the inshore CV cooperative level) occur under both annual scenarios. Under the first annual scenario (with an ICA and subsequent higher cap), a provision is included for a much lower cap (32,482) should individual vessels or cooperatives opt out of the ICA. The full Council motion is available on our website.

The draft EIS/RIR/IRFA is scheduled to be published and available for public review by December. The Council will receive a report from members of the industry at the October 2008 Council meeting in Anchorage on progress towards development of appropriate ICA agreements to meet the incentive approach. The Council is also scheduled to review a discussion paper in October on Chum salmon bycatch management measures. Final action on the Chinook salmon bycatch management measures analysis is scheduled for April 2009. An outreach plan is being developed to assist in informing the public about the measures under consideration in the Chinook Bycatch Management EIS/RIR/IRFA. Additional information will be available by the end of June. Staff contact is Diana Stram.

Trawl Gear Modification

The Council requested staff to prepare a draft problem statement and alternatives to require modifications to trawl gear sweeps in the Bering Sea flatfish fisheries, to reduce contact of the trawl gear with the seafloor. The Council received a report on the research and field testing that has occurred with respect to these gear modifications in the past year, including recommendations to accommodate vessels with and without net reels. A discussion paper will be presented to the Council in October with a possible amendment package to follow. Staff contact is Diana Evans.

GOA Halibut Excluder EFP

The Council received a final report on an exempted fishing permit to test a halibut bycatch reduction device designed for the Gulf of Alaska Pcod fishery. Field tests were conducted under the permit in 2006 and 2007. While the experiment achieved a high halibut escapement overall (57%), the test data also show a higher cod escapement than was expected (35%), which is likely to make the device impractical for use in the directed or commercial fishery. The analysis of the data collected through the experiment, however, does suggest that there may be ways to address this issue through modifications to the device. Staff contact is Diana Evans.

Halibut Subsistence

The Council recommended an amendment to the subsistence halibut program that would include certain rural residents who had been inadvertently excluded from the original development of the program. Neither the current list of eligible rural places nor non-subsistence use (closed) areas were changed. Persons who reside adjacent to closed areas were not included. The Council selected a preferred alternative whereby a person would be considered a rural resident for purposes of subsistence halibut fishing if that person resides in a community with a customary and traditional use of halibut or in one of the following rural areas of Alaska:

- Southeast Alaska east of 141 degrees west longitude, except for the non-rural areas of Juneau and Ketchikan;
- The Alaska Peninsula, Aleutian Islands, Kodiak Island Archipelago, and the area south of the Bristol Bay Borough and south of 58 degrees 39.2 N latitude;
- Nelson, Nunivak, and St. Lawrence islands; and
- All other areas of Alaska within 10 statute miles of the marine coastline of the Bering Sea and Pacific Ocean south of Cape Espenberg, as measured from mean high water and that are not specified as non-rural areas.

The analysis and supporting maps of the rural areas proposed for adoption are posted on the Council website. The Council recommended that the regulations be revised in time for the summer 2009 subsistence fishing season. Staff contact is Jane DiCosimo.

Steller Sea Lion Issues

The Council was informed by NMFS that the draft Biological Opinion on the effects of the *status quo* Alaskan groundfish fisheries on Steller sea lions (SSL) would be delayed until late 2009. Reasons for the delay included the need for more time to complete data analyses, complete internal reviews, and apply the analyses to "evolving legal standards for determining effects on listed species and their critical habitat." The Council expressed concern that the BiOp delay will then delay the Council's consideration of proposals for changes in SSL protection measures that have been developed by the SSL Mitigation Committee (SSLMC), it may change options available to the State of Alaska to move forward with some of the State's previously-postponed groundfish fishery actions in State waters, and it will delay possible initiation of a delisting process for the eastern SSL stock. The Council requested that a letter be sent to NMFS asking for a new schedule and timeline for completion of the BiOp, including anticipated dates for completion of the various reviews of the BiOp. NMFS believes are necessary, and a new schedule for the EIS process, new milestones for how

NMFS intends to interact with the Council and its SSL Mitigation Committee in this process, and an expected date when potential alternatives to *status quo* groundfish fishery management could be evaluated. Staff contact is Bill Wilson.

Arctic FMP

The Council received an update on the development of a draft Arctic Fishery Management Plan (FMP) and accompanying environmental analyses. The Council reaffirmed its intent to prohibit commercial fishing in the Arctic Management Area (EEZ waters off Alaska north of Bering Strait in the Chukchi and Beaufort Seas), and recommended continuing this work as a high priority. The Council adopted a revised schedule for the Arctic FMP that includes initial review of the FMP and accompanying analyses in October 2008, public review from October to December 2008, and final action in December 2008. Staff will continue a focused outreach program to ensure residents of the Arctic region are informed and have the opportunity to provide input. Staff contact is Bill Wilson.



Arctic FMP management area includes EEZ waters off Alaska north of Bering Strait.

BSAI Crab Overfishing Levels (OFLs)

The SSC reviewed draft stock assessments for all 10 BSAI crab stocks and made recommendations on OFL Tier levels for all stocks. For those stocks for which OFLs must be determined in the spring to allow for a summer fishery (Norton Sound red king crab and AI golden king crab) and those stocks for which biomass information is lacking and OFLs are thus based on average catch formulation (Adak red king crab and Pribilof Island golden king crab), the SSC recommended the OFLs for the upcoming crab season. For the remaining 6 stocks, the SSC made recommendations on Tier levels and model parameterization, understanding that the resulting OFLs will be calculated using updated trawl survey information at the end of the summer. Those OFLs will be reviewed by the Crab Plan Team in September prior to NMFS determination of OFLs for the 08/09 crab fishing season and TAC determination by the State. The Council will review the final BSAI Crab SAFE report including final OFLs for all stocks at the October 2008 meeting. This is the first year of annual OFL determinations for the BSAI crab stocks following implementation of Amendment 24 to the BSAI Crab FMP. Staff contact is Diana Stram.

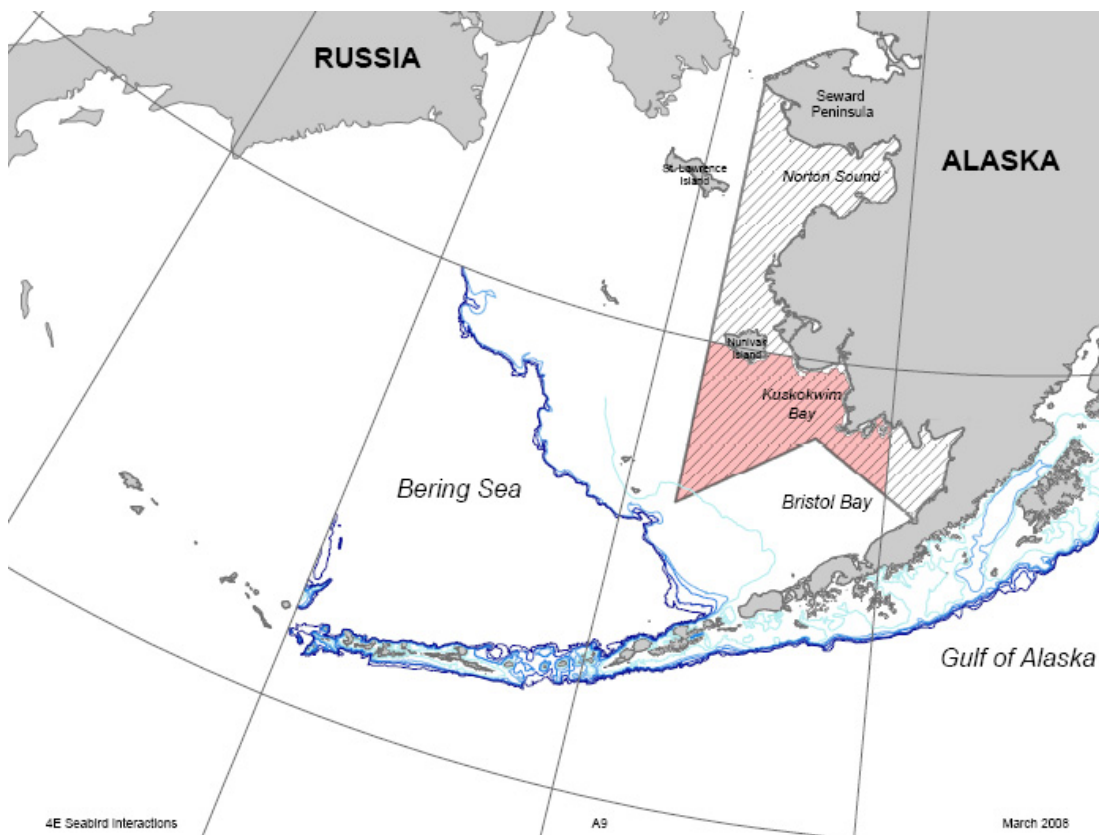
Seabird Protection Measures in IPHC Area 4E

The Council received an analysis of alternatives for relaxing the requirements for use of seabird deterrent devices on small vessels fishing with hook and line gear in IPHC Area 4E.

These vessels generally are small, fish for small quantities of halibut and cod, set gear slowly, and many are not structurally able to safely deploy seabird deterrent

devices such as buoy bags or streamer lines. The Council took final action and selected the alternative that would exempt vessels $\leq 55'$ LOA from the regulations requiring seabird deterrent devices in a subarea of IPHC Area 4E that lies north of 60 degrees north latitude or east of 160° west longitude. This is the area outside of the "STAL Area" described in the

analysis; the Council's action retains mandatory use of deterrent devices in the STAL Area of Area 4E because of the potential presence of Short-tailed Albatross. The regulations are expected to be in place for 2009. The Council's motion and a map of the STAL Area are posted on the NMFC and Council web sites. Staff contact is Bill Wilson.



Ecosystem Committee

The Council's Ecosystem Committee met on May 20th, and reported to the Council at this meeting. At the Council's behest, the Committee is continuing to pursue further implementation of the **AI Fishery Ecosystem Plan**, including further work defining the Council's FEP goal statement of promoting healthy ecosystems. The FEP Team will meet later this year, and will discuss various approaches that may be useful to the Committee and the Council for defining, monitoring, and maintaining a healthy ecosystem. Additionally, the Council endorsed Committee recommendations to continue tracking NOAA's progress with the development of integrated ecosystem assessments. Staff contact is Diana Evans.

New Appointments

The Council welcomes three new Groundfish Plan Team members; Leslie Slater, a seabird biologist from USF&W, David Barnard from ADF&G, and Mary Furuness from NMFS. In addition, the SSC will be joined by Robert Clark, ADF&G Chief Fisheries Scientist, and Troy Buell, ODF&W Marine Fisheries Research Biologist. Both of these new appointees have strong backgrounds in fisheries research.

Reminder:

Electronic Monitoring Workshop, July 29 - 30, Seattle, AFSC. Please register in advance at the website: <http://efmworkshop.nprb.org/start.jsf>

Miscellaneous Tasking

The Council directed staff to write letters on behalf of the Council regarding: comments on the proposed revisions to the NEPA process for fisheries management, comments on the Q&A paper developed by the MPA Center, comments on concerns regarding a NMFS initiative to collect permit fees, and a request for NMFS to outline a timeline for completing the status quo Biological Opinion on Steller sea lions. Staff will also prepare a comment letter on the proposed rule for National Standard 1, based on input from a SSC workgroup and key Plan Team members. Council members also discussed priorities for rulemaking, recommending that NMFS move ahead with the charter halibut moratorium and the action to remove inactive permits and institute a lottery for those quota shares and as soon as possible.

Groundfish Workplan

An annual review of the Council's groundfish management policy and workplan for implementing the policy was presented at the June meeting. The Council received a status report addressing progress on the management policy objectives since the implementation of the policy in 2004. The Council also reviewed the workplan, which identifies a series of priority actions, and specifically addressed issues related to community participation (see adjacent article). The management policy, status report, and workplan are posted on the Council's website. Staff contact is Diana Evans.



Bering Sea and Gulf of Alaska Groundfish Management

Other Species; Sharks, Skates, Squids

The Council adopted priorities and timelines to enhance management of the **other species** assemblages in the BSAI and GOA groundfish fishery management plans (FMPs). The Council will review the initial review draft of an analysis to revise the management of **BSAI skates** in December 2008. Final action would be scheduled for April 2009. Implementation would be scheduled for the 2010 fishery. Alternatives for analysis include: 1) No Action and 2) Separate skates into their own specification group. The next action that the Council would consider in 2009 is to revise the management of **BSAI and/or GOA squids**. Alternatives for analysis include: 1) No Action; 2) Move BSAI and/or GOA squid into forage fish category; and 3) Separate GOA squid into its own specification group. Thereafter, the Council will consider revising management of **BSAI and GOA sharks**. By then, improvements in estimating biomass in the stock assessments are anticipated. Final rulemaking and NMFS guidelines are

scheduled to be published on implementation of **annual catch limits (ACLs)** in late 2008, which may result in a reevaluation of management approaches. The Magnuson-Stevens Reauthorization Act of 2006 established new requirements to end and prevent overfishing through the use of ACLs and accountability measures (AMs). FMPs must establish mechanisms for ACLs and AMs by 2010 for stocks subject to overfishing and by 2011 for all others. The Act also specified additional requirements for the role of scientific advice in this process, specifically through the SSCs.

(www.nmfs.noaa.gov/msa2007/catchlimits.htm.)

Although the groundfish FMPs appear to conform to these new requirements, the Council may need to amend its BSAI Crab FMP and Scallop FMP before the deadline. Contact Jane DiCosimo for more information.

GOA Salmon and Crab Bycatch

The Council reviewed a staff discussion paper on GOA salmon and crab bycatch. The Council tasked staff to provide a revised discussion paper to include additional information regarding explicit stock assessment information as available, spatial and temporal data on the bycatch of Chinook salmon and *C. bairdi* Tanner crab by fishery, and to develop illustrative 'strawman' closures for Council consideration of bycatch management measures for these species. The illustrative closures are for either hard caps by fishery for each species, or time and area closures (either triggered or fixed). Management measures are under consideration in the western and central GOA groundfish fisheries. The revised discussion paper is to be reviewed at the December 2008 Council meeting. Staff contact is Diana Stram.



Central Gulf Rockfish Pilot Program

The Council received two reports concerning the Central Gulf of Alaska pilot program. The first report concerned a study undertaken in 2007 and completed in 2008 to investigate the use of electronic monitoring of halibut at-sea discards. The revised monitoring would be intended to address high costs of observer coverage and improve accuracy of halibut discard estimates for vessels fishing in the Central Gulf of Alaska rockfish fishery. The report could be used to examine an alternative monitoring program in the fishery that would use electronic monitoring of halibut and shoreside monitoring of all other species.

The Council also received a review of the rockfish pilot program. The review examined the effects of the program during its first year. In response to the review, advisory panel recommendations, and public testimony, the Council directed staff to prepare a discussion paper examining several aspects of the program. The paper will examine a possible amendment that would qualify persons who entered a vessel in the rockfish fisheries in the qualifying years under an interim license that was later invalidated, but who acquired a license and assigned that license to the vessel subsequently. The paper will also examine two possible changes to the entry level fisheries both intended to allow for more complete harvest of the TACs in those fisheries. The first change could modify the allocations to or rollover between the fixed gear and trawl entry level sectors. In the first year of the program a substantial portion of the fixed gear TAC was not harvested. The second possible change

would allow for harvester only cooperatives or other mechanisms that could control effort in the entry level trawl fishery to allow that fishery to be more fully prosecuted.

The Council also is considering whether to initiate actions to make two possible changes to the management of allocations. The first suggested change would be to manage shortraker rockfish under an maximum retainable amount in the catcher processor sector. Participants in that sector believe that the potential for the current allocation to bind participants has deterred some sector members from joining cooperatives and others from fully harvesting their allocations. The second possible amendment would change the basis species for determining maximum retainable amounts for species that are not allocated. Under the current rule, participants' retention of unallocated species is limited to a percentage of their retained catch of primary rockfish species (i.e., Pacific ocean perch, northern rockfish, and pelagic shelf rockfish). Under the proposed change, permitted retention of unallocated species would be a percentage of retained catch of all allocated species (which includes sablefish, thornyhead rockfish for both sectors, shortraker rockfish and rougheye rockfish for catcher processors, and Pacific cod for catcher vessels). The change is intended to improve retention of incidental catch during harvest of allocated species under the program. Staff contact is Mark Fina.

NPFMC Research Priorities

The Council adopted research priorities for 2008-2009. The annual plan is used by the North Pacific Research Board, universities, and State and Federal management agencies to fund research. A five year research plan to meet the requirements of the Magnuson-Stevens Act will be scheduled for the October meeting. Staff contact is Jane DiCosimo.

UPCOMING Meetings

Social and Economic Data Collection Committee

Tuesday, June 24, 2008 Meeting
8:30 am – 5 pm Location –
Iliamna Room, Hilton Hotel,
Anchorage

Groundfish Plan Team Meeting
Dates, 2008: September 22-24,
2008 (M-W) November 17-21,
AFSC, Seattle.

Crab Plan Team meeting:
September 16-18, Anchorage,
Location TBA.

**BSAI Crab Advisory
Committee** will meet sometime
in September. TBA.

2008-2009 Council Meetings

2008
Week of **September 29**,
Anchorage Sheraton
Week of **December 8**,
Anchorage Hilton

2009
Week of **February 2**, Marriott,
Renaissance, Seattle
Week of **March 30**, Anchorage
Hilton
Week of **June 1**, Dutch Harbor
Week of **October 2**, Anchorage
Hilton (*note AP and SSC have
Thursday start; Council starts
Saturday.*)
Week of **December 7**,
Anchorage Hilton

Visiting Dignitaries

The Chairman of the South Atlantic Council, George Geiger, and Vice Chair Duane Harris, traveled all the way to Kodiak to observe the North Pacific Council process in action. Both said the trip was very informative and useful. Special thanks to Mike Hyde, Jeff Steele, and many others who helped make our visiting dignitaries from down south feel welcome in Alaska.

AP Minority Reports

The Council modified its Statement of Organization, Practices, and Procedures to revise requirements for minority reports in the Advisory Panel minutes. The new requirement is that minority reports must be signed by at least 3 AP members voting in the minority. This change will be in effect at the next AP meeting.

Mark your calendars!

Just a reminder to note that the next Council meeting will be held in Anchorage, but at the SHERATON Hotel (401 E 6th Avenue, 1-800-478-8700), a change from our usual venue. The AP and the SSC will start on Monday, September 29th, and the Council will start Wednesday, October 1.

GOA Sideboards for BSAI Crab Vessels

At this meeting, the Council reviewed an initial draft of an analysis to change GOA sideboards for BSAI crab vessels. This amendment package includes three proposed actions: 1) adjust the GOA Pacific cod sideboard exemption qualifications for non-AFA crab vessels, 2) exempt qualified non-AFA crab vessels from GOA pollock sideboards, and 3) exempt non-AFA crab vessels from GOA Pacific cod sideboard limits from November 1 to December 31 of each year.

The Council released the document for public review. In addition, the Council approved the problem statement and added a new option in Action 1 that would raise the threshold from <500,000 lbs of Bering Sea C. opilio catch history to <750,000 lbs to receive GOA Pacific cod exemption status for non-AFA crab vessels. The Council also clarified the intent of the action is not to disqualify any currently Pacific cod sideboard exempt vessels or licenses based on this action. Finally, the Council clarified the intent of Action III is to address National Standard 1 and more fully utilize Pacific cod TAC in the GOA but not impact all other GOA Pacific cod dependent participants. To accommodate this final clarification, Council asked staff to included in the analysis ways for non-AFA crab vessels to access available B season Pacific cod TAC after November 1 of each year. Final action is scheduled for October 2008. Staff contact is Jon McCracken.

GOA Sideboards for AFA CVs

At this meeting, the Council reviewed an initial draft of an analysis to change GOA pollock and Pacific cod sideboard limits for AFA catcher vessels. The Council opted to take no further action on the RIR/IRFA and instead initiate a discussion paper addressing the following topics:

- Background of seasonal sideboard amounts;
- TAC and sideboard management and catch monitoring in the GOA;
- Discrepancies between NMFS and cooperative sideboard harvest data;
- Background harvest data tables in analysis for 2000 and 2008 A/B seasons; and
- Impact of trawl recency action.

The discussion paper is scheduled for review in October 2008. Staff contact is Jon McCracken.

Rockfish Program BSAI Stand Down for CPs

The Council reviewed an analysis to exempt certain catcher processors from the July BSAI stand down provision that is required under the GOA rockfish pilot program. The Council affirmed the problem statement and alternatives, which are as follows: 1) status quo, 2) exempt rockfish program CPs that are part of Amendment 80 cooperatives, 3) exempt rockfish program CPs that are part of the Amendment 80 sector; and 4) delete the stand down provision from the rockfish program. The document will be revised for final action in October 2008. Staff contact is Diana Evans.

AI Processing Sideboards

In June, the Council took action to clarify its April 2008 motion on Aleutian Islands processing sideboards for Pacific cod, Pacific Ocean perch, and Atka mackerel. The proposed action was intended to protect shoreside processing opportunities for the two Central AI communities, Atka and Adak. The Council initiated an analysis for this issue in April, but determined that sufficient detail was not provided in the original motion to proceed. In June, the Council replaced its previous motion with two separate motions. The first motion requests staff to develop a discussion paper relative to Pacific cod processing sideboards (Areas 541 and 542), and the second motion requests staff to develop a discussion paper relative to Pacific ocean perch and Atka mackerel processing sideboards in the same areas. Draft problem statements and options were provided for inclusion in each discussion paper, should the Council re-initiate a formal analysis (EA/RIR/IRFA) for either or both of these issues. The discussion papers are tentatively scheduled for review at the October Council meeting. The final motions are on the Council website. Staff contact is Nicole Kimball.

Amendment 80 Cooperative Criteria

At its June 2008 meeting, the Council reviewed a discussion paper that reviews the criteria for establishing cooperatives in the Amendment 80 sector. In response, the Council developed a purpose and need statement for relaxing cooperative formation and tasked NMFS and Council staff to prepare an analysis for initial review for December 2008 that would modify the existing standards for cooperative formation under the Amendment 80 Program. Under the current rule, minimums of three unique owners and nine vessels (or LLPs) are required for cooperative formation. Alternatives for analysis include a reduction in the number of owners required to form a cooperative to two or one, a reduction in the number of vessels required to form a cooperative or allowing a cooperative to form, provided its members hold a minimum portion of the QS pool. The Council also adopted for analysis an option that would allow the groundfish retention standard (GRS) to be applied in aggregate to retention of all cooperatives. Under the current rule, the GRS is applied independently to each cooperative. Staff contacts are Jon McCracken and Mark Fina.

BSAI Crab Management

The Council took up two agenda items concerning management of the Bering Sea and Aleutian Islands crab fisheries. Under the first item, the Council selected a preferred alternative that would modify NMFS authority to allocate cost recovery funds to the crew and entry level loan program. Under the preferred alternative, NMFS would be permitted to determine the amount of cost recover funds allocated to loan financing. This change in the program is intended to ensure that loan subsidies are maintained to the extent necessary, but that excess funds are not set aside. This change will not affect the availability of loan funds to participants in the fisheries.

The Council also received a report of its crab advisory committee concerning four issues discussed by that committee: 1) provision for emergency relief from regional landing requirements, 2) management of the Western Aleutian Islands golden king crab fishery, 3) crew protection issues, and 4) community rights of first refusal. In response to the paper and public testimony, the Council directed staff to develop a discussion paper on emergency relief from regional delivery requirements that considers the use of civil contracts between harvesters, processors, and the designee of the affected community to define the qualification for that relief and other terms (such as any compensation for lost economic activity or revenues that might arise out of the waiver of the landing requirement). The civil contracts are intended to streamline administration of the waiver by NMFS. This discussion paper is scheduled for review in October.

The Council directed the committee to continue work on the other three issues, but to prioritize its consideration of crew protections. To facilitate that process, the Council also requested staff to assist crew representatives in the development of their proposals to address crew concerns. The Council suggested that a workshop could be held for staff to assist crew in the refinement of these proposals for presentation to the committee at its September meeting. The workshop is not intended to generate any specific crew consensus or recommendation. Instead, the workshop is intended to assist crewmembers and their representatives in the drafting of purpose and need statements and reformulation of their proposals as alternatives, elements, and options in a form typically considered by the Council. Crewmembers and their representatives could then present their revised proposals to the committee for its consideration. The committee report to the Council will include any proposals received and a summary of the committee's discussions of those proposals.

At its April 2008 meeting, the Council adopted alternatives to revise the crab program that included options to convert a portion of the 'owner' QS pool to 'crew' QS. Since this provision is already schedule for analysis, it is not anticipated that this option will require further refinement through the committee or crew proposal process. At the June 2008 meeting in Kodiak, the Council

heard testimony in support of several other measures to assist crew. In response to that testimony, the Council suggested that possible additional alternatives to address crew issues (which could be discussed at the workshop, if supported by crewmembers attending that forum) could include:

- 1) redesignating a portion of the owner QS pool as crew share QS;
- 2) set aside of up to 20 percent of the TAC as a pool to be allocated to qualified crew;
- 3) setting aside up to 40 percent of the portion of that portion of the TAC in excess of the average TAC during the qualifying years under the rationalization program for allocation to qualified crew; and
- 4) adoption of a minimum crew share of 5, 6, or 7 percent of gross earnings (after food, fuel, bait, and taxes) for qualified crew.

In addition, the Council suggested that the alternatives identified by the crewmen's association could also be considered at the workshop and presented to the committee. These include:

- 1) assignment of TAC increases to crew;
- 2) reallocation of a portion of the existing QS pool to crew;
- 3) reallocation of a portion of the existing QS pool to a crew pool for the benefit of active crew;
- 4) assignment of TAC increases to crew (as under 1) above) together with reallocation of a portion of the existing QS pool to a crew pool for the benefit of active crew (as under 3) above); and
- 5) a State buyout of the federal program that would be funded by a severance tax.

The workshop will be held in August in Anchorage, which is the most central location for crew who must travel to the meeting from outlying Alaska communities (such as Kodiak, King Cove, and Homer) and for crew who must travel to the meeting from out of state. The specific location, date, and time will be announced in the near future. Staff will also be available by phone and email to assist crew members (or their representatives) throughout the summer.

Dinglebar VMS Exemption

The Council adopted a regulatory amendment to relieve GOA vessel operators with dinglebar gear onboard from the requirement to transmit VMS. The VMS requirement was instituted to monitor closed GOA Coral Habitat Protection Areas in the vicinity of Fairweather Grounds and Cape Ommaney, which encompass areas of *Primnoa* coral. The VMS requirement incurs operating costs for dinglebar fishermen prosecuting the lingcod fishery. Based on the evaluation of where the fishery occurs, and a comparison of bathymetry and habitat types, the Council concluded that the risk of incursions by dinglebar fishermen into the closed areas is unlikely, and insufficient to justify the operating cost requirements. Staff contact is Diana Evans.

Barbecue

Council members, staff and the public enjoyed a barbecue at the Coast Guard's Buskin River facility. The weather cooperated nicely. Many thanks to LCDR Ragone and Chris Oliver for organizing the event, Duncan Fields for donating the salmon, and for the many "helpers" that brought food and beverages and helped set up and clean up!



City of Kodiak

The City of Kodiak along with the seafood industry (*Alaska Pacific Seafoods, Alaska Fresh Seafoods, Ocean Beauty Seafoods, Island Seafoods International Seafoods of Alaska Trident Seafoods, Western Alaska Fisheries, F/V Patricia Lee*) hosted a reception for the Council at the NMFS Fisheries Research Center. The Council had a chance to meet and visit with the Kodiak Island Borough Assembly members and City Council members, as well as representatives from other fishery organizations. Many thanks to the City and Borough of Kodiak.

GOA PCod Sector Split

The Council reviewed the initial draft analysis of the proposed GOA Pacific cod sector allocations. This action would divide the Western and Central GOA Pacific cod TACs among the various gear and operation types. The Council made several substantive changes to the sector split motion which will expand the analysis, and has tentatively scheduled another initial review for December 2008.

The Council refined options for sector definitions (Component 2). Trawl catcher processors will receive a single allocation, rather than separate allocations for vessels ≥ 125 ft and < 125 ft. An option was added to establish separate allocations in the Central Gulf for hook-and-line catcher vessels ≥ 50 ft and < 50 ft. The Council also added an option that would prevent vessels from participating in the < 60 ft sectors if they exceed a capacity (tonnage) threshold to be determined by the Council. These vessels could participate in the ≥ 60 ft sectors. Finally, an option was added to create a combined allocation in the Western Gulf for trawl and pot vessels < 60 ft.

Under Component 3, which defines qualifying catch, the Council removed the option to define qualifying catch as directed Pacific cod catch only. Under Component 4, which identifies the years used to calculate qualifying catch, the Council added two options to base allocations on catch during the qualifying years 2002-2007 (average of best 3 or 5 years). The Council also requested that staff provide data on catch during the A and B seasons, and the proportion of catch by each sector during each season under the options in Component 4.

Under Component 5, the Council refined options for restructuring management of the GOA Pacific cod jig fisheries. Two options are being considered:

- (1) Federal jig allocation managed 0-200 miles. Any State waters jig GHL could (pending subsequent action by the Alaska Board of Fisheries) be added to this jig sector allocation so that the sector is fishing off a single account through a parallel fishery structure.
- (2) Federal management authority would be delegated to the State of Alaska to manage the Pacific cod jig fisheries 0-200 miles in the Western and Central Gulf of Alaska.

The Council added two new components to the motion. Component 8 addresses community protection provisions related to Pacific cod processing and delivery patterns. The amount of catch delivered to vessels acting as motherships would be capped as a percentage of the Federal Pacific cod TAC in each management area. The cap does not apply to deliveries to inshore floating processors operating at a single geographic location during a given year. The cap could be (1) 0%, or (2) a percentage calculated from mothership processing history, based on options

in Component 4. Under a suboption, in the Western GOA, the combined offshore catcher processor allocations (sum of hook-and-line, pot, and trawl CP allocations) may be limited to 10%, 15%, or 20%.

Finally, under Component 9, allocations to any sector based on catch history may be adjusted upward or downward by 5% or 10% based on considerations related to Steller sea lion mitigation, bycatch reduction, PSC mortality, or other conservation and social objectives.

The sector split motion is available on the Council website. Staff contact is Jeannie Heltzel.

GOA Fixed Gear Recency

The Council reviewed the initial draft analysis of the proposed Gulf of Alaska fixed gear recency action. This action proposes to (1) remove Central and/or Western Gulf area endorsements from fixed gear LLP licenses, and (2) add Pacific cod endorsements to licenses. The Council considered releasing the document for public review, but decided to schedule another initial review for December 2008 concurrently with initial review of the Pacific cod sector split action.

The Council refined options under Component 2, which defines the sectors subject to this action. The option to exempt vessels using jig gear was limited to vessels using 5 or fewer jig machines, up to 30 hooks per line, and one line per machine. The Council also added an option that would exempt vessels < 60 ft LOA from the recency action if they are under a capacity limit to be determined by the Council. The Council requested that staff provide recommendations of options to consider for establishing capacity limits.

Under Component 3, which defines the qualifying years, the Council added an option to include the qualifying period January 1, 2007 through June 4, 2008, in addition to one of the 4 qualifying periods. Under this option, if an LLP only qualifies when this supplemental range of years is included, any area endorsements retained by licenses or Pacific cod endorsements granted to licenses under this action would be designated non-transferable. Those endorsements would be extinguished upon transfer of the license to a different owner or vessel.

An option to divide catch history among 'stacked' licenses was added under Component 5. Licenses are stacked when there are multiple LLPs with duplicate gear designations and area endorsements registered to a single vessel. License owner(s) would have the option to choose which license would be credited with landings so that one of the stacked licenses could qualify. In the absence of an agreement among license owners, catch history could be split evenly among stacked licenses.

The fixed gear recency motion is available on the Council website. Staff contact is Jeannie Heltzel.

DRAFT NPFMC THREE-MEETING OUTLOOK - updated 6/16/08

September 29, 2008 Anchorage, AK Sheraton Hotel	December 8, 2008 Anchorage, AK Hilton Hotel	February 2, 2009 Seattle, WA
Council/BOF Joint Protocol Committee Report (T) SSL draft status quo BiOp: Report on Schedule Comprehensive Data Collection: Committee Report BSAI Fixed Gear Parallel Fisheries: Discussion Paper GOA sideboards for BSAI crab vessels: Final Action GOA sideboards re Am 80 PSC: Initial Review GOA sideboards re GOA rockfish: Final Action GOA sideboards for AFA CVs: Discussion paper AI Cod Processor Sideboards: Discussion Paper (T) AI POP/Mackerel Processing Sideboards: Discussion Paper (T) BSAI Crab Regional Delivery Emergency Relief: Discussion Paper BSAI Crab Committee/Crew Proposals: Report/Action as necessary BSAI Crab 3-year Review: Receive report BSAI Crab 90/10 Amendment: Prelim. Review BSAI Crab St. George Protection Measures: Final Action BSAI Crab EDR: Metadata & PNCIAC Report Halibut Sablefish 12-mo vessel ownership: Initial Rev/Final Action (T) Charter Halibut Catch Sharing Plan: Final Action Halibut 3A GHL: ADF&G Report and Final Action if necessary (T) CDQ Program: Update on Oversight Regulations BSAI Chum Salmon Bycatch: Discussion Paper (T) BSAI Chinook Salmon Bycatch: Review ICA Report Ecosystem Committee Report: Action as necessary Arctic FMP: Initial Review BS Bottom Trawl Sweeps: Discussion Paper P.cod area split (BS/AI): Update and Action as necessary BSAI Crab SAFE Report: Review and Approve 5 Year Research Priorities: Review and Approve Groundfish Specifications: Initial Action	Comprehensive Data Collection: Action as necessary GOA fixed gear LLP recency: Initial Review GOA P cod sector split: Initial Review Am 80 Cooperative Formation: Initial Review GOA sideboards re Am 80 PSC: Final Action GOA sideboards for AFA CVs: Initial Review (T) AI Processor Sideboards: Initial Review (T) BSAI Crab 90/10 Amendment: Initial Review Observer Program Restructuring: Discussion Paper CDQ Program: Action as necessary Arctic FMP: Final Action BS Bottom Trawl Sweeps: Initial Review GOA Tanner & Chinook Bycatch: Discussion Paper BSAI Skates Complex: Initial Review (T) Groundfish Specifications: Final Action AK Native/Community Outreach: Report & Action as nec (T)	Am 80 Cooperative Formation: Final Action GOA Rockfish Program Changes: Discussion Paper GOA sideboards for AFA CVs: Final Action (T) AI Processor Sideboards: Final Action (T) BSAI Crab 90/10 Amendment: Final Action BSAI Chum Salmon Bycatch: Initial Review (T) BS Bottom Trawl Sweeps: Final Action BSAI Skates Complex: Final Action HAPC Review Criteria: SSC Recommendations

AI - Aleutian Islands
 GOA - Gulf of Alaska
 SSL - Steller Sea Lion
 BOF - Board of Fisheries
 FEP - Fishery Ecosystem Plan
 CDQ - Community Development Quota
 VMS - Vessel Monitoring System
 NOI - Notice of Intent
 (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
 HAPC - Habitat Areas of Particular Concern

Future Meeting Dates and Locations

September 29- , 2008 in Anchorage
 December 8- , 2008 in Anchorage
 February 2 - , 2009 in Seattle
 March 30 - , 2009 in Anchorage
 June 1-, 2009 in Dutch Harbor
 October 1-, 2009 in Anchorage (AP, SSC start on THURSDAY)
 (Council on Saturday)



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NOTICE

The newsletter is available online at our website, and is also e-mailed out to our electronic e-mail list.

THIS WILL BE THE LAST NEWSLETTER YOU WILL RECEIVE by regular mail unless you contact us directly, either by fax, (907-271-2817) phone (907-271-2809) or by e-mail (maria.shawback@noaa.gov).

We will take your name off the hardcopy newsletter list unless we hear from you. We would be happy to keep mailing you the newsletter, we just need a response that you would like to continue to receiving it in the mail. Thanks for your cooperation!

NOTICE

Community & Alaska Native Participation

At its June meeting, the Council reviewed a discussion paper proposing several possible approaches to increase Alaska Native and community participation and consultation in the fishery management process, pursuant to the Council's related Groundfish Policy Workplan priority stemming from the Programmatic SEIS. The intent of this effort is to develop an effective, overall process for increasing community and Alaska Native participation during the development of fishery management actions.

The appendix to the paper also provides background on the current Council process and existing Federal policies (e.g., E.O. 13175) and processes for tribal consultation that govern the actions of executive branch agencies. While the formal responsibility for tribal consultation under E.O. 13175 remains with NMFS, the Council intends to continue to partner with NMFS in its efforts relative to tribal consultation. However, the impetus for new action by the Council on this issue is the Council's independent desire to improve communication and consultation with communities and Alaska Native entities, per the Programmatic workplan priority.

Two sets of stakeholder participation approaches were discussed: 'ongoing' and 'project-specific'. As part of this discussion, the Council reviewed the Arctic FMP outreach plan to consult with Arctic and northwest communities and Native entities as an example. The intent is that a protocol will eventually be developed to expand both ongoing and project-specific consultation, as well as a process to document such activities. As a first step, the Council approved initiating a small committee of Council members and community and Alaska Native representatives that can undertake a deliberative process to review the staff discussion paper in detail and make recommendations to the whole Council on how to create a policy to improve outreach and participation. Membership on this committee will be determined over the summer.

The staff discussion paper reviewed at the June meeting is on the Council website. Staff contact is Nicole Kimball.