

ADVISORY PANEL MINUTES
North Pacific Fishery Management Council
October 2-7, 2006 Dutch Harbor, Alaska

The following members were present for all or part of the meeting:

Al Burch	Duncan Fields	Matt Moir
Lisa Butzner	Bob Gunderson	John Moller
Joe Childers	John Henderschedt	Jeb Morrow
Craig Cross	Jan Jacobs	Ed Poulsen
Julianne Curry	Simon Kinneen	Michelle Ridgway
Tom Enlow	Kent Leslie	Lori Swanson

C-3 Trawl LLP Recency

The AP recommends the Council delete option 2 and 3 in component 2. *Motion passed 17/0*

Additionally, the AP recommends the analysis clarify that options for the BSAI apply to CVs and to CPs not qualified to operate as trawl CPs under the AFA or amendment 80. Motion passed 18/0.

C-2 CDQ Program

The AP recommends the Council modify the alternatives in BSAI Am. 71/22 to reflect the changes resulting from the Coast Guard Act related to administrative and government oversight issues (Subparagraphs (A), (D), (E), and (I)). *Motion passed 17/0.*

The AP recommends that staff determine the appropriate regulatory package through which to implement “after-the-fact” transfers of CDQ allocations in order to achieve implementation as soon as possible. *Motion passed 17/0.*

C-6 Comprehensive economic data collection

The AP recommends that the Council continue to develop a comprehensive socioeconomic and economic data collection protocol. While the AP is careful to avoid drafting problem statements, the data collection aspects of problem statements from prior programs seems to encompass the problems associated with inadequate data collection.

The AP, while recognizing the necessity to balance costs and benefits from a data collection program, would encourage the council to include processors, fishermen, community entities and other interested persons in their data collection.

The AP further recommends that the Council clarify confidentiality issues to protect all data collection and avoid data collection that could compromise proprietary information.

The AP recognizes that data accumulation across sectors will need to differ and encourages the Council to accommodate sector differences while collecting data.

The AP recommends that the scope of the Council’s data collection protocol encompass, by way of illustration but not limitation, those items listed on page 6 of the discussion paper --- fishing revenues, ownership information, employment data - both crew and processing worker info, costs structures, geographic expenditures/distribution. In addition the AP would encourage collection of data regarding benefits to and/or regulatory impacts on fishery dependant coastal communities. Community data may include days in port, vessel moorage/home port, service sector expenditures, shipping information and other community involvement----- i.e. scholarships.

The AP would encourage an iterative process be established between staff and industry to develop “straw man” data request forms for review and to minimize the duplication of data between data collection programs. *Motion passed 13/5*

C-4 BSAI Pcod split

The AP recommends that the Council take no further action at this time. *Motion passed 17/0*

D1 Groundfish Management

BERING SEA

The AP recommends the Council adopt proposed BSAI OFLs and ABCs as recommended by the Plan Team and incorporated into the draft EIS, dated September 2006, as well as the 2007/08 TACs, as noted in the draft EIS table 2-5, page 2-11 with the following changes and additions: *Motion passed 16/1*.

The AP rolled over the 2006 Atka mackerel TAC of 63,000mt for 2007 and apportioned 1,282mt from the CAI to the WAI so as not to have the TAC > ABC. The AP also increased the 2006 Alaska place TAC by 17,000mt (to 32,000mt) and the 2006 Ospecies TAC by 10,900 mt (to 40,900mt).

The AP recommends the Council adopt the proposed PSC bycatch allowances for the BSAI for 2007/2008 found in agenda item D-1 (c)(3) *Motion passed 17/0*

GULF OF ALASKA

The AP recommends the Council adopt proposed GOA OFLs and ABCs as recommended by the plan team and the SSC for 2007-2008 and 2007-2008 TACs, as noted in the attached spreadsheet. *Motion passed 16/1*

The proposed attachment does the following:

Sets the 2007-2008 GOA proposed specifications where TAC is equal to ABC for all stocks with the following exceptions:

1. The Pcod TAC is reduced according to the table in the action memo to account for the apportionment to the State waters fishery in 2007-2008
2. Rolls over the 2006 TAC for 2007 and 2008 for:
 - a. Shallow water flatfish and FHS in the Central and WGOA
 - b. ATF for all areas except the CGOA
 - c. OSR in the EYAK/SEO
 - d. GOA wide Atka mackerel
3. Raises the proposed TAC for ATF from 25,000 mt in 2006 to 30,000 mt for 2007 and 2008. *Motion passed 17/0*

Additionally, the AP recommends the GOA halibut PSC apportionments, annually and seasonally, for 2006 as indicated in D-1 (c)(4) should be rolled over for 2007-2008 *Motion passed 17/0*

Further, the AP recommends that the Council approve the halibut discard mortality rates for the 2007-2008 CDQ fisheries and the discard mortality rates for the 2007-2009 GOA and BSAI non-CDQ fisheries as indicated in D-1(c)(5). *Motion passed 17/0*

The AP encourages work be completed on estimating Pcod off-bottom distance from archival tag data, in time for a presentation at the November 2006 plan team meeting. The AP recognizes that such estimates could prove extremely valuable for improving estimates of abundance and stock assessments as noted in the SSC minutes. *Motion passes 17/0*.

D-1 BSAI and GOA Specifications

(d) Vessel Monitoring System

The AP recommends the Council not send the RIR/IRFA out for final review and first develop a clear problem statement that will provide a construct to enable the public to evaluate need for and impacts of VMS regulatory proposals. The AP also recommends that, once a problem statement is clarified, that the current alternatives be reconsidered and, perhaps, expanded. *Motion passed 14/1*

The following motion failed 3/12, and is the opinion of the minority:

Should the Council not modify the current problem statement, the AP further recommends that the RIR/IRFA be revised to more accurately assess economic costs to fishermen -- not based only on vessel length but on net value of the fishery, especially with reference to value to the fisherman from groundfish and with some reference to geographical differences in costs. That the document should include detailed discussion of individual fishermen may be impacted — particularly those who primarily participate in state waters fisheries. The document should expand the discussion of specific problem areas where VMS may be needed. The AP strongly believes that the current document should include several additional tables and/or a matrix that will help inform those impacted by the regulations. Signed, Duncan Fields, Jeb Morrow, and Julianne Curry.

D-2 Prohibited Species Bycatch

(a) Vessel Incentive Program

The AP recommends the Council release for final action the VIP EA/RIR with Alternative 3 option 2 selected as its preferred preliminary alternative. *Motion passed 16/0*

(b) BSAI Salmon bycatch

The AP confirms our support of the 84(a) amendment package. The AP endorses the use of an EFP for implementation of a rolling hot spot area closure until implementation issues for 84(a) are fully resolved. Further the AP recommends that staff track the SSC comments regarding additional spatial analysis of salmon bycatch on smaller time and area scales with the goal of further refinement of alternatives in B(1).

The AP recommends that the Council request clarification from NMFS on a means to immediately enact the chum salmon closure exemption for non-pollock trawl vessels as contained in amendment 84.

The AP also endorses the use of a separate EFP, if necessary, to monitor salmon bycatch by non-pollock trawl vessels to allow enactment an exemption from the chum salmon closure as contained in amendment 84. *Motion passed 16/1*

D-3 BSAI Crab Management

(a) Crab Vessel Use Caps

The AP recommends the Council table any further development on the discussion paper until the 18 month review, and further, that the discussion paper be updated with current data at that 18 month review. *Motion passed 16/1.*

(b) Crab Plan Team report and SAFE

The AP recommends the Council adopt the problem statement and the three alternatives for initial review in December. *Motion passed 16/0*

Additionally, the AP notes the lack of info regarding handling mortality for crab and recommends collaborative efforts between industry, NMFS, and ADF&G for on-the-grounds research into crab handling mortality.

D-4 Essential Fish Habitat

(a) Bering Sea EFH

To the extent that data are available, include directed foreign fishery and joint venture fishery data in the analysis of the potential impacts of establishing the open areas as defined in alternatives 2 and 4 for BS EFH analysis. *Motion passed 15/2*

(b) AI EFH

The AP recommends the Council task staff to resolve, in cooperation with the industry, questions regarding the appropriate boundaries of the Agattu area opening (using the same methodology as that used in the original analysis and any pertinent 2005 fisheries data) in order to revise the analysis for final action. *Motion passed 17/0.*

D-5 Ecosystem approaches

The AP recognizes the potential value of the AI FEP in providing an integrated marine ecological baseline for informing fishery management decisions. The AP recommends that the Council request the AI FEP team to actively seek stakeholder input throughout this process and specifically incorporate humans as a component of the ecosystem plan. The AP recommends that a community representative from the AI region with specific expertise in local and traditional knowledge be added to the FEP team.

Motion passed 12/6

Minority Report

The undersigned minority fully supports the intent of the motion to encourage the FEP team to actively seek stakeholder input in the development of the FEP, but does not agree with the inclusion of a specific representative from the AI on the Aleutian Islands FEP team. Signed: John Henderschedt, Craig Cross, Lori Swanson, Tom Enlow, Kent Leslie, and Matt Moir.

D-6 Staff Tasking

The AP requests the Council adopt the staff recommendations for revisions of a preliminary workplan with the additional inclusion of the following:

Increase “Alaskan Native Consultation and Participation by Representatives of Fishery Dependant Communities” with the addition of “develop a protocol and strategy to increase Alaskan native and community consultation and comments,” as a priority action.

The AP further recommends the Council review the draft plan for the purpose of establishing priorities at its December meeting. *Motion passed 17/1.*

The AP recommends the Council begin analysis on the attached proposal to revise the MRAs for ATF. *Motion passed 18/0.*

FISHERY MANAGEMENT PLAN or REGULATORY AMENDMENT PROPOSAL
North Pacific Fishery Management Council

Name of Proposer: Alaska Groundfish Data Bank

Date: 10/5/06

Address: P.O. Box 788 Kodiak, Alaska 99615

Telephone: 907-486-3033

Fishery Management Plan: Gulf of Alaska

Brief Statement of Proposal: Revise the Maximum Retainable Allowances (MRA) for the Arrowtooth Flounder target fishery.

Objectives of Proposal (What is the problem?): When the MRAs were set in regulations, the Council chose to set incidental catch allowances at zero for a wide group of species to prevent vessels from using Arrowtooth as a basis species for retention since there was no market for Arrowtooth Flounder. Arrowtooth Flounder is now a viable target fishery and the MRAs for these other species need to be changed to remove the requirement for regulatory discards. The Council has had two recent amendments to the GOA FMP. The first amendment removed Skates from the Other Species TAC group, and the second amendment uses a different method to set the Other Species TAC. In the first case, the Council did not change the MRA for Skates for the Arrowtooth target fishery but instead left the MRA at 0%, in the second case for other species the Council revised the MRA from 0% to 20%. As the table below shows there are presently a suite of species that have a MRAs of 0% which creates a conservation concern since any incidental catch of these species must be discarded at sea.

Need and Justification for Council Action (Why can't the problem be resolved through other channels?): The MRAs are in regulations and therefore would have to be changed by a regulatory amendment.

Foreseeable Impacts of Proposal (Who wins, who loses?): Reduction of regulatory discards, increased utilization of fish that is caught by fishermen.

Are there Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem? No

Supporting Data & Other Information. What data are available and where can they be found? Be specific and cite references.

Table 10 to Part 679 – Gulf of Alaska Retainable Percentages

Basis Species = Arrowtooth Flounder

Incidental catch species	MRA	P-MRA
Pollock	5%	5%
Pacific cod	5%	5%
Deepwater Flatfish	0%	20%
Rex Sole	0%	20%
Flathead Sole	0%	20%
Shallow Water Flatfish	0%	20%

Incidental catch species	MRA	P-MRA
Sablefish	0%	1%
Aggregated Rockfish	0%	5% or less
Atka Mackerel	0%	20%
Aggregated forage fish	2%	2%
Skates	0%	20%
Other Species	20%	20%