North Pacific Fishery Management Council

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FINAL

ADVISORY PANEL MINUTES
North Pacific Fishery Management Council
September 29 – October 4, 2008
Anchorage Sheraton Hotel

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

Joe Childers	Tim Evers	John Moller
Mark Cooper	Bob Gunderson	Rex Murphy
Craig Cross	Jan Jacobs	Ed Poulsen
John Crowley	Simon Kinneen	Michelle Ridgway
Julianne Curry	Chuck McCallum	Beth Stewart
Jerry Downing	Mike Martin	Lori Swanson
Tom Enlow	Matt Moir	*Absent: Bob Jacobson*

The AP unanimously elected Lori Swanson as Co-Vice Chair, to serve in cooperation with Joe Childers, and approved the minutes of their previous meeting.

C-1 Charter Halibut

2C 3A Halibut Catch Sharing Plan

The AP notes that the purpose of the proposed action is to reflect the intent to prevent charter harvest from exceeding annual catch limits by relying on the best available information, the most timely and accurate catch accounting system, and the most responsive management strategy. **Additions are in bold, and deleted parts are shown with a strikeout.**

"The purpose of the proposed action is to create a catch sharing plan that establishes: 1) a clear allocation between charter and setline sectors with sector accountability; 2) a responsive management system with proactive accountability measures to prevent annual catch limit overages; 3) a mechanism for limited transfer of quota share between sectors."

~~The purpose of the proposed action is to (1) create a catch sharing plan that would set an initial allocation between the charter halibut and commercial longline halibut sectors, and tighten the timeline between occurrence of an overage and a management response; and (2) design a program to compensate the commercial sector for any future reallocations, above the level set at initial allocation. Along with restrictive control measures that were considered by the Council separately from these proposed actions, because the GHL has been exceeded in Area 2C and Area 3A each year since its implementation in 2004, the proposed sector allocations are intended to stop the *de facto* reallocation from the commercial sector to the charter sector. Over the past 11 years, charter halibut harvests have grown at an annualized rate of 6.8 percent in Area 2C, and 4.1 percent in Area 3A. The number of active vessels, the total number of clients, the average number of clients per trip, and the average numbers of trips per vessel, are all at their highest level in the recorded data period of 1998 through 2006. The number of clients per trip (which is~~

~~one of the best measures of upward pressure on demand) has increased steadily in recent years. This increase indicates that the number of clients is rising faster than the number of trips, and likely indicates healthy demand for the services provided by the charter sector.~~

Part 1—Elements and options

Element 1: Initial allocation

The AP recommends a fixed percentage tied to abundance. Specifically,
Option 1(a) - fixed percentage based on existing GHLs for area 2c and 3A
2C 13.1% 3A 14.0%

Element 2 – Annual regulatory cycle

The AP recommends the Council clarify its intent to prevent charter harvest from exceeded annual catch limits by relying on the best available information, the most timely and accurate catch accounting system, and the most responsive management strategy.

The initial charter allocation would be a common harvest pool for all charter limited entry permit holders. It would not close the fishery when the charter allocation is exceeded. **Instead, the Council's intent is to implement management measures that prevent charter allocation overages. The Council will annually evaluate the efficacy of existing management measures, taking into account the projected CEY and the projected charter harvest for the following year as well as any overages from past years. The Council will rely on the best available information and most timely management system to manage the charter sector to its annual catch limit.** ~~Instead, the allocation would be linked to an annual regulatory analysis of management measures (delayed feedback loop) that take into account the projected CEY for the following year and any overages by the charter industry in the past year(s). This system would work best if there is not a time lag between the overage year and the year of implementation of new regulations. 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.

Element 3 – Management toolbox

The AP recommends removing the language regarding the delayed feed back loop from this paragraph.
Tier 1 measures will be utilized by the Council to try to manage the charter common pool for a season of historic length and a two-fish daily harvest limit. Tier 2 measures will be utilized if Tier 1 measures are inadequate to constrain harvest by the charter common pool to its allocation. ~~**Due to the delayed feedback loop in implementation of management measures,**~~ Management measures will, in general, be more restrictive to ensure that the charter sector allocation is not exceeded. In providing predictability and stability for the charter sector, it is likely that charter fish may be left in the water.

Element 4 – Timeline

Consistent with the AP's intent that the charter allocation be managed to prevent allocation overages by relying on the best available information, the most timely and accurate catch accounting system, and the most responsive management strategy, We recommend all scenarios under this element be DELETED.

~~Example Scenario 1: four-year feedback loop~~

~~Charter fishery ends 2007~~
~~October 2008: Council receives ADF&G report on final charter halibut harvest estimates for 2007. If the ADF&G report indicates that an allocation overage occurred in 2007, the Council would initiate the analysis of management measures necessary to restrict charter halibut harvests to its allocations.~~
~~December 2008: Council reviews staff analysis (possibly in the form of a supplement) that updates the previous year's analysis with final 2007 harvest estimates.~~

~~January 2009: IPHC adopts combined catch limits for 2009.~~
~~February 2009: Council takes final action on year 2010.~~
~~Winter 2009: NMFS publishes the rule that would be in effect for 2010.~~

~~Example Scenario 2: three-year feedback loop~~
~~Charter fishery, with in-season monitoring6, ends 2007~~
~~October 2007: Council receives ADF&G report on charter halibut harvest estimates for 2007. The report would likely be based on projections of the current year logbook data. Some data will still be in the process of being entered, so the data will be considered preliminary. If the ADF&G report indicates that an allocation overage occurred in 2007, the Council would initiate the analysis of management measures necessary to restrict charter halibut harvests to its allocations.~~

~~December 2007: Council reviews staff analysis (possibly in the form of a supplement) that updates the previous year's analysis with final 2007 harvest estimates.~~
~~January 2008: IPHC adopts combined catch limits for 2008.~~
~~February 2008: Council takes final action on management measures that would be implemented in year 2009~~
~~Winter 2008: NMFS publishes the rule that would be in effect for 2009~~

Element 5 – Supplemental, individual use of commercial IFQ

The AP recommends that the Council include all provisions in the motion.

A. 3. No more than **400** fish may be leased per LEP
Suboption. LEPs w/endorsement for more than 6 clients may not lease more than **600** fish.

E. 2. Unused GAF may revert back to pounds of IFQ and be subject to the underage Provisions applicable to their underlying commercial QS.
Option a: automatically on October 1 of each year.

There was general consensus among the AP members on the following clarification:
If an IFQ holder chooses to lease to a CQE, then the same limitations apply as if they were leasing to an individual charter operator – 1500 lbs or 10% whichever is greater – the 100% has no application here. With regard to CQE leasing: any quota which a CQE holds, regardless of its origin, could be leased up to 100% to eligible residents of the CQE community. For example, a CQE may hold quota share derived from purchase, lease from another qualified CQE, or leased from an individual, and then lease out up to 100% of the quota it holds.

Element 6 – Catch accounting system

The AP recommends adding the word verified in part 1.
1. The current Statewide Harvest Survey and/or **Verified** logbook data would be used to determine the annual harvest.
2. A catch accounting system will need to be developed for the GAF fish landed in the charter industry.
3. As part of data collection, recommend the collection of length measurements when supplemental IFQs are leased for use and compare to the annual average length to make sure that accurate removable

poundage is accounted for and to allow length measurement information gathered to be used in the formulation of the average weight used in the conversion of IFQs to GAF.

Motion passed 15/3.

(c) 3A Charter Halibut GHL

The AP maintains that resource conservation and sustainable management depends on preventing catch limit and GHL overages. To prevent future overages in 3A, the AP recommends implementation of options 2 and 6 (32").

In addition, the AP recommends the revision of the analysis to reflect the conservation impacts of catch limit and GHL overages, as well as the impacts of overages on other sectors.
Motion passed 15/2/1.

C-2 (a) Crab SAFE

The AP recommends the Council approve the SAFE and OFLs. *Motion passed 18/0.*

C-2 (b) St. George Protection Measures

The AP recommends the Council take no action regarding this issue. *Motion passed 15/0.*

C-2 (c) Crab Program 3 year review

The Council's Problem Statement in April identified many concerns regarding the implementation and operation of the Crab Rationalization Program. Since that problem statement was passed, Council staff has completed thorough and complete reviews of the program. The 18 month review and the 3 year review have addressed the concerns raised in the Council's problem statement. Those reviews provide important results from the first three years of the program.

1. There have been no Search and Rescue missions, no loss of life, or vessels since implementation;
2. The condition and health of the crab resources have dramatically improved. There are longer pot soak times; fewer pot lifts; and reduced handling mortality due to extreme weather. These factors may be contributing to the health of the resource;
3. Significant reductions in environmental impacts due to efficient uses of harvesting and processing capacity;
4. Some crab dependent communities are again receiving their historic share of crab landings;
5. There have been only five price arbitrations out of more than 700 price negotiations between harvesters and processors with low cost and minimum disruption to the prosecution of the fishery
6. Significant and transparent information regarding the wholesale marketing and sales information for all crab species harvested under the program;
7. The harvest sector which was grossly over-capitalized and on the brink of economic disaster has been restored to stability;

8. The processing sector, which saw the loss of several dozen participants in the years leading up to the program, has been stabilized and there are new processing entities for the first time since 1992; and
9. The industry is now operating with professional crew enjoying stable and high paying jobs.

The AP believes the crab program is achieving most of its objectives and that many of the major changes identified in the Council's April Motion would de-stabilize the harvesting, processing, and community sectors and are not necessary based on the findings from the Council's 18 month and 3 year reviews. The AP further believes that the Council has effectively utilized its Crab Advisory Committee to address real issues arising from the implementation of the program. Therefore, the AP supports the committee and moves the Council, as a substitute for its April Motion, to direct the committee to:

1. Identify elements and options for resolving crew issues by working with the harvesting, processing, and community sectors and the Deep Sea Fishermen's Union to
    a. Refine the "hinkel proposal's" potential re-designation of IFQ shares to crew and specifically look at a range of allocation and how to phase it in and bring back to the Council at its February meeting with recommendations;
    b. Analyze the potential for a private contractual proposal to increase crew participation and ownership in the crab program.
2. To work with the holders of Western Aleutian Golden King Crab IFQ and IPQ to identify any required changes in the program necessary to solve any real problems occurring in that fishery.

Regarding ROFRs, the AP moves that the Council initiate action including the purpose and needs statement regarding needed changes to the community right of first refusal provisions in the crab management program:

1. removing the lapse of the right after three consecutive years of IPQ use outside the committee;
2. extending the short period of time in the current program allowed for responding to and exercising the ROFR;
3. not allowing the ROFR to lapse even if the entity opts out of the ROFR; and
4. developing possible funding options for communities to allow then to exercise their ROFRs.

Motion passed 15/4.

The minority maintains that it is premature to assert that the Crab Rationalization Program fully meets its original objectives, conservation goals or community protection needs. Rather than support the Council's April motion, we recommend that analysis of the 90/10 split continue, while additional analysis on crew shares, WAG issues, and ROFRs be initiated. Signed: Beth Stewart, Michelle Ridgway, Chuck McCallum, and John Moller.

The AP recommends the addition to Henkel's proposal included in the action memo:

Option 2, i,
a. A pro rata reduction in "non-participating" ownership QS pool. ("non-participating" is defined as QS ownership that no longer have a vessel participating or a captain/crewmember participating in an Alaska Federal Fishery.) *Motion passed 19/0.*

The AP recommends the Council direct that the EDR data not be used for analysis for Council or academic purposes until the metadata is reviewed. *Motion passed 19/0.*

C-2 (g) Crab Regional Delivery Emergency Relief

The AP recommends the Council send forward for analysis the purpose and needs statement, and the following alternatives and options:

Method of defining the exemption and compensations:
Option 2: The exemption shall be generally defined in regulation. To receive an exemption, however, an IFQ holder the holder of matched IPQ, and the entity holding (or formerly holding) the right of first refusal for the IPQ shall have entered a contract that defining conditions under which an exemption will be granted and the terms of any compensation that:

> **Suboption 2:** defines any compensation that may be exchanged by the IFQ holder, IPQ holder, and the community entity holding (or formerly holding) the right of first refusal on the IPQ on using the exemption

Administration:
Option 2: The exemption shall be administered through submission of an affidavit by the holder of the IFQ for which the exemption is applied. An affidavit attesting to the satisfaction of requisite conditions for the exemption shall constitute conclusive evidence of qualification for the exemption.

Qualifying circumstance: An unavoidable circumstance that prevents the delivery or processing of crab in a region as required by regionally designated IFQ and matched IPQ will qualify for the exemption from regional landing requirements. To qualify for the exemption a circumstance must: a) be unavoidable, b) be unique to the IFQ and/or IPQ holder, c) be unforeseen or reasonably unforeseeable, and d) have actually occurred.[1]

> **Option:** Additional specificity of the exemption and its term may be included in any contract between the IFQ holder, the holder of matched IPQ and the entity holding (or formerly holding) a right of first refusal on the matched IPQ.

Requirement to attempt to mitigate:
Option 1 and Option 2

Option 1: To receive an exemption the IFQ holder and the holder of matched IPQ shall have exerted all reasonable efforts to avoid the need for the exemption, which may include attempting to arrange delivery to other processing facilities in the designated region unaffected by the unavoidable circumstance, attempting to arrange for the use of IFQ (and IPQ, if needed) not requiring delivery in the affected region, and delaying fishing.

Option 2: An IFQ holder will not be granted an exemption, if the IFQ holder holds any unused Class B IFQ, C share IFQ, or Class A IFQ that may be delivered outside of the affected region.

Compensation:
Option 2: Compensation shall be as agreed by the holder of IFQ, the holder of matched IPQ, and the entity holding the right of first refusal on the matched IPQ.

Motion passed 19/0.

C(3)a Final Action on GOA sideboards for BSAI crab vessels.

The AP recommends the following choices for final action:

[1] These criteria are taken from the exemption to 'cooling off' provision landing requirements that applied on a community basis to some IPQ in the first two years of the program (see 50 CFR 680.42(b)(4)(ii)).

Action I: Exempted Vessel Status of GOA Pacific Cod
Option 2.4: Exempt non-AFA crab vessels from the GOA Pacific cod sideboards if the vessel's Bering Sea opilio catch history is less than 750,000 pounds over the period 1996 - 2000 and the vessel has landed more than 680 mt of GOA Pacific cod over the period 1996 - 2000. The total Bering Sea *C. opilio* catch history includes both qualified and unqualified catch history pounds from non-AFA crab vessels. *Passes 17/0/2*

Action II: Exempted Vessel Status of GOA Pollock
Option 2.3 - 20 pollock deliveries from 1996 - 2000.
Passes 17/0/2

Action III: Proposed Exemption from B Season Pacific Cod Sideboard Limit after November 1
Alternative 1: No changes to B season Pacific cod sideboard limit
Motion passed 19/0

C(3)b Final Action on sideboards for the GOA rockfish fishery.

The AP recommends that the Council adopt Alternative 4 for final action:

Alternative 4: Amend the CGOA rockfish pilot program to remove the provision that requires certain catcher processors to stand down from participating in directed BSAI groundfish fisheries for a period in July.

Motion passed 17/0.

C(3)c Initial Review of sideboards for Amendment 80 PSC

The AP recommends that the document not be released for public review
Motion passed 19/0.

The AP recommends that the Council take no further action on this item
Motion passed 11/8.

Minority Report
The minority of the AP believes that there is the potential for the accounting system for halibut in the Amendment 80 CP sector in the GOA 3rd quarter deep water fisheries to limit the ability of that sector to access the sideboards approved under Amendment 80. The current problem statement may not clearly address this issue, making it difficult to develop appropriate alternatives. The minority recommends that the Council request staff to revise the analysis to further explore options to account for catch by CPs in the limited access sector of the Rockfish Pilot Program from the halibut which was set aside for that program, including a regulatory modification to allow this to occur. Signed: Lori Swanson, Craig Cross, Tom Enlow, Jan Jacobs, Chuck McCallum, Rex Murphy, Ed Poulsen, John Crowley, and Beth Stewart.

C(3)d Discussion paper on GOA sideboards for AFA CVs

The AP recommends that the Council take no further action on this item
Motion passed 14/5.

C-4 (a) BSAI Non-Chinook Salmon Bycatch

The AP recommends that the Council request staff proceed with the development of an initial review draft analysis on Non Chinook Salmon Bycatch Reduction Measures in the BSAI Pollock Trawl Fisheries.

Recommended draft purpose and need as well as draft alternatives, elements and options are as follows:

AP DRAFT PURPOSE AND NEED STATEMENT

An effective approach to minimizing non-chinook salmon bycatch in the Bering Sea pollock trawl fishery is needed. Current information suggests these harvests include stocks from Asia, Alaska, Yukon, British Columbia, and lower-48 origin. Non-chinook salmon (primarily made up of chum salmon) harvested as bycatch in the Bering Sea pollock trawl fishery serve an important role in Alaska subsistence fisheries. However, in response to low salmon runs, the State of Alaska has been forced to close or greatly reduce some commercial and subsistence fisheries in Western Alaska. At times, Bering Sea bycatch may have contributed to observed low returns in these river systems.

Conservation concerns acknowledged by the Council during the development of the Salmon Savings Areas have not been resolved. Hard caps, area closures, and/or other measures may be needed to reduce salmon bycatch to the extent practicable under National Standard 9 of the MSA. We recognize the MSA requires use of the best scientific information available. The Council intends to develop an adaptive management approach, which incorporates new and better information as it becomes available. Non-chinook salmon bycatch must be minimized to address the Council's concerns for those living in rural areas who depend on local fisheries for their sustenance and livelihood and to contribute towards efforts to reduce bycatch of Yukon River salmon under the U.S./Canada Yukon River Agreement obligations.

Alternatives and options

NON-CHINOOK SALMON (CHUM)
Alternative 1: Status Quo (non-Chinook)
Alternative 2: Hard Cap (non-Chinook)

Component 1: Hard Cap Formulation

Option 1: Range of numbers for hard cap formulation

Range of suboptions for hard cap for non-Chinook with breakout for CDQ allocation (10.7%) and remainder for non-CDQ fleet

Sub Option	Non-Chinook	CDQ	Non-CDQ
i)	58,176	6,225	51,951
ii)	76,252	8,159	68,093
iii)	147,204	15,751	131,453
iv)	203,080	21,730	181,350
v)	220,614	23,606	197,008
vi)	347,984	37,234	310,750
vii)	488,045	52,221	435,824

Component 2: Sector Allocation

Divide the final cap by sectors based on:

Option 1) 10% of the cap to the CDQ sector, and the remaining allocated as follows:
50% inshore CV fleet; 10% for the mothership fleet; and 40% for the offshore CP fleet.

Option 2) Historical average of percent bycatch by sector based on:

a) 3 year (2004-2006) average CDQ 1%; inshore CV fleet 86%; mothership fleet 2%; offshore CP fleet 11%.

b) 5 year (2002-2006) average: CDQ 2%; inshore CV fleet 84%; mothership fleet 3%; offshore CP fleet 11%.

c) 10 year (1997-2006) average: CDQ 2%; inshore CV fleet 82%; mothership fleet 4%; offshore CP fleet 12%.

Component 3: Sector Transfer

Option 1) Transfer salmon bycatch among sectors (industry initiated)

Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:

a) 50%
b) 70%
c) 90%

Option 2) NMFS will rollover unused salmon bycatch to other sectors still fishing based on the proportion of pollock remaining for harvest.

The above options are mutually exclusive.

Component 4: Cooperative provisions

Cooperative transfer options

When a salmon coop cap is reached, the coop must stop fishing for pollock and may:

Option 1) Lease their remaining pollock to another coop (inter-cooperative transfer) within their sector for that year (or similar method to allow pollock harvest with individual coop accountability.

Option 2) Transfer salmon bycatch from other inshore cooperatives.

Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:

a) 50%
b) 70%
c) 90%

Alternative 3 ~~4~~: Triggered closures (non-Chinook)

Component 1: Trigger Cap Formulation

The trigger cap amount will be within the range of hard caps established under Alternative 2.

Component 2: Sector Allocation

Sector allocations are equivalent to those under consideration for hard caps.

Component 3: Sector Transfer

Option 1) Transfer salmon bycatch among sectors (industry initiated)

Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:

a) 50%
b) 70%
c) 90%

Option 2) NMFS will rollover unused salmon bycatch to other sectors and other cooperatives still fishing based on the proportion of pollock remaining for harvest.

The above options are mutually exclusive.

Component 4: Area options

Option 1: Areas (note all B season closures for non-Chinook)
Option 1a) Small closure

Suboption: Periodic adjustments to areas based on updated bycatch information.

Motion passed 18/0.

C-5 Arctic FMP

The AP would like to note that Michelle Longo Eder, Commissioner, US Arctic Research Commission gave a presentation to the AP and noted that the Commission will continue to work with NPRB, Council, and NOAA to support necessary funding for research for the Arctic FMP.

The AP appreciates the outstanding efforts made by staff to develop a progressive and sophisticated analysis on Arctic Fishery Management. However, the AP recommends the Council delay sending out the document for Public Review until staff addresses the SSCs comments. This document should come back to the Council at the February 2009 meeting.

Motion passes 16/1.

C-7 Groundfish Specifications

The AP recommends the Council adopt the proposed GOA specs for 2009-2010 OFLs and ABCs as noted in the action memo C-7 (b) (3).

Set the 2009 and 2010 GOA proposed specifications where TAC is equal to ABC for all stocks with the following exceptions:

The Pcod TAC is reduced according to the action memo (page 2) to account for the apportionment to the State waters fishery in 2009 and 2010.

Roll over the 2008 TAC for 2009 and 2010 for:

a. Shallow water flatfish and flathead sole in the Central and Western GOA
b. Arrowtooth flounder for all areas
c. Other slope rockfish in the EYAK/SEO
d. GOA Atka mackerel
e. GOA other species

Motion passed 16/0

Additionally, the AP recommends the Council adopt the proposed GOA halibut PSC apportionments, annually and seasonally, for 2009-2010 as noted in the action memo C-7 (b) (4).
Motion passed 14/0

The AP recommends the Council adopt the BSAI OFL, ABC and TAC recommendations for 2009-2010 as included in the attached sheet. *Motion passed 14/1/1.*

Further, the AP recommends the Council adopt 8A, 8B and 8C – Apportionments of PSC allowances in the BSAI.

The AP recommends the council adopt the halibut discard mortality rates as noted in table 9 of the action memo. Further, the AP recommends that the Council change the release date for halibut apportioned to the BSAI rockfish fishery to April 15. *Motion passed 14/1.*

D-2 Miscellaneous Groundfish issues

(b) BSAI Fixed Gear Parallel fisheries

The AP recommends the Council proceed with analysis on the proposed problem statement and elements and options with the following additions:

- Extend Option 1 to apply to vessels that hold either LLPs *or* FFPs.
- Discuss appropriate time period for surrendering Federal permits.
- Revise Option 3 to state that IFQ permit holders would not be eligible to fish their IFQ on board any CP that fishes in the BSAI Pacific cod parallel waters fishery during a given calendar year or other time period specified by the Council.

Motion passed 17/0

The AP would like to state that while there may be some value in this action, there are much bigger issues regarding parallel fisheries that the Council should identify and devote resources to. *Motion passed 17/0.*

(c) BS Bottom trawl sweep requirements

The AP recommends that the purpose and need statement reflect that the Council intends to evaluate potential gear modification measures for non-pelagic trawl gear used to target flatfish. Research has suggested that these modifications may allow efficient harvest operations while reducing the impact of trawl sweeps on the seafloor. Further, the flatfish industry has identified an area east of St Matthews Island (now referred to as the 'wedge'), now closed as part of the Northern Bering Sea Research Area, as important to the fishery due to industry report of high concentrations of flatfish and low concentrations of other bycatch species. Therefore, the Council will consider exempting the flatfish fishery from the closure of that portion of the Northern Bering Sea Research Area, or removing that portion from the NBSRA. This action is needed to ensure fishers can efficiently harvest flatfish as flatfish stocks are likely to shift locations in the Being Sea.
Motion passed 15/0.

The AP notes that there may be a discrepancy on the position of the Eastern border of the St. Matthew's Habitat Conservation Area and the Western border of the 'wedge.' The AP recommends that Council direct staff to review these boundaries with regard to the Council intent at the time of final action. *Motion passed 15/0.*

The AP recommends that the Council endorse the inclusion of a housekeeping change to the FMP as part of the proposed amendment. *Motion passed 15/0.*

The AP recommends that the Council direct industry to work with NMFS Enforcement personnel to address practicable enforcement of the regulations associated with this action. *Motion passed 15/0.*

(d) Pcod area split

The AP recommends that the staff develop this issue for initial review. The AP would like this amendment to be scheduled for final action along with the BS/AI cod split for the 2010 year. Further, AP recommends that the Council establish a BSAI cod split allocation committee and charge that committee with creating allocation neutral proposals for fishing under a BSAI cod split. *Motion passed 15/0/1*.

(e) Amendment 80 vessel replacement

The AP recommends that the Council direct staff to develop an analysis of recommended changes to FMP text and regulatory language to address lost vessels in the Amendment 80 program.
Motion passed 15/0.

AP Proposed BSAI OFL, ABC, and TAC Recommendations for 2009-'10

		2008				2009			2010		
Species	**Area**	**OFL**	**ABC**	**TAC**	**Catch**	**OFL**	**ABC**	**TAC**	**OFL**	**ABC**	**TAC**
Pollock	EBS	1,440,000	1,000,000	1,000,000	832,813	1,320,000	1,000,000	1,000,000	1,320,000	1,000,000	1,000,000
	AI	34,000	28,200	19,000	1,066	26,100	22,700	19,000	26,100	22,700	19,000
	Bogoslof	58,400	7,970	10	0	58,400	7,970	10	58,400	7,970	10
Pacific cod	BSAI	207,000	176,000	170,720	119,305	207,000	176,000	170,720	207,000	176,000	170,720
Sablefish	BS	3,380	2,860	2,860	750	2,910	2,610	2,610	2,910	2,610	2,610
	AI	2,890	2,440	2,440	754	2,510	2,230	2,230	2,510	2,230	2,230
Atka mackerel	Total	71,400	60,700	60,700	24,237	50,600	47,500	47,500	50,600	47,500	47,500
	EAI/BS		19,500	19,500	9,220		15,300	15,300		15,300	15,300
	CAI		24,300	24,300	8,113		19,000	19,000		19,000	19,000
	WAI		16,900	16,900	6,904		13,200	13,200		13,200	13,200
Yellowfin sole	BSAI	265,000	248,000	225,000	105,658	296,000	276,000	225,000	296,000	276,000	225,000
Rock sole	BSAI	304,000	301,000	75,000	47,778	379,000	375,000	75,000	379,000	375,000	75,000
Greenland turbot	Total	15,600	2,540	2,540	2,623	16,000	2,540	2,540	16,000	2,540	2,540
	BS		1,750	1,750	2,024		1,750	1,750		1,750	1,750
	AI		790	790	599		790	790		790	790
Arrowtooth flounder	BSAI	297,000	244,000	75,000	16,430	300,000	246,000	75,000	300,000	246,000	75,000
Flathead sole	BSAI	86,000	71,700	50,000	19,253	83,700	69,700	50,000	83,700	69,700	50,000
Other flatfish	BSAI	28,800	21,600	21,600	3,332	28,800	21,600	21,600	28,800	21,600	21,600
Alaska plaice	BSAI	248,000	194,000	50,000	13,240	277,000	217,000	50,000	277,000	217,000	50,000
Pacific Ocean perch	BSAI	25,700	21,700	21,700	13,143	25,400	21,300	21,300	25,400	21,300	21,300
	BS		4,200	4,200	402		4,100	4,100		4,100	4,100
	EAI		4,900	4,900	3,809		4,810	4,810		4,810	4,810
	CAI		4,990	4,990	3,442		4,900	4,900		4,900	4,900
	WAI		7,610	7,610	5,490		7,490	7,490		7,490	7,490
Northern rockfish	BSAI	9,740	8,180	8,180	936	9,680	8,130	8,130	9,680	8,130	8,130
Shortraker	BSAI	564	424	424	105	564	424	424	564	424	424
Rougheye	BSAI	269	202	202	139	269	202	202	269	202	202
Other rockfish	BSAI	1,330	999	999	387	1,290	968	968	1,290	968	968
	BS		414	414	184		414	414		414	414
	AI		585	585	203		554	554		554	554
Squid	BSAI	2,620	1,970	1,970	1,240	2,620	1,970	1,970	2,620	1,970	1,970
Other species	BSAI	104,000	78,100	50,000	18,605	104,000	78,100	50,000	104,000	78,100	50,000
Total	BSAI	3,205,693	2,472,585	1,838,345	1,221,794	3,191,843	2,577,944	1,824,204	3,191,843	2,577,944	1,824,204
Sources: 2008 OFLs, ABCs, and TACs and 2009 OFLs and ABCs from the specifications adopted by the Council in 12-07; 2010 OFLs and ABCs equal to 2009;											
2008 catches through August 30 from AKR Catch Accounting.											

GOA SSC OFL and ABC recommendations, AP TAC recomendations for 2009-'10 (Page 1)

		2008				2009			2010		
Species	**Area**	**OFL**	**ABC**	**TAC**	**Catch**	**OFL**	**ABC**	**TAC**	**OFL**	**ABC**	**TAC**
Pollock	W(61)		17,602	17,602	9,265		23,700	23,700		23,700	23,700
	C(62)		19,181	19,181	15,687		25,821	25,821		25,821	25,821
	C(63)		13,640	13,640	5,721		18,367	18,367		18,367	18,367
	WYAK		1,517	1,517	1,161		2,042	2,042		2,042	2,042
	Subtotal	72,110	51,940	51,940	31,834	95,940	69,930	69,930	95,940	69,930	69,930
	EYAK/SEO	11,040	8,240	8,240	2	11,040	8,240	8,240	11,040	8,240	8,240
	Total	83,150	60,180	60,180	31,836	106,980	78,170	78,170	106,980	78,170	78,170
Pacific cod	W		25,932	19,449	12,680		25,932	25,932		25,932	25,932
	C		37,901	28,426	19,365		37,901	37,901		37,901	37,901
	EYAK/SEO		2,660	2,394	276		2,660	2,660		2,660	2,660
	Total	88,660	66,493	50,269	32,321	88,660	66,493	66,493	88,660	66,493	66,493
Deep water flatfish	W		690	690	9		707	707		707	707
	C		6,721	6,721	496		6,927	6,927		6,927	6,927
	WYAK		965	965	1		995	995		995	995
	EYAK/SEO		527	527	4		543	543		543	543
	Total	11,343	8,903	8,903	510	11,583	9,172	9,172	11,583	9,172	9,172
Rex sole	W		1,022	1,022	148		948	948		948	948
	C		6,731	6,731	2,296		6,241	6,241		6,241	6,241
	WYAK		520	520	0		483	483		483	483
	EYAK/SEO		859	859	0		796	796		796	796
	Total	11,933	9,132	9,132	2,444	11,065	8,468	8,468	11,065	8,468	8,468
Flathead sole	W		12,507	2,000	257		13,001	2,000		13,001	2,000
	C		28,174	5,000	2,383		29,289	5,000		29,289	5,000
	WYAK		3,420	3,420	0		3,556	3,556		3,556	3,556
	EYAK/SEO		634	634	0		659	659		659	659
	Total	55,787	44,735	11,054	2,640	57,962	46,505	11,215	57,962	46,505	11,215
Shallow water flatfish	W		26,360	4,500	740		26,360	4,500		26,360	4,500
	C		29,873	13,000	5,281		29,873	13,000		29,873	13,000
	WYAK		3,333	3,333	0		3,333	3,333		3,333	3,333
	EYAK/SEO		1,423	1,423	0		1,423	1,423		1,423	1,423
	Total	74,364	60,989	22,256	6,021	74,364	60,989	22,256	74,364	60,989	22,256
Arrowtooth flounder	W		30,817	8,000	2,796		31,080	8,000		31,080	8,000
	C		167,936	30,000	21,418		169,371	30,000		169,371	30,000
	WYAK		15,245	2,500	31		15,375	2,500		15,375	2,500
	EYAK/SEO		12,472	2,500	48		12,579	2,500		12,579	2,500
	Total	266,914	226,470	43,000	24,293	269,237	228,405	43,000	269,237	228,405	43,000
Sablefish	W		1,890	1,890	1,529		1,727	1,727		1,727	1,727
	C		5,500	5,500	4,766		5,026	5,026		5,026	5,026
	WYAK		2,120	2,120	1,889		1,937	1,937		1,937	1,937
	SEO		3,220	3,220	2,578		2,943	2,943		2,943	2,943
	WYAK+SEO		5,340	5,340	4,467		4,880	4,880		4,880	4,880
	Total	15,040	12,730	12,730	10,762	12,924	11,633	11,633	12,924	11,633	11,633

Sources: 2008 and 2009 OFLs, ABCs, and TACs from the specifications adopted by the Council in 12-07; 2010 OFLs and ABCs equal to 2009; 2008 catches through 8-30-08 from AKR Catch Accounting . Note: the 2008 sablefish for WYAK and SEO incorporate 2008 corrections tothe originally published specifications. 2009 sablefish WYAK and SEO estimates are based on numbers supplied by Tom Pearson of NMFS Sustainable Fisheries in July 2008.

Proposed September GOA OFL and ABC AP Recommendations for 2009-'10 (Page 2)

		2008				2009			2010		
Species	**Area**	**OFL**	**ABC**	**TAC**	**Catch**	**OFL**	**ABC**	**TAC**	**OFL**	**ABC**	**TAC**
Pacific ocean perch	W	4,376	3,686	3,686	3,567	4,397	3,704	3,704	4,397	3,704	3,704
	C	9,717	8,185	8,185	7,124	9,764	8,225	8,225	9,764	8,225	8,225
	WYAK		1,100	1,100	1,100		1,105	1,105		1,105	1,105
	EYAK/SEO		2,028	2,028	0		2,038	2,038		2,038	2,038
	E (subtotal)	3,714	3,128	3,128	1,100	3,732	3,143	3,143	3,732	3,143	3,143
	Total	17,807	14,999	14,999	11,791	17,893	15,072	15,072	17,893	15,072	15,072
Shortraker	W		120	120	132		120	120		120	120
	C		315	315	219		315	315		315	315
	E		463	463	191		463	463		463	463
	Total	1,197	898	898	542	1,197	898	898	1,197	898	898
Rougheye	W		125	125	76		124	124		124	124
	C		834	834	175		830	830		830	830
	E		327	327	109		325	325		325	325
	Total	1,548	1,286	1,286	360	1,540	1,279	1,279	1,540	1,279	1,279
Other slope rockfish	W		357	357	266		357	357		357	357
	C		569	569	417		569	569		569	569
	WYAK		604	604	49		604	604		604	604
	EYAK/SEO		2,767	200	18		2,767	200		2,767	200
	Total	5,624	4,297	1,730	750	5,624	4,297	1,730	5,624	4,297	1,730
Northern rockfish	W		2,141	2,141	1,591		2,047	2,047		2,047	2,047
	C		2,408	2,408	2,015		2,302	2,302		2,302	2,302
	E		0	0	0		0	0		0	0
	Total	5,430	4,549	4,549	3,606	5,120	4,349	4,349	5,120	4,349	4,349
Pelagic shelf rockfish	W		1,003	1,003	475		986	986		986	986
(Alternative 1:	C		3,626	3,626	2,791		3,566	3,566		3,566	3,566
including dark rockfish)	WYAK		251	251	195		247	247		247	247
	EYAK/SEO		347	347	1		341	341		341	341
	Total	6,400	5,227	5,227	3,462	6,294	5,140	5,140	6,294	5,140	5,140
Pelagic shelf rockfish	W						804	804		804	804
(Alternative 2:	C						3,339	3,339		3,339	3,339
excluding dark rockfish)	WYAK						230	230		230	230
	EYAK/SEO						318	318		318	318
	Total					5,695	4,690	4,690	5,695	4,690	4,690
Thornyhead rockfish	W		267	267	271		267	267		267	267
	C		860	860	289		860	860		860	860
	E		783	783	140		783	783		783	783
	Total	2,540	1,910	1,910	700	2,540	1,910	1,910	2,540	1,910	1,910
Big skate	W		632	632	127		632	632		632	632
	C		2,065	2,065	883		2,065	2,065		2,065	2,065
	E		633	633	50		633	633		633	633
	Total	4,439	3,330	3,330	1,060	4,439	3,330	3,330	4,439	3,330	3,330
Longnose skate	W		78	78	17		78	78		78	78
	C		2,041	2,041	591		2,041	2,041		2,041	2,041
	E		768	768	89		768	768		768	768
	Total	3,849	2,887	2,887	697	3,849	2,887	2,887	3,849	2,887	2,887
Other skates	Total	2,806	2,104	2,104	977	2,806	2,104	2,104	2,806	2,104	2,104
Demersal shelf rockfish	SEO	611	382	382	132	611	382	382	611	382	382
Atka mackerel	Total	6,200	4,700	1,500	1,685	6,200	4,700	1,500	6,200	4,700	1,500
Other species	Total	n.a.	n.a.	4,500	1,670	10,558	7,943	4,500	10,558	7,943	4,500
Total	GOA	665,642	536,201	262,826	138,259	701,446	564,126	295,488	701,446	564,126	295,488

Sources: 2008 and 2009 OFLs, ABCs, and TACs from the specifications adopted by the Council in 12-07; 2010 OFLs and ABCs equal to 2009; 2008 catches through 8-30-08 from AKR Catch Accounting . Other species 2009-10 OFL and ABC from Amendment 79 calculations summing across estimated individual species group OFLs and ABCs. Notes: totals include total for PSR with dark rockfish, but not the total for PSR without dark rockfish. Alternative PSR without dark rockfish estimates calculated by Chris Lunsford of the Auke Bay Lab in July 2008.