North Pacific Fishery Management Council

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APPROVED:_____

DATE: February 15, 2010

FINAL MINUTES

195th Plenary Session
North Pacific Fishery Management Council
December 9-15, 2009
Hilton Hotel
Anchorage, Alaska

The North Pacific Fishery Management Council met December 9-15, 2009 at the Hilton Hotel in Anchorage, Alaska. The Scientific and Statistical Committee met December 7-9, and the Advisory Panel met December 7-11 at the same location. The following Council, SSC and AP members, and NPFMC staff attended the meetings.

Council Members

Eric Olson, Chair
Dave Benson, Vice Chair
Greg Balogh
Sam Cotten
Ed Dersham
Duncan Fields
Dave Hanson
John Henderschedt
Roy Hyder
Dan Hull
Denby Lloyd/Dave Bedford
Doug Mecum/Sue Salveson
Bill Tweit for Phil Anderson
ADM C.C. Colvin/Capt. Mike Cerne

NPFMC Staff

Gail Bendixen
Jane DiCosimo
Diana Evans
Mark Fina
Jeannie Heltzel
Nicole Kimball
Peggy Kircher
Jon McCracken
Chris Oliver
Maria Shawback
Diana Stram
Bill Wilson
Dave Witherell

Scientific and Statistical Committee

Pat Livingston, Chair
Troy Buell
Robert Clark
Keith Criddle, Vice Chair
Anne Hollowed
George Hunt
Gordon Kruse
Franz Mueter
Lew Queirolo
Terry Quinn II
Farron Wallace
Ray Webster
Doug Woodby

Advisory Panel

Joe Childers
Mark Cooper
Craig Cross
John Crowley
Julianne Curry
Jerry Downing
Tom Enlow
Tim Evers
Jeff Farvour
Becca Robbins Gisclair
Jan Jacobs
Bob Jacobson
Simon Kinneen
Mike Martin
Chuck McCallum
Matt Moir
Rex Murphy
Theresa Peterson
Ed Poulsen
Beth Stewart
Lori Swanson

Appendix I contains the public sign in register and a time log of Council proceedings, including those providing reports and public comment during the meeting.

A. CALL TO ORDER

Chairman Eric Olson called the meeting to order at approximately 8:04 am on Wednesday, December 09, 2009 at approximately 8:04am.

Mr. Bill Tweit participated in the entire meeting in place of Phil Anderson, WDF&W Director.

AGENDA: The agenda was approved as published. MINUTES: The minutes of the October 2009 Council meeting will be available for approval at the February 2009 meeting.

B. REPORTS

The Council received the following reports: Executive Director's Report (B-1); NMFS Management Report (B-2); ADF&G Report (B-3); USCG Report (B-4); USF&W Report (B-5); and Protected Species Report (B-6).

Executive Director's Report:

Chris Oliver, Executive Director, briefly reviewed his written report.

NMFS Management Report

Ms. Sue Salveson briefly reviewed NMFS tribal consultation workshops, and presented the Council with a review of the status of FMP amendments and answered questions from Council members regarding progress of other amendments. Ms. Salveson also addressed NMFS changes to the published proposed rule on Implementation of the Observer Program.

Mary Furness, of Sustainable Fisheries, provided an update on the status of Groundfish Fisheries in the Bering Sea and Gulf of Alaska, and provided a handout outlining inseason management highlights and the most recent catch reports.

Doug DeMaster, Bill Carp, Martin Lloflad, and Phil Mundy gave the Council a report on genetic stock sampling and progress.

John Lepore, NOAA General Counsel, provided a brief update on litigation of interest to the Council.

ADF&G Report

Karla Bush (ADF&G) provided the Council with a review of the State fisheries of interest to the Council and answered general questions from the Council Members.

Scott Meyer of ADF&G in Homer, gave a brief report of the Halibut Harvests in 2C and 3A and reviewed logbook numbers.

NOAA/Office of Litigation and Enforcement

Susan Auer and Ms. Meyers gave a report on the status of NMFS enforcement issues.

USCG Report

Lt. Cmdr. Lisa Ragone of the USCG provided the Coast Guard Enforcement Report for October - December 2009 following a brief address by ADM Colvin.

U.S. Fish and Wildlife Report

Greg Balogh of USF&W provided a written report.

Protected Species Report

Bill Wilson, Council staff, reviewed the written Protected Resources packet. Kaja Brix, reviewed the SSL Biological Opinion process and answered questions from the Council. Lowell Fritz presented findings from SSL surveys. Bill Wilson was presented with a plaque noting his 35 years of service to Alaska Fisheries in varying capacities. Comments were heard from the public.

Discussion regarding some special kind of data, releasing it so SSL Mitigation committee can review. NMFS in agreement. Re-address in staff tasking.

Mr. Dan Hull moved that the Council draft a letter to NMFS urging the agency to 1. move forward with implementation of the moratorium in 2011 and review of the CSP, without delay; and 2. to

consider implementing additional management measures necessary to hold the charter sector harvest in area 2C to the GHL in 2010. Motion passed with no objection.

Mr. Fields moved and was seconded by Mr. Cotten to approve modification of observer amendment package. Motion passed without objection.

FORMAT FOR COUNCIL MEETING MINUTES FOR 'C' AND 'D' AGENDA ITEMS

Each agenda item will begin with a copy of the original "Action Memo" from the Council meeting notebook. This will provide an "historical" background leading to any discussion and/or action. This section will be set in a different typeface and size than the actual minutes. Any attachments referred to in the Action Memo will **not** be included in the minutes, but will be part of the meeting record and available from the Council office on request. Following the Action Memo will be reports of the Scientific and Statistical Committee and Advisory Panel on the subject. Last will be a section describing Council **Discussion and Action**, if any.

C. MAJOR ISSUES/FINAL ACTION ITEMS

C-1 GOA Pacific Cod Sector Allocations

ACTION REQUIRED

Final action on GOA Pacific cod sector allocations.

BACKGROUND

In December, the Council is scheduled to take final action on a proposal to allocate the Western and Central Gulf of Alaska (GOA) Pacific cod TACs among sectors. Currently, separate TACs are identified for Pacific cod in the Western, Central, and Eastern GOA management areas, but the TACs are not divided among gear or operation types. This results in a derby-style race for fish and competition among the sectors for shares of the TACs. Sector allocations may provide stability to long-term participants in the fishery by reducing competition among sectors for access to the GOA Pacific cod resource.

The Council made several revisions to the motion for this action at the October 2009 meeting, and these revisions are incorporated into the public review draft. In addition, several of these changes are highlighted here. In Component 4, there are distinct Western and Central GOA options for calculating catch history. The full range of years now includes 1995 through 2008 in the Western GOA and 2000 through 2008 in the Central GOA. The Council also expanded the potential range of sector allocations in the analysis by 3% above each sector's highest potential allocation and 3% below each sector's lowest potential allocation, in order to reflect a broader range of allocations for the Council's adjustment considerations under Component 9. Sectors with an annual allocation of less than 5% would retain their current lowest potential allocation. Under Component 9, the Council may adjust sector allocations to incorporate considerations associated with conservation, catch monitoring, equity of access, bycatch reduction, and social objectives.

The options for managing the jig allocation in Component 5 were refined. The option to delegate management authority for the jig fishery to the State of Alaska (Option 3) was removed from Component 5. Under Option 1 or Option 2, the jig allocation would be managed under a parallel/Federal structure. Option 1 also allows any portion of the jig GHL released by the Alaska Board of Fisheries to roll into the parallel/Federal jig allocation. This combined allocation could be seasonally apportioned 60/40 between the A and B seasons, or the seasonal apportionment

could be removed. As noted in the letter from NMFS (attached as Item C-1(b)), selecting this option and removing the seasonal apportionment would require reinitiating Section 7 consultation on the effects of this action on Steller sea lions. Finally, there are two options for structuring the stepdown provision to the jig allocation. The Component 5 discussion includes a detailed description of how the stairstep up, stairstep down, and percentage cap provisions would be implemented if the Alaska Board of Fisheries releases the jig portion of the GHL and it rolls back into the Federal TAC.

The Council made substantial revisions to Component 8, which addresses the protection of processing patterns established under the existing inshore/offshore regulations. If sector allocations are established, the harvest sector allocations would supersede the inshore/offshore processing sector allocations in the Western and Central GOA. The Component 8 discussion has been expanded to include a potential set of revisions to the inshore/offshore regulations. There are now four options to limit the amount of catch delivered to vessels acting as motherships, which could be selected alone or in combination. Under Option 1, no mothership processing activity of directed Pacific cod landings would be allowed in the GOA. Under Option 2, mothership processing would be capped as a percentage of the Federal Pacific cod TAC (up to 10%) in each management area. Under Option 3, Federally-permitted processors could operate as motherships within the municipal boundaries of designated communities in the Western and Central GOA. The attached letter from NMFS notes that selecting Suboption 1 under Option 3 would provide clearly defined municipal boundaries for enforcement purposes. Finally, Option 4 would revise the existing definition of a stationary floating processor, and allow Federally-permitted processors to operate as motherships or stationary floating processors at more than one geographic location within State of Alaska waters in a given year. There is also a suboption (applicable to Options 2, 3, and 4) to limit the weekly processing activity of motherships.

Jeannie Heltzel (NPFMC staff) provided a review of elements, components and options from the initial review draft of the document "Allocation of Pacific cod among sectors in the Western and Central GOA." The Council also received the recommendations of the Advisory Panel and oral public comments on this issue.

COUNCIL DISUCSSION/ACTION (Transcription of parts of this agenda item are included in Appendix 9)

Denby Lloyd provided a written motion based on the AP motion, noting:
The Council adopts the purpose and need statement and Alternative 2 as the preferred alternative, as specified (in the written motion). Full motion is attached as APPENDIX4.

Mr. Lloyd reviewed the motion and fielded questions from Council members. The Council moved through the motion item by item.

Mr. Benson moved to strike "Increased market value of cod products…" from the problem statement. Mr. Tweit made a substitute motion to change "increased" to "fluctuating." The Council had a brief discussion regarding future Pacific cod prices. **The substitute motion failed 4/7 (with Tweit, Cotten, Henderschedt and Olson voting for it) and the amendment failed 4/7(with Tweit, Benson, Dersham and Henderschedt voting for it) .**

Component 4: Potential Sector Allocations
Mr. Henderschedt moved and Mr. Benson seconded to substitute the Advisory Panel recommendations for calculating sector allocations and seasonal apportionments for the CGOA and WGOA. It was noted that there was no intent to change the way Mr. Lloyd defined sectors. If there were any discrepancies, the original motion would carry. It was also noted that the intent of the motion was to combine the pot CV and pot CP sectors.

Motion failed 4/7 with Tweit, Benson, Henderschedt, and Hyder voting for it.

Mr. Cotten made a motion which Mr. Lloyd seconded, to increase the WGOA trawl CV A season allocation by 3%, and decrease the WGOA trawl CV B season allocation by 3%. The WGOA pot CV and hook-and-line CP A season allocations would each be decreased by 1.5%, and the WGOA B season allocations to the respective sectors would be increased by 1.5%. Mr. Cotten noted that the total annual allocations to the sectors wouldn't change, only the seasonal allocations would change. There was a brief discussion, and the motion was withdrawn with concurrence of the second.

Mr. Cotten made a motion to increase the WGOA trawl CV A season by 3%, and decrease the trawl CV B season allocation by 3%. In turn, the combined pot CV/CP A season allocation would be decreased by 3% and the B season allocation would be increased by 3%.. Mr. Mecum seconded. Motion passed with Mr. Benson objecting.

Mr. Henderschedt made a motion which was seconded by Mr. Tweit to adjust the WGOA sector allocations as follows:
HL CP from 18.6% to 19.8% (+1.2%)
Trawl 2.1% to 2.4% (.3%)
Combined pot cp cv from 39.5% to 38% (-1.5%)

Mr. Cotten voiced objection, noting significant bycatch in the hook and line CP fishery. **The motion passed 9/2 with Cotten and Fields voting against.**

Mr. Fields moved the following, which was seconded by Cotten: in the CGOA, the trawl CV allocation would be reduced by 1.6% TO 40% and the trawl CP allocation would be reduced by 0.2% to 4.0%. Further, the CGOA pot CV allocation would be increased by 1.8% to 29.6%. Lengthy discussion ensued. Mr. Fields noted that incidental catch of Pacific cod needs to be discussed as part of the basis for sector allocations, and Component 9 should not be deleted as the AP suggested. There was brief discussion regarding the National Standards and how they should be applied in Component 9. Mr. Hyder noted that by re-calculating percentages it takes the motion further away from what the AP had proposed, after having spent a significant amount of time in discussion.
The motion failed 3/8, with Cotten, Fileds, and Olson voting for the amendment.

Component 5: Allocation of Pacific cod to jig sector
Mr. Fields moved and Mr. Cotten seconded to cap the jig allocation at 7% instead of 6%. Mr. Fields noted that raising the maximum percentage allocated to the jig sector would encourage growth in the jig fishery. **Motion failed 2/9, with Cotten and Fields voting in favor.**

Mr. Fields moved and Mr. Cotten seconded to apportion the jig allocation into an A/B season of 80%/20% (instead of 60%/40%). There was discussion concerning the impacts on Steller sea lion regulations and the ability of the Council to deviate from 60%/40% A/B season apportionments. **Mr. Fields withdrew his motion with concurrence of his second, noting Steller sea lion concerns.**

Component 6: Management of unharvested sector allocations
Mr. Henderschedt moved and Mr. Benson seconded to replace the strike out language in Component 6 with the original text. Mr. Henderschedt noted he had concerns with rollovers going only to the CV sector. There was general discussion regarding rollover process, and opportunities for harvesting quota. **The motion failed 5/6, with Tweit, Benson, Henderschedt, Hyder, and Mecum voting for the motion.**

Component 8: Community protection provisions (Western and Central GOA)

Mr. Fields moved and Mr. Cotten seconded to increase the processing cap from 3% to 5% of the WGOA and CGOA Pcod TACs for Federally permitted vessels that operate within the boundaries of CQE communities and do not harvest groundfish off Alaska in the same calendar year. There was very brief discussion, and the **vote failed 5/6 with Tweit, Fields, Henderschedt, Mecum, and Olson voting in favor.**

Component 9
There was discussion regarding whether or not Component 9 needs to be included as a placeholder in crafting the final motion. Mr. Lloyd noted that while catch history is an important factor in determining sector allocations, it isn't the sole determinant, and Component 9 is a way to consider other factors..
Mr. Henderschedt moved to remove Component 9. Mr. Mecum seconded the motion. Motion passed 9/2, with Mr. Fields and Mr. Hyder voting against.
Mr. Dersham moved and Mr. Tweit seconded to use the tables for allocation under Component 4 that were handed out December 12, 2009. Motion passed without objection.

There was discussion concerning the final motion, the percent sector allocations and seasonal apportionments, and questions for in-season-management staff. Mr. Lloyd noted that this motion is intended to improve stability and add flexibility for participants in the fishery while protecting entry level opportunities, and support coastal communities. It will allow for interannual variation in TAC levels across years. The components of the action are intended to prevent overfishing.

Mr. Tweit moved and it was seconded that the Council deems proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with section 303(c), and therefore the Council authorizes the Executive Director and the Chairman to review the draft proposed regulations when provided by NMFS to ensure that the proposed regulations to be submitted to the Secretary under section 303(c) are consistent with these instructions. Motion passed without objection.

Amended main motion passed 9/2, with Mr. Benson and Mr. Hyder voting against.

C-2 Central Gulf of Alaska Rockfish Program

ACTION REQUIRED

Refine CGOA rockfish program alternatives for analysis

BACKGROUND

In June 2009, the Council adopted a suite of elements and options for developing a new management program for the Central Gulf of Alaska rockfish fishery to replace the existing pilot program, which is set to expire after the 2011 fishing season. At subsequent meetings, the Council revised those alternatives to their current form. A copy of the elements and options defining the alternatives is attached as Item C-2(1). In the development of the analysis of the alternatives, staff has identified two aspects of those alternatives that might benefit from further definition. Those elements apply to only one alternative and define the management of transfers of the allocations of harvest shares to processors. Specifically, the Council should define:

1) **any eligibility requirements for holding these shares; and**

2) any rules governing the subdivision of these allocations.

Mark Fina and Jon McCracken gave the staff report, the Advisory Panel report was given, and public comment was taken.

DISCUSSION/ACTION
[note: David Bedford participated in this discussion for Denby Lloyd.]

Mr. Bedford moved the following, which was seconded by Mr. Dersham:

The Council requests staff refine the alternatives for analysis of the rockfish program to include the following:
Harvest shares awarded to processors will be transferable.
1. Harvest shares held by processors will be subject to the same 5% cap for holding and use that applies to harvest shares held by harvesters
Suboption: Grandfather initial recipients
2. The harvest shares held by processors
3. The harvest shares held by processors may be transferred to:
Option 1: Those processors, at the plant level, who were initially issued harvest shares
Option 2: Those processors who have processed at least 100-250mt of rockfish delivered by catcher vessels within (any) two year period during the new program
Suboption 1: in the port of Kodiak
Suboption 2: to a shoreside processing facility
Option 3: A holder of a CGOA Rockfish Program eligible LLP (qualifying for the CV sector in the Rockfish Program)

Mr. Bedford spoke briefly to his motion and answered questions from staff.

Mr. Henderschedt moved to amend the motion and Mr. Benson seconded to add an option for 10% cap. The motion passed with a roll call vote 10/0 with all voting in favor, noting Mr. Fields absence.

Mr. Henderschedt moved and Mr. Mecum seconded to add the words "any" instead of "a" two year period under option 2. Motion passed without objection.

Mr. Henderschedt moved and it was seconded to add the words to the end of Option 3: "…..an LLP qualifying for the CV sector in the Rockfish Program". Motion passed without objection.

Amended main motion passed without objection.

C-3 (a) Final GOA Groundfish Specifications for 2009-20010

ACTION REQUIRED
Review and approve GOA SAFE report (including Ecosystem and Economic SAFEs) and approve final GOA Harvest Specifications for 2010-2011 including:
1. **Acceptable Biological Catch (ABC), and annual Total Allowable Catch (TAC).**
2. **TAC considerations for the State Pacific cod fishery.**
3. **Prohibited Species Catch Limits.**

BACKGROUND

At this meeting, the Council makes final recommendations on groundfish and bycatch specifications as listed above to manage the 2010 and 2011 Gulf of Alaska (GOA) groundfish fisheries.

GOA SAFE Document

The groundfish Plan Teams met in Seattle November 16-20, 2009 to prepare the final SAFE reports and to review the status of groundfish stocks. The GOA SAFE report forms the basis for the recommended GOA groundfish specifications for the 2010 and 2011 fishing years. Note that there are three volumes to the SAFE report: a stock assessment volume, a fishery evaluation volume ("economic SAFE"), and an ecosystems considerations volume. The introduction to the GOA SAFE report was mailed to the Council and Advisory Panel in late November 2009. The full GOA SAFE report, the economic SAFE report and the ecosystem considerations volume were mailed to the SSC. The Joint Plan Team and GOA Plan Team minutes are attached as Item C-3(a)(1) and Item C-3(a)(2), respectively. An overview of the GOA SAFE report and ecosystem considerations volume will be provided to you at the meeting.

Two year OFL and ABC Determinations

Amendment 48/48 to the GOA and BSAI Groundfish FMPs, implemented in 2005, made two significant changes with respect to the stock assessment process. First, annual assessments are no longer required for rockfishes, flatfish, and Atka mackerel since new data during years when no groundfish surveys are conducted are limited. For example, since 2008 was an off-year for the NMFS GOA groundfish trawl survey, only summaries for these species were produced.

The second significant change is that the proposed and final specifications are to be specified for a period of up to two years. This requires providing ABC and OFL levels for 2010 and 2011. In the case of stocks managed under Tier 3, 2010 and 2011 ABC and OFL projections are typically based on the output for Scenarios 1 or 2 from the standard projection model using assumed (best estimates) of actual catch levels.

In 2009 (a survey year), the 2010 and 2011 projections for stocks managed under Tiers 4-5 will incorporate the latest survey data. In off years (even years) in the case of stocks managed under Tiers 4-6, projections are set equal to the Plan Team's recommended values for the last full assessment presented.

The 2011 ABC and OFL values recommended in next year's SAFE report are likely to differ from this year's projections for 2011, for the same reasons that the 2010 projections in this SAFE report differ from the projected values from last year's SAFE report.

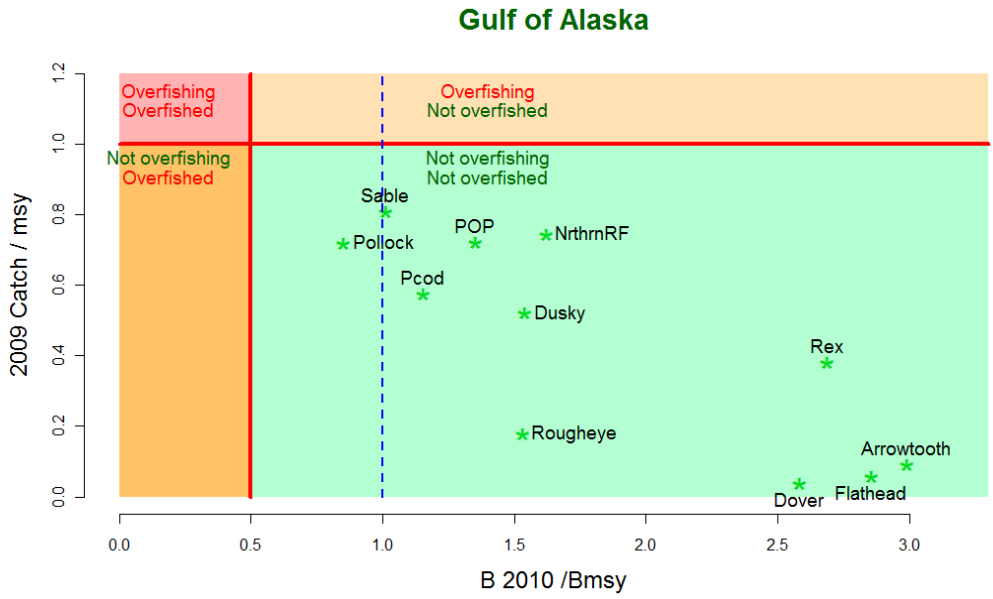
ABCs, TACs, and Apportionments

At this meeting, the Council will establish final catch specifications for the 2009 and 2010 fisheries. The SSC and AP recommendations will be provided to the Council during the meeting. Item C-3(a)(3) lists the 2009 specifications and catch (through November 7, 2009) and GOA Plan Team recommendations for OFLs and ABCs for 2009 and 2010. The sum of the preliminary 2010, 2011 ABCs for target species are 565,499 t (2010), 605,086 t (2011) which are within the FMP-approved optimum yield (OY) of 116,000 - 800,000 t for the Gulf of Alaska. The sum of 2010 and 2011 OFLs are 693,253 t and 743,559 t, respectively. The Team notes that because of halibut bycatch mortality considerations in the high-biomass flatfish fisheries, an overall OY for 2010 will be considerably under this upper limit. For perspective, the sum of the 2009 TACs was 242,727 t, and the sum of the ABCs was 516,055 t.

The sum of the ABCs increased by 9% (49,444 t) compared with last year. This is primarily driven by increases in pollock 34,845 t (70%) and Pacific cod 23,800 t (43%). Sablefish declined by 790 t (-7%). ABC levels decreased in deep water flatfish 2,978 t (32%) and flathead sole 958 t (2%).

Arrowtooth flounder was down by 5,630 t (2%). The ABC level increased for Pacific ocean perch (2,473 t or 16%) and for aggregate other species (535 t or 8%). The ABC for northern rockfish increased by 738 t (17%), while demersal shelf rockfish ABC dropped by 18% and other slope rockfish by 13%. Big skates remained relatively constant while Longnose skates declined slightly.

The current status of individual groundfish stocks managed under the FMP is summarized in this section. The abundances of Pacific cod, Dover sole, flathead sole, arrowtooth flounder, Pacific ocean perch, rougheye and blackspotted rockfish, northern rockfish, and dusky rockfish are above target stock size. The abundances of Pollock and sablefish are below target stock size (see figure below). The target biomass levels for other deep-water flatfish, shallow-water flatfish, rex sole, shortraker rockfish, demersal shelf rockfish, other pelagic shelf rockfish, other slope rockfish, thornyhead rockfish, Atka mackerel, skates, sculpins, squid, octopus, and sharks are unknown.



Summary status of age-structured GOA species relative to 2009 catch levels (vertical axis) and projected 2010 spawning biomass relative to B_{MSY} levels. Note that the 2009 MSY level is defined as the 2009 catch at F_{OFL}.

TAC Considerations for State Pacific Cod Fishery

Since 1997, the Council has reduced the GOA Pacific cod TAC to account for removals of not more than 25% of the Federal P. cod TAC from the state parallel fisheries. The relative percentage in the Central GOA was increased by the Board of Fisheries in March 2005 from 24.25 in 2004 to 25%. Using the area apportionments of the 2010 and 2011 P. cod ABC recommended by the Plan Team, the Federal TAC for P. cod would be adjusted as listed below.

Plan Team recommended 2010 Gulf of Alaska Pacific cod ABCs, and resulting TACs and state Guideline Harvest Levels (GHLs) (t).

Specifications	Western	Central	Eastern	Total
ABC	27,685	49,042	2,373	79,100
State GHL	6,921	12,260	237	19,418
(%)	25	25	10	24.4
Federal TAC	20,764	36,782	2,136	59,682

Plan Team recommended 2011 Gulf of Alaska Pacific cod ABCs, and resulting TACs and state Guideline Harvest Levels (GHLs) (t).

Specifications	Western	Central	Eastern	Total
ABC	34,265	60,698	2,937	97,900
State GHL	8,566	15,174	294	24,032
(%)	25	25	10	24.4
Federal TAC	25,699	45,524	2,643	73,866

Prohibited Species Catch Limits

In the GOA, Prohibited Species Catch (PSC) limits are established for halibut. Since 1995, total halibut PSC limits for all fisheries and gear types have totaled 2,300 t. This cap was reduced from 2,750 t after the sablefish IFQ fishery was exempted from the halibut PSC requirements in 1995. The halibut PSC apportionments recommended based upon the 2009 apportionments for the Gulf of Alaska groundfish fisheries are shown below.

GOA Pacific halibut PSC Limits

2010-2011Trawl		2010-2011 Hook and Line		
Jan 20 - Apr 1	550 t	1st trimester	Jan 1 - Jun 10	250 t
Apr 1 - Jul 1	400 t	2nd trimester	Jun 10 - Sep 1	5 t
Jul 1 - Sep 1	600 t	3rd trimester	Sept 1 - Dec 31	35 t
Sept 1 - Oct 1	150 t			
Oct 1 - Dec 31	300 t	DSR	Jan 1 - Dec 31	10 t
TOTAL	2,000 t			300 t

Trawl fishery categories			
Season	Shallow Water	Deep Water	Total
Jan 1 - Apr1	450 t	100 t	550 t
Apr 1 - Jul 1	100 t	300 t	400 t
Jul 1 - Sep 1	200 t	400 t	600 t
Sep 1 - Oct 1	150 t	any rollover	150 t
Oct 1 - Dec 31	*no apportionment*		300 t
TOTAL	900 t	800 t	2,000 t

Pacific Halibut Discard Mortality Rates

Halibut discard mortality rates (DMRs) are set by the Council on a 3-year cycle based on recommendations by International Pacific Halibut Commission staff. Current rates will expire at the end of 2009; new rates are needed for 2010 -2012. This procedure will be repeated in 2012 for 2013-2015. The recommended rates are based on an average of annual DMRs from the previous 10 years. The GOA Plan Team endorsed IPHC staff recommendations for DMRs for the GOA groundfish fisheries for 2010 - 2012.

Recommended Pacific halibut discard mortality rates (DMR) for 2010-2012 GOA groundfish fisheries.

Gear	Target	Recommendation
Trawl	**Bottom pollock**	**59**
	Pacific cod	**62**
	Deepwater flatfish	**48**
	Shallow water flatfish	**71**
	Rockfish	**67**
	Flathead sole	**65**
	Mid water pollock	**76**
	Sablefish	**65**
	Arrowtooth flounder	**72**
	Rex sole	**64**
Pot	**Pacific cod**	**17**
Longline	**Pacific cod**	**12**
	Rockfish	**9**

The Council received a review of the status of the GOA groundfish from Dr. Jim Ianelli (AFSC staff) a review of Plan Team recommendations from Dr. Diana Stram (NPFMC staff), the SSC and Advisory Panel recommendations, and oral public comments.

COUNCIL DISCUSSION/ACTION
[note: David Bedford participated in this discussion for Denby Lloyd.]

Mr. Benson moved and it was seconded that the Council approve the 2009 GOA Groundfish SAFE report. Motion passed without objection.

Mr. Benson moved and it was seconded that the Council set 2010-2011 TACs equal to ABC for all stocks with the following exceptions: (Final numbers are included as appendix 5.)

1. **Pacific cod TAC is reduced according to the table in C-3(a) supplemental to account for the apportionment to the state waters fishery in 2010 and 2011.**
2. **Rollover the 2009 TAC for 2010 and 2011 for:**
    - **Shallow water flatfish and flathead sole in the Central and Western GOA**
    - **Arrowtooth flounder for all areas**
    - **Other slope rockfish in the EYAK/SEO**
    - **GOA Atka mackerel**
    - **GOA other species**

Motion passed 10/0, with all voting in favor with a roll call vote. Mr. Fields was absent.

Mr. Benson moved and it was seconded to adopt the GOA halibut PSC apportionments annually and seasonally for 2010-2011, as indicated in the attached table (appendix 5). Motion passed without objection.

Mr. Benson moved and it was seconded to adopt the revised halibut discard mortality rates for 2010-2012, as provided in the action memo. Mr. Benson noted that this is done for a three year period, based on a 10 year rolling average. **Motion passed without objection.**

C-3 b BSAI Groundfish SAFE Report and 2010/2011 harvest specifications

ACTION REQUIRED

(b) Final action to approve the BSAI Stock Assessment and Fishery Evaluation (SAFE) report and final BSAI groundfish harvest specifications for 2010 and 2011:

1. Acceptable Biological Catch (ABC) and annual Total Allowable Catch (TAC)
2. Prohibited Species Catch Limits (PSCs) and seasonal apportionments of Pacific halibut, red king crab, Tanner crab, opilio crab, and herring to target fishery categories
3. Pacific halibut discard mortality rates for the 2010-2012 CDQ and non-CDQ fisheries

BACKGROUND

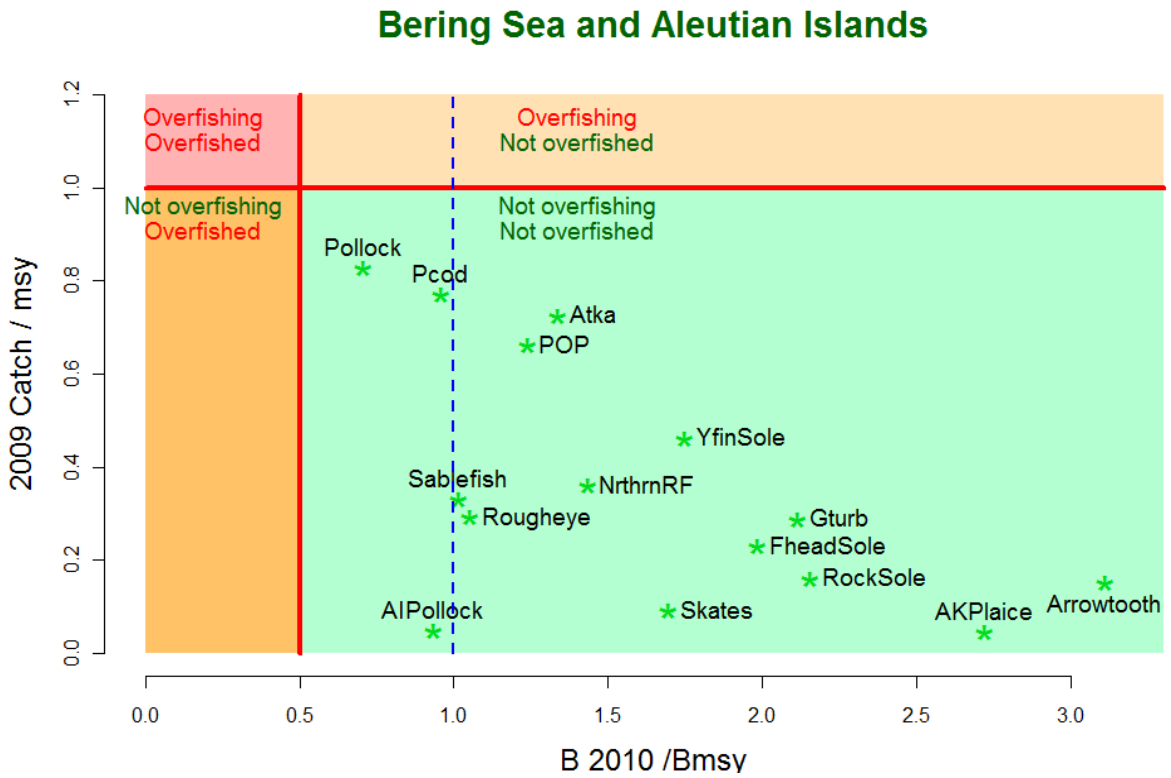
At this meeting, the Council will adopt final recommendations on groundfish and PSC specifications to manage the 2010 and 2011 Bering Sea/Aleutian Islands (BSAI) groundfish fisheries.

BSAI SAFE Report The BSAI Groundfish Plan Team met in Seattle on November 16-20, 2009, to prepare the BSAI Groundfish SAFE report. The SAFE report forms the basis for BSAI groundfish harvest specifications for the 2010 and 2011 fishing years. The introduction to the BSAI SAFE report was mailed to the Council and Advisory Panel on November 24, 2009. The full report was mailed to the SSC and is available through the Council website.

The Plan Team's recommendations for final specifications for 2010 and 2011 are attached as Item C-3(b)(1). In October, the Council adopted proposed specifications of OFL and ABC for 2010 and 2011 that were based on last year's stock assessments (Item C-3(b)(2)). In this SAFE report, the Plan Team has revised those projections due to the development of new models; collection of new catch, survey, age composition, or size composition data; or use of new methodology for recommending ABCs. November 2009 Plan Team minutes are attached as Item C-3(b)(3). The SSC and AP recommendations will be provided to the Council during the meeting.

ABCs, TACs, and Apportionments The Plan Team recommended ABCs for 2010 and 2011 are 2,120,000 t and 2,457,000 t, respectively. These are 89,000 t below and 248,000 t above the sum of the 2009 ABCs (2,209,000 t), indicating an anticipated rebound in stock status in 2011, after a slight drop in 2010. While the total groundfish ABC still exceeds the 2 million t optimal yield cap set by the Council as a conservation measure in setting TACs (and now required by statute), the sum of 2009 TACs totaled 1,680,000 t.

The current status of individual groundfish stocks managed under the FMP is summarized in this section. Plan Team recommendations for 2010 and 2011 ABCs and OFLs are summarized in Tables 1, 5, and 6. Overall, the status of the stocks continues to appear relatively favorable. Most stocks are above B_{MSY} (or the B_{MSY} proxy of $B_{35\%}$), although many stocks are declining due to poor recruitment in recent years. The abundances of AI pollock, sablefish, all rockfishes managed under Tier 3, all flatfishes managed under Tiers 1 or 3, and Atka mackerel are projected to be above B_{MSY} or the B_{MSY} proxy of $B_{35\%}$ in 2010. The abundance of EBS pollock is projected to be below B_{MSY} in 2010 and the abundance of Pacific cod is projected to be slightly below $B_{35\%}$ in 2010. No groundfish stocks are overfished or experiencing overfishing, as shown in lower right quadrant of the figure.



Summary status of age-structured BSAI species relative to 2009 catch levels (vertical axis) and projected 2010 spawning biomass relative to B_{msy} levels.

Total groundfish biomass for 2010 (15.9 million t) is the same as last year's estimate. Groundfish ABCs recently have trended down for gadoids, but generally up for flatfishes. The 2009 bottom trawl survey biomass estimate for pollock was 2.28 million t, down 25% from the 2008 estimate, and the lowest point in the 1982-2009 time series. The estimate from the EIT survey was 0.924 million t, down 7% from last year's survey, and the lowest point in the 1979-2009 time series. The 2006 year class is above-average, though not as strong as estimated previously. The 2010 pollock ABC recommendation of 813,000 t is about equal to the 2009 ABC (815,000 t); the 2011 ABC recommendation is 1,100,000 t, anticipating recruitment of the 2006 year class.

Following the highest observation in 1994, the Pacific cod bottom trawl survey biomass estimate declined steadily through 1998. While the estimates remained around 600,000 t from 2002 through 2005, the estimates dropped consistently from 2005 through 2008. The 2009 survey biomass estimate was 421,000 t, up 4% from 403,000 t in 2008. The numeric abundance estimate from the 2009 EBS shelf bottom trawl survey of 717 million fish was up about 50% from the 2008 estimate. The 2008 year class, which has been observed only once, appears to be extremely large, although this estimate is accompanied by a large confidence interval. The 2006 year class, which appeared exceptionally strong in the 2007 survey, still appears to be above average. However, the 2006 year class follows a string of five consecutive sub-par year classes spawned from 2001-2005. The Pacific cod ABC recommendation is down 4 percent in 2010 compared to 2009 and up 18 percent in 2011 compared to 2009.

Categories used for prohibited species catch

Trawl fisheries
1. Greenland turbot, arrowtooth flounder and sablefish
2. rock sole, flathead sole, and "other flatfish"
3. yellowfin sole
4. rockfish
5. Pacific cod
6. pollock, Atka mackerel and "other species"

Non-trawl fisheries
1. Pacific cod
2. other non-trawl (longline sablefish and rockfish, and jig gear)
3. groundfish pot (exempt in recent years)

Adopt prohibited species catch limits for Pacific halibut, crab, and herring

Beginning in 2008, the head and gut trawl catcher/processor sector, which targets flatfish, Pacific cod, Pacific ocean perch, and Atka mackerel, was allocated groundfish TACs and PSCs and allow members of the "Amendment 80" sector that joined a cooperative. Regulations require that crab and halibut trawl PSC be apportioned between the BSAI trawl limited access and Amendment 80 sectors after subtraction of prohibited species quota (PSQ) reserves, as presented in Table 7a for proposed 2010 and 2011 PSCs under Item C-3(b)(4). Crab and halibut trawl PSC assigned to the Amendment 80 sector is then sub-allocated to Amendment 80 cooperatives as PSC cooperative quota (CQ) and to the Amendment 80 limited access fishery as presented in Tables 7d and 7e, respectively. PSC CQ assigned to Amendment 80 cooperative is not allocated to specific fishery categories. Regulations require the apportionment of each trawl PSC limit not assigned to the Amendment 80 cooperative be assigned into PSC bycatch allowances for seven specified fishery categories. The Council may revise the proposed 2010 and 2011 fishery category allocations for the BSAI trawl limited access and the Amendment 80 limited access sectors as shown in Tables 7b, 7c, and 7e. Specifications for PSCs as shown in Tables 7a and 7d are fixed.

***Halibut Trawl Fisheries*: The halibut PSC limit can be apportioned to the trawl fishery categories as shown in the box at right. While an overall PSC limit of 3,675 t has been established for trawl gear, Amendment 80 effectively will reduce the PSC limit by 150 mt between 2008 (2,525 t) and 2012 (3,250 t). The PSC apportionments for 2010 and 2011 are shown below. Additional reductions of 5 percent would occur if PSC amounts are transferred from the trawl limited access sector to the Amendment 80 trawl sector.**

Schedule for Halibut Trawl PSC Limits for 2010-2011

2010	**3,626**	**Total Trawl Halibut Apportionment**
	2,425	Amendment 80
	875	Trawl Limited Access
	326	50 t added to CDQ Allocation
2011	**3,576**	**Total Trawl Halibut Apportionment**
	2,375	Amendment 80
	875	Trawl Limited Access
	326	CDQ Allocation

***Halibut Fixed Gear Fisheries*: A 900 t non-trawl gear halibut mortality limit can be apportioned to the fishery categories listed in the adjacent box. Beginning in 2008, Amendment 85 divided the halibut PSC limit for the hook-and-line Pacific cod fishery between the hook-and-line CP and CV sectors (CVs ≥60 ft (18.3 m) LOA and CVs <60 ft (18.3 m) LOA combined). The Council can provide varying amounts of halibut PSC by season to each sector, tailoring PSC limits to suit the needs and timing of each sector (see Table 7c).**

***Crab*: Prescribed bottom trawl fisheries in specific areas are closed when PSC limits of Tanner crab *C. bairdi*, snow crab *C. opilio*, and red king crab are reached. A stair step procedure for determining PSC limits for red king crab taken in Zone 1 trawl fisheries is based on the abundance of mature Bristol Bay red king crab. Based on the 2009 estimate of effective spawning biomass of 70.4 million pounds, the PSC limit for 2010 is 197,000 red king crabs. Up to 25% of the red king crab PSC limit can be used in the 56° - 56°10'N strip of the Red King Crab Savings Area. The red king crab cap has generally been allocated among the pollock/mackerel/other species, Pacific cod, rock sole, and yellowfin sole fisheries.**

PSC limits for red king crab and *C. bairdi* Tanner crab

Species	Zone	Crab Abundance	PSC Limit
Red King Crab	Zone 1	≤ 8.4 million mature crab threshold or 14.5 million lb effective spawning biomass (ESB)	32,000
		> threshold, but < 55 million lb ESB	97,000
		≥ 55 million lb ESB	197,000
Tanner Crab	Zone 1	0-150 million crab	0.5% total abundance - 20,000
		150-270 million crab	730,000
		270-400 million crab	830,000
		> 400 million crab	980,000
Tanner Crab	Zone 2	0-175 million crab	.2% total abundance - 30,000
		175-290 million crab	2,070,000
		290-400 million crab	2,520,000
		> 400 million crab	2,970,000

PSC limits for *C. bairdi* in Zones 1 and 2 are based on a percentage of the total abundance minus an additional reduction implemented in 1999 of *C. bairdi* crab as indicated by the NMFS trawl survey. Based on the 2009 abundance (346 million crab), the PSC limit in 2010 for *C. bairdi* will be 830,000 *C. bairdi* crab in Zone 1 and 2,520,000 crab in Zone 2. *The C. bairdi limits are reduced in 2010 for the first time since 2001* because the stock is approaching an overfished condition (see Agenda C-6(c)).

Snow crab (*C. opilio*) PSC limits are based on total abundance of *opilio* crab as indicated by the NMFS standard trawl survey. The cap is set at 0.1133% of the total snow crab survey abundance index, with a minimum cap of 4.5 million snow crab and a maximum cap of 13 million snow crab; the cap is further reduced by 150,000 crab. The 2009 survey estimate of 3,059,200,000 crabs result in a 2009 *opilio* crab PSC limit of 3,466,074 crabs, if left unadjusted. However, the crab FMP mandates a minimum of 4,350,000 snow crab. Snow crab taken within the "*C. opilio* Bycatch Limitation Zone" accrues toward the PSC limits established for the trawl sectors.

***Herring*: In 1991, an overall herring PSC bycatch cap of 1 percent of the EBS biomass of herring was implemented. This cap is apportioned to the seven PSC fishery categories. Annual herring assessments indicate there will be very little change in the Bering Sea herring PSC limit for 2009. The herring biomass estimate for spring 2008 for the eastern Bering Sea was estimated to be 169,675 t. The corresponding herring PSC limit for 2009 at 1% of this amount is 1,697 t. The 2009 herring biomass estimate will be provided at the meeting; staff will report the resultant herring PSC limit for 2010.**

Factors to be considered for seasonal apportionments of bycatch allowances.

1. Seasonal distribution of prohibited species;
2. Seasonal distribution of target groundfish species relative to prohibited species distribution;
3. Expected prohibited species bycatch needs on a seasonal basis relevant to change in prohibited species biomass and expected catches of target groundfish species;
4. Expected variations in bycatch rates throughout the fishing year;
5. Expected changes in directed groundfish fishing seasons;
6. Expected start of fishing efforts; and
7. Economic effects of establishing seasonal prohibited species apportionments on segments of the target groundfish industry.

<u>Seasonal apportionment of bycatch limits</u> The Council may also seasonally apportion the bycatch allowances. Regulations require that seasonal apportionments of bycatch allowances be based on information listed in the adjacent box.

<u>Halibut discard mortality rates</u> International Pacific Halibut Commission (IPHC) staff recommendations for halibut bycatch mortality rates for the 2010-2012 CDQ and non-CDQ fisheries are provided for Council action. The BSAI and GOA Plan Teams accepted the IPHC recommendations. Rates for CDQ fisheries also would be set on a 3-year cycle now that sufficient data is available to use the same methodology as that for non-CDQ fisheries.

Recommended Pacific halibut discard mortality rates for 2010-12 CDQ and non-CDQ groundfish fisheries.

1. Non-CDQ

Bering Sea/Aleutians		
Gear/Target	Used in 2007-2009	2010-2012 Recommendation
Trawl		
Atka mack	76	76
Bottom poll	74	73
Pacific cod	70	71
Other Flats	74	72
Rockfish	76	81
Flathead sole	70	74
Midwtr poll	88	89
Rock sole	80	82
Sablefish	75	75
Turbot	70	67
Arr. fldr	75	76
YF sole	80	81
Pot		
Pacific cod	7	8
Longline		
Pacific cod	11	10
Rockfish	17	9
Turbot	13	11

II. Bering Sea/Aleutian Isl. CDQ

Gear/Target	Used in 2009	2010-2012 Recommendation
Trawl		
Atka mackerel	85	85
Bottom pollock	85	85
Pacific cod	--	90
Rockfish	82	84
Flathead sole	84	84
Midwtr pollock	90	90
Rock sole	88	87
Turbot	--	88
Yellowfin sole	84	85
Pot		
Sablefish	34	32
Longline		
Pacific cod	10	10
Turbot	4	4

COUNCIL DISCUSSION/ACTION

[NOTE: David Bedford participated in this discussion for Denby Lloyd.]

The Council received a report from Jane DiCosimo (NPFMC staff) on Plan Team recommendations, a

review of the status of the BSAI groundfish stocks from Dr. Loh-lee Low (AFSC staff), recommendations of the SSC and Advisory Panel, and oral public comments.

Bill Tweit moved and was seconded to approve the 2009 BSAI SAFE report. Motion passed without objection.

Mr. Tweit moved and was seconded to adopt final BSAI ABCs, OFLs and TACs for 2009/10 as found in the Advisory Panel minutes with the following typographical change: 1,100,000 changes to 1,110,000. Motion passed with a roll call vote 11/0. (Final numbers are included as APPENDIX 6.)

Mr. Tweit moved and was seconded, to adopt the 2010 PSC apportionments as PSC limits and seasonal apportionments for Pacific halibut, red king crab, Tanner crab, opilio and herring, to the target fishery categories as found in tables 7a, 7b, 7c, 7d, and 7e in the AP Minutes. There was discussion regarding release date, and the **motion passed in a roll call vote 11/0.**

Mr. Henderschedt moved, which was seconded, for BSAI Trawl limited access rockfish, allocation be made available to the fishery on April 15 2010 and 2011. Motion passed without objection

Amended main motion passed without objection.

Mr. Tweit moved, and it was seconded, to adopt the numbers in the table for Pacific halibut discard mortality rates for the 2010 CDQ fisheries, Recommended Pacific halibut discard mortality rates for 2011 CDQ groundfish fisheries," Motion passed without objection.

It was noted that "definition of a bottom trawler" be brought up during Staff Tasking.

C-4 (a) Bering Sea Salmon Bycatch Data Collection.

ACTION REQUIRED

(a) Final action on salmon bycatch data collection

BACKGROUND

At its June 2009 meeting, the Council initiated an analysis of alternatives to collect data to be used to evaluate the effectiveness of the Amendment 91 bycatch management measures. At that time, the Council indicated that the primary purpose of such a data collection program would be to evaluate the information provided in the Incentive Plan Agreement (IPA) reports. In addition, the data could be used to assess the effectiveness of the bycatch management measures, including the IPAs, the hard cap, and the performance standard, and to assess the effects of those measures on where, when, and how pollock fishing and salmon bycatch occur. On receiving an initial review of the analysis at its October meeting, the Council adopted a purpose and need statement, revised the alternatives, and requested staff to return with the analysis of this item for action at this meeting. The analysis examines the effects of each alternative, including its potential to meet these purposes.

Mark Fina gave the staff report, the AP report was given and public comment was heard. The SSC had given its report earlier in the meeting.

John Henderschedt moved and it was seconded by Denby Lloyd to adopt the purpose and need statement, and elements of Alternatives 2 and 3 as the preferred alternative, as specified in the following motion.

Purpose and Need Statement

In April 2009 the Council approved Amendment 91 to the BSAI groundfish fishery FMP to reduce Chinook salmon bycatch in the Bering Sea pollock fleet. Under Amendment 91, the pollock fishery has the option of participating in a NMFS-approved Incentive Plan Agreement (IPA) to access a higher hard cap than is available in the absence of an IPA. The IPAs provide a new and innovative method of bycatch management. A data collection program is needed in conjunction with Amendment 91 to understand the effects and impact of the IPAs. The data collection program will focus on: (1) evaluating the effectiveness of the IPA incentives in times of high and low levels of salmon bycatch abundance, the hard cap, and the performance standard in terms of reducing salmon bycatch, and (2) evaluating how the Council's action affects where, when, and how pollock fishing and salmon bycatch occur. The data collection program will also provide data for the agency to study and verify conclusions drawn by industry in the IPA annual reports. To ensure that a full assessment of the program is possible, the data collection program should be implemented at the time Amendment 91 is implemented or as soon as practicable.

To ensure that a full assessment of the program is possible from the start of the program, the data collection program should be separated into two phases, with a suite of data collection measures implemented at the time Amendment 91 goes into effect and sent to the Comprehensive Economic Data Collection Committee after IPAs have been fully developed and submitted to NMFS. The objective of this collection is to provide an improvement in the amount of data available to evaluate the effectiveness of incentives to minimize Chinook salmon bycatch under Amendment 91.

Alternatives
~~The Council has adopted the following alternatives for analysis and consideration:~~

~~Alternative 1~~
~~Status quo (existing data sources)~~

~~Alternative 2A~~
~~In addition to the status quo data sources:~~

~~(1) Transaction data for salmon – quantity and price of transfers (survey will be used to determine whether these are arm's length transactions). As defined by:~~
~~Option 1 – Transfer Ledger: All entities holding Chinook bycatch credits will track all transfers from the beginning of each year in an official ledger that would be submitted to NMFS at the end of the year.~~

~~Option 2 – Compensated Transfer Form: Require that IPAs and AFA Cooperatives summarize initial holdings of Chinook by vessels or other entities, and that they summarize all transfers regardless of whether the transfers were "compensated" transfers. For all "compensated" transfers, each party (transferor and recipient) must complete and submit to NMFS a Compensated Transfer Form. A transfer is "compensated" if there is an exchange of dollars (or any currency) for bycatch credits from one party to another.~~

~~(2) Information regarding change in fishing grounds:~~
~~Defined by the collection of estimated gallons of fuel burned in moving to the next fishing location when moving to avoid salmon bycatch~~
~~[To be used with existing information allowing examination of:~~
~~a. For both the original and new fishing grounds, the date, time, bycatch rate, location, and CPUE of tow.~~
~~b. Pollock quota remaining for harvest and salmon allowance remaining at time of event.~~
~~c. Time, distance, and use of fuel in searching for cleaner fishing grounds.]~~

Alternative 2B
In addition to the status quo data sources:

(1) Transaction data for salmon and pollock – quantity and price of salmon transfers (survey will be used to determine whether these are arm's length transactions) and quantity of pollock transfers. Require that IPAs and AFA Cooperatives summarize the assignment of Chinook and pollock to each participating vessel at the start of each fishing season, and that they summarize all in-season transfers of Chinook and pollock regardless of whether the transfers were "compensated" transfers.

For all "compensated" salmon transfers, each party (transferor and recipient) must complete and submit to NMFS a Compensated Transfer Form. A transfer is "compensated" if there is an exchange of dollars (or any currency) for bycatch credits from one party to another.

For all compensated transfers, the transfer form will indicate the amount of any monetary compensation for Chinook salmon and whether any other assets were included in the transaction (e.g., pollock quota or non-monetary compensation).

~~**By expanding Options 1 and 2 from Alternative 2A to include pollock quota.**~~

~~(2)~~ Information regarding change in fishing grounds ~~(as defined under Alternative 2B)~~ defined ~~by~~ via identification of any tow prior to a move that is due primarily to salmon bycatch avoidance (implemented through a logbook check box).
~~**the collection of estimated gallons of fuel burned in moving to the next fishing location when moving to avoid salmon bycatch**~~
~~**[To be used with existing information allowing examination of:**~~
~~**d. For both the original and new fishing grounds, the date, time, bycatch rate, location, and CPUE of tow.**~~
~~**e. Pollock quota remaining for harvest and salmon allowance remaining at time of event.**~~
~~**f. Time, distance, and use of fuel in searching for cleaner fishing grounds.]**~~

~~**Alternative 3**~~
~~**In addition to the status quo data sources:**~~

~~**(1) Transaction data for salmon and pollock - quantity and price of transfers (survey will be used to determine whether these are arm's length transactions). (as defined under Alternative 2)**~~

(2) (3) NMFS will administer annual reporting to collect:
Average annual hourly fuel burned fishing and transiting and annual fuel purchases in cost and gallons for each to be used to estimate costs of moving vessels to avoid salmon bycatch (vessel fuel use, transit time, and lost fishing time).

(3) Post-season surveys of each skippers for each vessel to determine rationale for decision making during the pollock season (fishing location choices and salmon bycatch reduction measures).

The regulations will be developed to provide some flexibility in the information collected on survey forms to respond to data quality and evolving IPA formation and design. The Council will review draft regulations and the initial form structure and any subsequent changes to the form prior to submission to either the Secretary of Commerce or OMB for implementation.

There was brief discussion regarding differences from AP motion and the collection of information of non-monetary compensation. Mr. Lloyd noted the collaboration necessary to craft the motion from the AP was significant. Mr. Tweit is also supportive of the motion, and the work included in the motion avoids duplication of management effort, and notes the responsiveness of the Council to National Standard 9. **The motion passed unanimously 11/0 with a roll call vote.**

Denby Lloyd moved to postpone consideration of C6a (Refine alternatives to amend the BSAI crab program) until the 5 year review of the same program is on the agenda, possibly October 2010. Fields seconded. Motion passed without objection.

C-4 (b) Bering Sea Salmon Bycatch

ACTION REQUIRED

(b) Discussion paper on Bering Sea chum bycatch; Salmon Bycatch Workgroup committee report; review and revise alternatives for analysis

BACKGROUND

In October 2009 Council reviewed a discussion paper outlining background data and information on chum (non-Chinook) salmon bycatch in the EBS pollock fishery and the draft suite of alternatives for analysis of bycatch management measures for chum salmon in this fishery. The Council previously (June 2009) received a scoping report from NMFS on comments received during the public scoping period for the forthcoming analysis of chum salmon bycatch measures.

The Council revised its current suite of alternatives and requested that staff extensively expand upon the discussion paper to update all data as available as well as include calculations of relative cap levels and sector-specific bycatch as noted and discuss implications of the revised suite of alternatives, particularly as it relates to the Council's final action on Chinook bycatch management. This revised discussion paper (including the Council's October 2009 motion) is attached as Item C-4(b)(1). At the Council's request, the Salmon Bycatch Workgroup convened a meeting on October 29th to review and discuss the paper and the current suite of alternatives. The workgroup report is attached as Item C-4(b)(2). Information that was presented at the workgroup meeting regarding chum stock status and status of genetic work on determining stock of origin are attached as Item C-4(b)(3) and Item C-4(b)(4) respectively. Additional information on Area M catch and stock status per committee request is attached as Item C-4(b)(5).

At this meeting the Council will review the discussion paper, the committee report, receive a presentation from ADF&G staff on chum stock status, review and refine alternatives for analysis and establish a timeline for the analysis. Information related to scheduling for this analysis as well as proposed timelines depending upon Council discussion is contained in Item C-4(b)(6). Further information on the schedule for chum salmon genetic information is contained in the NMFS letter to Chairman Olsen under B-2 in your notebooks.

The Council had staff presentations from Diana Stram (NPFMC). Dani Evenson (ADF&G) also gave a presentation on the Chum Salmon Stock status in Western Alaska in the different drainages. Nicole Kimball (NPFMC) gave a report outlining outreach plans and recommendations from the Rural Community Outreach Committee.

COUNCIL DISCUSSION/ACTION

Mr. Lloyd moved the following written motion, which was seconded by Mr. Cotten.

Alternative 1 – Status Quo
Alternative 1 retains the current program of the Chum Salmon Savings Area (SSA) closures triggered by separate non-CDQ and CDQ caps with the fleet's exemption to these closures per regulations for Amendment 84 and as modified by the Amendment 91 Chinook bycatch action.

Alternative 2 – Hard Cap

Component 1: Hard Cap Formulation (with CDQ allocation of 10.7%)

- **a) ~~58,000~~ 50,000**
- **b) ~~206,000~~ 75,000**
- **c) ~~353,000~~ 125,000**
- **d) ~~488,000~~ 200,000**
- **e) 300,000**

Component 2: Sector Allocation

Use blend of CDQ/CDQ partner bycatch numbers for historical average calculations.

- **a) No sector allocation**
- **b) Allocations to Inshore, Catcher Processor, Mothership, and CDQ**
  - **1) Pro-rata to pollock AFA pollock sector allocation**
  - **2) Historical average**
    - **i. ~~2004-2006~~ 2007-2009 *[SBW]***
    - **ii. ~~2002-2006~~ 2005-2009 *[SBW]***
    - **iii. ~~1997-2006~~ 2000-2009 *[SBW]***
  - **3) Allocation based on 75% pro-rata and 25% historical**
  - **4) Allocation based on 50% pro-rata and 50% historical**
  - **5) Allocation based on 25% pro-rata and 75% historical**
- **c) Allocate 10.7% to CDQ, remainder divided among other sectors *[SBW]***

Component 3: Sector Transfer

- **a) No transfers or rollovers**
- **b) Allow NMFS-approved transfers between sectors**

  Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:
  - **1) 50%**
  - **2) 70%**
  - **3) 90%**
- **c) Allow NMFS to roll-over unused bycatch allocation to sectors that are still fishing**

Component 4: Cooperative Provision

- **a) Allow allocation at the co-op level for the inshore sector, and apply transfer rules (Component 3) at the co-op level for the inshore sector.**

  Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:
  - **1) 50%**
  - **2) 70%**
  - **3) 90%**
- **b) Allow NMFS to rollover unused bycatch allocation to inshore cooperatives that are still fishing.** ***[SBW and AP]***

Alternative 3 – Trigger Closure

Component 1: Trigger Cap Formulation

Cap level

- **a) ~~45,000~~ 25,000**
- **b) ~~58,000~~ 50,000**
- **c) ~~206,000~~ 75,000**
- **d) ~~353,000~~ 125,000**
- **e) ~~488,000~~ 200,000**

Application of Trigger Caps

- **a) Apply trigger to all chum bycatch**
- **~~b) Apply trigger to all chum bycatch in the CVOA~~**
- **~~c)~~ b) Apply trigger to all chum bycatch between specific dates**

Component 2: Sector allocation

Use blend of CDQ/CDQ partner bycatch numbers for historical average calculations.

a) No sector allocation

b) Allocations to Inshore, Catcher Processor, Mothership, and CDQ

1) Pro-rata to pollock AFA pollock sector allocation

2) Historical average

i. ~~2004-2006~~ 2007-2009 [SBW]

ii. ~~2002-2006~~ 2005-2009 [SBW]

iii. ~~1997-2006~~ 2000-2009 [SBW]

3) Allocation based on 75% pro-rata and 25% historical

4) Allocation based on 50% pro-rata and 50% historical

5) Allocation based on 25% pro-rata and 75% historical

c) Allocate 10.7% to CDQ, remainder divided among other sectors ***[SBW]***

Component 3: Sector Transfer

a) No transfers or rollovers

b) Allow NMFS-approved transfers between sectors

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

1) 50%

2) 70%

3) 90%

c) Allow NMFS to roll-over unused bycatch allocation to sectors that are still fishing

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

1) 50%

2) 70%

3) 90%

Components 4: Cooperative Provisions

a) Allow allocation at the co-op level for the inshore sector, and apply transfer rules (Component 3) at the co-op level for the inshore sector.

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

1) 50%

2) 70%

3) 90%

b) Allow NMFS to roll-over unused bycatch allocation to cooperatives that are still fishing ***[SBW and AP]***

Component 5: Area Option

a) Area identified in October, 2008 discussion paper (B-season chum bycatch rate-based closure described on pages 14-15 of December 2009 discussion paper)

~~b) Existing Chum Salmon Savings Area (differs from status quo with application of other components)~~

b) New areas [to be identified by staff] which are small, discrete closure areas, each with its own separate cap whereby bycatch in that area only accrues towards the cap ***[SBW and AP]***

Component 6: Timing Option – Dates of Area Closure

~~a)~~ **~~Existing closure dates (August 1 – August 31 and September 1 through October 14 if trigger is reached.)~~** ***[SBW and AP]***

~~b)~~ New closure dates [to be developed from staff analysis of seasonal proportions of pollock and chum salmon by period across additional ranges of years]

Component 7: Rolling Hot Spot (RHS) Exemption – Similar to status quo, participants in a vessel-level (platform level for Mothership fleet) RHS would be exempt from regulatory triggered closure(s).

a) Sub-option: RHS regulations would contain an ICA provision that the regulatory trigger closure (as adopted in Component 5) apply to participants that do not maintain a certain level of rate-based chum salmon bycatch performance.

Mr. Lloyd spoke to his motion, using the Council's June 2009 motion, noting changes in the following: Hard Caps – rounding the numbers for formulation; Sector Allocation – using recommended years from the salmon bycatch workgroup using more recent years; Cooperative Provisions – allow rollovers of unused bycatch allocations to inshore cooperatives; Trigger Caps – rounding the cap level numbers and deleting the provision to apply trigger caps to all chum bycatch in CVOA; Sector Allocations – use blend of CDQ and CDQ partner bycatch numbers for historical average calculations with recommendations from the salmon bycatch workgroup; Area Option – deleting the existing chum salving savings area and adding new areas identified by staff; and Timing Option – deleting existing closure dates and adding new closure dates.

John Henderschedt moved under Alt. 2: Hard cap add *option f) 450,000*. It was seconded by Mr. Mecum. Mr. Henderschedt noted that it would be premature to take a higher number out of the analysis before analysis is completed. **Motion failed 6/5 with Tweit, Benson, Henderschedt, Hyder, and Mecum voting in favor.**

Dave Benson moved under Alt. 2: Hard cap add *option f) 353,000*. It was seconded by Mr. Mecum. Mr. Benson noted it was an original number, and a midpoint between the highest and lowest bycatch numbers. **Motion passed 7/4 with Cotten, Fields, Lloyd, and Olson voting against.**

Mr. Henderschedt moved the following under Alternative 3, Component 1: Application of trigger cap *c) apply trigger to all chum bycatch in a specific area*. Mr. Henderschedt noted that it would be a place holder until specific areas can be identified. **Motion passed without objection.**

Mr. Tweit moved and was seconded the following under Alternative 2: component 2: and Alternative 3: component 2: Sector Allocations. Add an *option using the years 1997 – 2009.* Motion passed without objection.

There was lengthy discussion regarding "all known sources of mortality," and if/how this information would be used in the analysis. It was noted that there was interest in including Area M chum harvests and removals and that it would be addressed under cumulative effects.

Mr. Henderschedt noted that the Council would like to address industry work with staff as time allows to include development of IPAs for Chinook in the analysis of status quo.

Motion passed without objection.

C-4 (c) Outreach Plan, Community Outreach Committee Report

Nicole Kimball (NPFMC) had already given the staff report, and took general questions from the Council.

Mr. Lloyd noted that the second schedule proposed has a more achievable timeline, and should the meetings not follow the timeline due to travel, staff time, etc, it would have little or no effect on final action. **Mr. Fields moved and was seconded by Mr. Lloyd to approve the Rural Community Outreach Committee's general outline regarding community outreach activities relative to the Bering Sea Chum Salmon bycatch issue. Additionally, approve the Committee's recommendation**

for a RCOC meeting in February to fully refine the Council's chum salmon bycatch outreach plan, and to continue developing recommendations and community outreach initiatives. Motion passed without objection.

There was brief discussion regarding genetic stock sampling.

C-5 Initial review of Amendment 80 cooperative formation

ACTION REQUIRED

Initial review of Amendment 80 cooperative formation

BACKGROUND

In October 2009, the Council added a new alternative to Amendment 93 that would require a cooperative to accept any person otherwise eligible to participate in a cooperative subject to the same terms and conditions that apply to all other members of the cooperative.

The following are the alternatives addressed in the analysis:

- **Alternative 1: (Status quo) – A minimum of three unique quota share holders holding at least nine quota share permits are required to form a cooperative.**
- **Alternative 2: Reduce the number of unique quota share holders required to form a cooperative from three to two or one unique quota share holder.**
- **Alternative 3: Reduce the number of quota share permits required to form a cooperative from the existing 9 permits to some lower range. (e.g., three permits to the existing 9 permits)**
- **Alternative 4: Reduce both the number of unique quota share holders and the number of quota share permits required to form a cooperative (combination of Alternatives 2 and 3).**
- **Alternative 5: Allow a cooperative to form with a minimum of three unique QS holders holding at least nine QS permits (status quo), or a single or collective group of entities that represent 20%, 25%, or 30% of the sector quota share.**
- **Alternative 6: Require that a cooperative accept all members of a cooperative who are otherwise eligible to join a cooperative subject to the same terms and conditions as all other members.**
- **GRS Suboption (Applicable to all Alternatives): The GRS shall be applied in aggregate to all cooperatives if this calculation meets or exceeds the GRS requirement.**

Glenn Merrill (NMFS) gave the staff report on this issue, the AP gave their report, and public comment was heard.

COUNCIL DISCUSSION/ACTION

Mr. Mecum moved, and it was seconded by Mr. Fields, to:

- **Modify the purpose and need statement with the modifications proposed by staff to incorporate Alternative 6**
- **Add a new suboption 5 under Alternative 4 to require a minimum of 2QS holders and 7 QS permits to allow a cooperative to form**
- **Add a new suboption after the GRS suboption that may be applied under all alternatives to require that a QS holder must assign all QS permits to either one or more cooperatives or the limited access fishery.**

There was brief discussion regarding the analysis which should include a discussion on joint and severable liability, as well as GRS and "averaging" across boats. Additionally, it was noted that there should be an expanded discussion regarding the relaxation of the cooperative formation standard and whether meeting the minimum GRS standards could be a condition of joining a coop. It was generally agreed that the analysis would be brought back for final action in February 2010.

Motion passed without objection.

Mr. Bedford moved to postpone D-1 (d) AI Processing Sideboards be postponed to the 5 year crab program review. Motion passed unanimously.

C-6 (b) Emergency Rule Exemption from Landing Requirements in the Western AI GKC fishery

ACTION REQUIRED

(b) Consider an emergency rule to exempt West region landing requirement for the Western Aleutian Islands golden king crab fishery and development of amendment package defining terms of exemption from West region landing requirements for the Western Aleutian Islands golden king crab fishery.

BACKGROUND

Since the second year of fishing under the Bering Sea and Aleutian Island crab rationalization program, participants in the Western Aleutian Island golden king crab fishery have expressed concern that the West region landing requirement may be unworkable in that fishery. The program requires that 50 percent of the catcher vessel Class A IFQ be landed in the area west of 174º West longitude. Under the program to date, shore-based crab processing in this region has occurred only in the community of Adak. In the first four years of the program, deliveries to the Adak plant were complicated as the operator of that plant holds few of the processor quota shares in the fishery. Despite this mismatch, holders of processor shares have largely relied on the plant in Adak for West region processing. Until this year, this reliance on a single plant may have contributed to leaving a portion of the TAC unharvested, as a limit on use of processor shares prevented the entire West region allocation being processed at a single plant. To overcome this obstacle, the Council adopted an amendment to the program exempting custom processing in the West region from the use processor share caps, which NOAA Fisheries implemented this year. Although this regulation would resolve any issue concerning the ability of the Adak plant to process all West region landings from the fishery, in August of this year, the operator of that plant filed for bankruptcy. This filing prompted participants in the fishery to assert that an exemption from the regional landing requirement should be available to address a shortage of processing capacity in the West region. To fully realize the exemption, those participants have made the following two requests:

(1) NOAA Fisheries use an emergency rule to exempt the holders of West region designated IFQ and IPQ from that regional landing requirement for the 2009-2010 crab fishing season. They request that the exemption apply throughout the year, regardless of whether the Adak plant reopens, suggesting that it is in the interest of all parties to make deliveries and process all landings in Adak, should the plant be available. In addition, the parties assert that they have reached an agreement with the community of Adak to compensate the community for the loss of tax revenues should the landings be redirected to another location.

(2) The Council advance for analysis an amendment to the crab program that would provide an exemption from the West region landing requirement, in the event that qualifying

interested parties agree that no processing capacity is available to support those landings.

In response, the Council requested staff to prepare a discussion paper for this meeting to provide information that the Council could use to determine whether to recommend that NOAA Fisheries undertake emergency rulemaking establishing an exemption from the West region landing requirement for the current 2009-2010 crab fishing season and develop alternatives for an amendment that would allow for exemptions from the landing requirement in future years based on the agreement of qualified parties that no shoreside processor is available in the region.

Mark Fina (NPFMC) gave the staff report, the report from the AP was heard, and public comment was taken.

DISCUSSION/ACTION (Transcription of parts of this agenda item are included in Appendix 9)

Denby Lloyd moved the AP motion for the WAG Emergency Rule: Request NOAA Fisheries to promulgate an emergency regulation under section 305c of the Magnuson Stevens Act to suspend the regional delivery requirement in the Western AI Golden King Crab (WAG) fishery for the remainder of the 2009-2010 crab fishing year.

Mr. Lloyd moved and it was seconded to use the Alternatives and Options for the Emergency Relief Proposal for the WAG Landing Requirement as proposed by the AP. NOAA GC suggests building a record: Mecum note timeline may not follow a schedule. **Roll call vote passes 10/1 with Mr. Mecum voting against.**

Mr. Henderschedt moved to amend which was seconded by Mr. Lloyd to add an Alternative 3: to remove the Western designation of IFQ or IPQ for WAI GKC fishery. Motion passed 9/2 with Mr. Fields and Mr. Cotten voting against.

Mr. Tweit moved and it was seconded by Mr. Mecum to add 2 options under definition, with the first option being made up as stated, and the second option to include only QS Holders, PQS Holders, and Municipalities, only. He noted it would give the Council an ability to see what, if any, effects the shoreside processors have. **Motion passed unanimously.**

Mr. Mecum noted that it may be difficult to enforce these regulations, but staff would note that in the analysis.

Amended main motion passed unanimously.

C-6 (c) BSAI snow and Tanner crab rebuilding plans

ACTION REQUIRED

(c) Review alternatives for BSAI snow and Tanner crab rebuilding plans

BACKGROUND

Rebuilding plans for EBS snow crab and Pribilof Islands blue king crab are to be revised for implementation by the 2011/12 fishing year. A new rebuilding plan to EBS Tanner crab will be developed for implementation by the 2011/12 fishing year. At the October 2009 meeting, the Council reviewed and approved alternatives for the Pribilof Islands blue king crab rebuilding plan

but requested further review of alternatives for snow crab and Tanner crab rebuilding plans as they are developed. A draft range of alternatives for snow crab and Tanner crab are attached as Items C-6(c)(1) and Item C-6(c)(2) respectively.

As noted in the description of alternatives, the maximum time frame for rebuilding for the snow crab stock (noted as T_{end} for reasons specified in the document) is less than 10 years due to the fact that this represents a revised rebuilding plan (after failing to achieve rebuilding during the original rebuilding time frame). Alternatives for both rebuilding plans are established in terms of years necessary to rebuild, with appropriate management measures to be determined for achieving rebuilding under the selected time frame. Additional information is provided, per SSC request in October, on the estimated number of years for the end of the rebuilding time frame for snow crab. Additional information on progress towards development of a Tanner crab model for estimating rebuilding probabilities will be provided at the meeting. The SSC further requested a review of the snow crab projection model methodology. This description is attached at Item C-6(c)(3).

As noted for several meetings, compliance with new annual catch limit (ACL) and accountability measure (AM) requirements for ending overfishing of federal fisheries under the revised guidelines for National Standard 1 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) for the BSAI Crab FMPs will require substantive changes, primarily in order to incorporate an ABC control rule into the annual specifications process for both FMPs. The Crab Plan Team and SSC recommended an approach for the formulation of uncertainty-based buffer approaches to ABC control rules for BSAI crab stocks. Further information is provided here for SSC review and comment on the approach being applied in estimating uncertainty-based buffers for crab stocks. A description of the proposed methodological approach and preliminary results for crab stocks in comparison with groundfish stocks is provided as Item C-6(c)(4).

To facilitate the concurrent timeframe for meeting both the rebuilding plan amendment statutory requirements as well as those for ACL requirements, two analyses are planned to comprehensively evaluate these proposed amendments. The ACL analysis for all 10 crab stocks will be analyzed in conjunction with the rebuilding plans for snow crab and Tanner crab, while a separate analysis will evaluate the alternative rebuilding measures for the Pribilof Islands blue king crab stock. Draft outlines for these two analyses are attached as Item C-6(c)(5). A preliminary review of both analyses is scheduled for the April Council meeting following review by the Crab Plan Team at a special March 2010 CPT meeting. Initial review of these analyses is scheduled for June 2010.

Diana Stram (NPFMC) gave a staff report on Snow and Tanner crab alternatives for rebuilding plans; the AP report was heard, the SSC had given their comments earlier in the meeting, and public comment was heard.

DISCUSSION/ACTION

Mr. Lloyd noted, and it was generally agreed that the Council should endorse the SSC's action regarding the agenda item, and Mr. Henderschedt noted that the AP's recommendation should be included. There was discussion on overfishing levels and annual catch limits. Mr. Lloyd noted that he would like to set a marker for a discussion on ACLs and OFLs at a later date and a presentation to the State of Alaska Board of Fisheries on these issues. It was also noted that the Council expressed its prioritization of work related to snow crab analyses as endorsed in the SSC minutes.

D-1 (a) ACL Requirements

ACTION REQUIRED

Review Progress on ACL Requirements

BACKGROUND

In June 2009 the Council tasked staff to begin analyses necessary to bring the Bering Sea/Aleutian Islands and Gulf of Alaska groundfish FMPs into compliance with new annual catch limit (ACL) and accountability measure (AM) requirements for ending overfishing of federal fisheries under the revised guidelines for National Standard 1 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). The Council's interim action plan for the ACL amendments was adopted in June (Item D-1(a)(1)), pending scientific recommendations on which groundfish species may be candidates for a new, voluntary FMP category for ecosystem components. The main action proposed under the FMP amendment is to define which species: 1) are "in the fishery," 2) may be included in this new "EC" category (e.g., forage fish), and/or 3) may be removed from the FMP (e.g., non-specified species). The SSC and Plan Teams have recommended that the Council could consider placing squid and octopus under the EC category (Item D-1(a)(2)), based on an AFSC analysis (Item D-1(a)(3)).

The Council is scheduled to revise the draft action plan at this meeting to finalize alternatives for the EA. The Council tasked the Non-Target Species Committee with recommending revisions to the alternatives to begin the analysis. The committee convened on September 15, 2009, but a lack of clarity in NMFS guidelines for complying with ACLS did not allow the committee to provide recommendations at this time. Staff provided the requested clarifications and the Council approved a second meeting of the committee, which is scheduled for December 6. A report of the September 2009 committee meeting is provided under Item D-1(a)(4). A report of this week's committee meeting will be provided.

The timeline for Council action is short and the Council is encouraged to streamline the alternatives to address only those FMP amendments that are required to meet the revised guidelines. Final action should be scheduled no later than June 2010 for implementation to occur by the statutory deadline of January 1, 2011. A trailing ACL analysis is already planned to address management of grenadiers and other issues, and additional management actions could be included in that analysis.

Jane DiCosimo gave the staff report, the AP was given and public comment was heard. The SSC did not take up this agenda item.

Dave Benson moves to approve the action plan presented by staff, and task the NTSC with part II of the action plan. The motion was seconded. Mr. Benson noted that the plan is straightforward in nature to keep a deadline. **Motion passes without objection.**

D1 (b, c) Nearshore Birstol Bay Trawl Area and Walrus, and Pacific Walrus haulout on Hagemeister Island in Bristol Bay

ACTION REQUIRED

(b) Discussion paper on Nearshore Bristol Bay Trawl Area and walrus

BACKGROUND

At the April 2009 meeting, the Council reviewed a discussion paper, dated March 2009, on the groundfish fishery in the Northern Bristol Bay Trawl Area (NBBTA), information on Pacific walrus, and a description of interactions that have occurred between local fishing activities and walrus or their habitat. The discussion paper was prompted by comments from the public about concerns

over interactions between trawl fishing activities and Pacific walrus and their habitat in northern Bristol Bay, and at the April 2009 meeting, the Council received additional public comment focusing on concerns over bycatch of halibut in the yellowfin sole fishery in the NBBTA. The Council was also informed of an agreement to begin in 2009, between certain northern Bristol Bay halibut fishermen and the Best Use Cooperative, whereby yellowfin sole trawl vessels were willing to voluntarily avoid fishing in the southwest portion of the NBBTA as well as an area southwest of the Nushagak Peninsula to avoid conflicts with local halibut fishermen.

In light of this voluntary agreement, the Council directed staff to update the discussion paper with 2009 groundfish fishery data, particularly including bycatch of halibut and walrus prey items (clams, other invertebrates). After the 2009 fishery, as conducted under the voluntary constriction of the fishing grounds, the Council would have new information on the performance of the yellowfin sole fishery and new bycatch data. The Council also requested the updated discussion paper include new information on walrus if it becomes available. This discussion paper was updated and mailed to the Council in November 2009, and is attached as Item D-1(b)(1).

The following issues have been updated in the discussion paper:

- **Voluntary agreement restricting the yellowfin sole fishery in the NBBTA in 2009 (description, reports from Best Use Cooperative and community members about its effectiveness)**
- **2009 yellowfin sole fishery (catch data, vessel information, incidental catch and bycatch (halibut, walrus prey species) data, distribution and timing of fishery)**
- **Halibut fishery (information on the halibut fishery in the areas adjacent to the NBBTA)**
- **Walrus information (update on the status of ESA-listing for walrus)**

ACTION REQUIRED

(c) Receive discussion paper on options for protection measures around a new Pacific walrus haulout on Hagemeister Island in northern Bristol Bay

BACKGROUND

At the April 2009 meeting, the Council received a discussion paper on trawl fishery interactions with other fisheries and with Pacific walrus in northern Bristol Bay. During discussions of this issue, the Council requested that a separate discussion paper (attached as D-1(c)(1)) be prepared that describes procedures for how the Council might designate an additional walrus protection zone around a new, emerging walrus haulout on the west side of Hagemeister Island. The U.S. Fish & Wildlife Service reported to the Council that this haulout is now used annually, and the Agency is concerned over potential disturbance of walrus at this site from fishing activities. The Council requested that the discussion paper include information on how such a protection area might be designed to allow vessel transit through Hagemeister Strait, and the mechanisms for establishing a corresponding protection area in State waters. Staff will provide an overview of the information, and a representative from the USFWS will present the Agency's perspectives and answer questions. The Council's Enforcement Committee may also have a report on this issue.

Staff reports were heard by Bill Wilson and Diana Evans.

COUNCIL DISCUSSION/ACTION

Mr. Henderschedt moved and it was seconded to take no further action on D-1 (b). It was noted by the Council that, as stated in the discussion paper, fishery impacts on walrus feeding habitat and prey resources have not been an issue, and disturbance issues have largely been mitigated by minimizing fishery activities close to haulouts. Additionally, bringing forward a discussion of this issue in a public

forum, with the help of the Council Staff, has facilitated work between industry and other affected parties to develop their own solution. **The motion passed without objection.**

Mr. Balogh moved and it was seconded that NMFS and USFWS prepare an analysis of alternatives addressing human activities relevant to concerns surrounding the Hagemeister Island walrus haulout. Additionally, the Council recommends the issue be referred to the joint protocol committee to confer on developing an analysis of alternatives that address human activities that may impinge upon the Hagemeister walrus haulout.

There was discussion that Amendment 13 and 17 restricted fishing activity within 3 miles of then-existing haulouts. Hagemister Island now has a comparable haulout, and considering protection for this area may be prudent. It was clarified that the analysis would need to include a discussion of the contribution of State fishery activities to potential walrus disturbance. Regarding the alternatives directed in the groundfish fisheries, they would follow along the lines of the proposals in the discussion paper. **Motion passed without objection.**

D-2 (a) MPA Nomination Process

ACTION REQUIRED

Review discussion paper on MPA nominations and take action as necessary.

BACKGROUND

Back in 2000, President Clinton signed Executive Order 13158, which requires NOAA to establish a Marine Protected Area Center to develop a framework for a national system of marine protected areas (MPAs). In late November 2008, the final framework was published on the MPA Center's website (www.mpa.gov). In December, the Council received a report from Dr. Joe Uravich, Director of the MPA Center, about the National System of MPAs and the nomination process for the incorporation of existing MPAs, into the national system. In February 2009, NMFS published a policy directive to establish a process for consulting with the councils on (1) whether sites established by Council action should be included in the National System of MPAs, and (2) when adding, modifying, or removing MPAs from the National System.

At the June meeting, after reviewing the letter from the NMFS Alaska Region RA initiating the MPA nomination process, the Council tasked staff, in collaboration with NMFS staff, to prepare a discussion paper which further examines the issues and concerns associated with this process, and provide an initial evaluation of the potential sites for inclusion. The text portion of the discussion paper is attached as Item D-2(a)(1).

The discussion paper provides a revised list of MPAs that appear to meet the eligibility requirements set forth in the framework. There are a total of 251 individual sites listed. The discussion paper proposed four different options regarding which sites should be nominated for inclusion in the national system of MPAs, as follows:

Option 1: No sites nominated at this time.
Option 2: Nominate the quasi-marine reserves (seamounts, AI coral gardens, Bowers Ridge, GOA coral HAPC areas, Sitka pinnacles, and Steller sea lion 3-nm no-transit zones).
Option 3: Nominate all areas except those with boundary changes being considered in the near future (all areas except Steller sea lion areas, Northern Bering Sea Research Area, St Matthew HCA, Nunivak, Etolin Strait, Kuskokwim Bay HCA, Pribilof Islands HCA, Nearshore Bristol Bay, Salmon closure area).
Option 4: Nominate all sites eligible.

At this meeting, the Council may wish to recommend which, if any, eligible sites be added to the National System of MPAs, or request further analysis and public comment prior to taking action.

David Witherell gave a staff presentation; Diana Evans and Stephanie Madsen gave a report from the Ecosystem Committee. Neither the AP or the SSC took up this issue, and the Council heard comments from the public.

COUNCIL DISCUSSON/ACTION (Transcription of parts of this agenda item are included in Appendix 9)

Bill Tweit moved staff discussion paper to analyze two options: 1, and 2 in the discussion paper, incorporating anticipated agency guidance concerning the "avoid harm" provision, providing analysis of areas listed in the May 28, 2009 letter relative to the option 2 criteria for inclusion, and suggesting options for interface with the EFH/HAPC process.

The recommendations from the Ecosystem Committee were discussed, as well as the "anticipated guidelines" and how to incorporate. **Motion passed without objection.**

Mr. Tweit moved, which was seconded, to prepare a briefing on all 4 MPAs currently designated in Alaska. Identify what resources are protected, what fishing activities occur in the MPA, and what obligations or conflicts the Council might have with these MPAs. Motion passes without objection

D-2 (b) EFH and HAPC

ACTION REQUIRED

(b) Review Preliminary EFH 5-year Evaluation / HAPC Priorities

BACKGROUND

EFH 5-year Review Preliminary Report

The EFH Final Rule and each of the Council's FMPs require that a review of EFH components be completed every 5 years. The Final Rule provides guidance that EFH provisions be revised or amended on this timeline, as warranted, based on available information. There are ten EFH components that are included in each of the Council's FMPs, and any change to text of the FMP requires a formal FMP amendment. The ten components are: 1. EFH descriptions and identification; 2. Fishing activities that may adversely affect EFH; 3. Non-Magnuson-Stevens Act fishing activities that may adversely affect EFH; 4. Non-fishing activities that may adversely affect EFH; 5. Cumulative impacts analysis; 6. EFH conservation and enhancement recommendations; 7. Prey species list and any locations; 8. HAPC identification; 9. Research and information needs; and 10. Review EFH every 5 years.

A preliminary summary report of the EFH 5-year review for 2010 was mailed to the Council in November 2009. The preliminary report includes reviews of the individual species EFH information by the groundfish stock assessment authors, as well as the review of most of the non-fishing activities that impact EFH. Preliminary information on the review of fishing effects on EFH is included in the report, however this section will be expanded for the final report, at which time individual species reviews for crab, scallop, and salmon species will also be added.

Under the current timeline, the report will be finalized in March 2010, and distributed to the Council and the public. The Council's role with respect to the review is to decide whether any of the new information highlighted in the review warrants initiating FMP amendments to revise EFH

descriptions and recommendations in the Council FMPs. It is anticipated that the Council will make these decisions at the April 2010 meeting, once the report is complete.

The Groundfish Plan Teams discussed the stock assessment authors' EFH review and recommendations for revisions, but due to the timing of their meetings, their conclusions were not included in the preliminary report. Excerpts from their minutes, as they pertain to the EFH review, are attached as Items D-2(b)(1 and 2).

HAPC Priorities

Under the Council's existing Habitat Areas of Particular Concern (HAPC) identification process, the Council will periodically issue a call for proposals for candidate areas that focus on a specific priority habitat types to be identified as HAPC. HAPCs are geographic sites that fall within the distribution of EFH for the Council's managed species. The sites proposed under this process are then sent to the Plan Teams for scientific review to determine whether they have ecological merit, and are also reviewed for socioeconomic and management and enforcement impacts. This combined information is presented to the SSC, the AP, and the Council, and the Council may choose to select various HAPC proposals for further analysis and implementation.

In June 2009, the Council considered whether to set HAPC priorities, and initiate another HAPC proposal cycle. Given the pending EFH 5-year review, and the possibility that HAPC priorities might emerge from that process, the Council opted to postpone a decision on whether to set priorities for HAPCs. The Council chose to synchronize the timing of the two actions so that the results from the five-year review can be considered in setting HAPC priorities, and the HAPC proposal cycle that might result.

A discussion of the most recent HAPC proposal process, suggestions for HAPCs that have come before the Council since that time, and suggestions from the groundfish stock assessment authors for possible HAPC priorities, are included in the EFH 5-year review preliminary report, in chapter 11. Note, the 5-year review report has not yet incorporated recommendations from review of crab, scallop, and salmon EFH. These topics will be included in the final report, scheduled for March 2010.

Ecosystem Committee

The Ecosystem Committee is meeting on Monday, December 7, in order to provide comments or recommendations to the Council on this agenda item. The Committee minutes will be distributed at the meeting.

Diana Evans gave the staff report, along with Matt Eagleton (NMFS). Stephanie Madsen presented the minutes of the Ecosystem Committee (APPENDIX 7). There was no AP or SSC report, and the Council heard public comment.

COUNCIL DISCUSSION/ACTION

The Council concurred with the Ecosystem Committee's recommendations regarding this agenda item, and also asked staff to address the issues raised in public testimony.

D-2 (c) Halibut Deck Sorting EFP

ACTION REQUIRED

(c) Receive report from Halibut Deck Sorting EFP

BACKGROUND

In April 2009, the Council reviewed an application for an exempted fishing permit (EFP) to investigate on-deck sorting of Pacific halibut as a means of reducing halibut bycatch mortalities on Amendment 80 vessels. The EFP allowed three Best Use Cooperative (BUC) non-pelagic trawl vessels to sort halibut removed from a codend on the deck, and release those fish back into the water after accounting for halibut condition. All groundfish and halibut harvested were to be within the BUC's allocation for groundfish and halibut mortality. The permit was granted by NMFS, and the various field tests were conducted in May and June 2009.

The main objective of the EFP was to evaluate the potential for reducing halibut discard mortality rates by modifying the halibut handling procedures currently on Amendment 80 vessels. In addition, the study collected data on the fraction of the halibut catch that can be feasibly sorted out on deck and the time needed to complete sorting and halibut measurement/viability assessment under the fish handling procedures of the EFP. Finally, the study also evaluated the feasibility and efficacy of using an electronic monitoring system to monitor adherence to the deck sorting and halibut handling/discard protocols.

The final report was mailed to the Council in mid-November, and the principal investigator, Mr. Gauvin, will present a summary of the project's findings at this meeting.

John Gauvin gave a detailed presentation on the EFP to reduce halibut discard mortality rates, and reviewed a paper he had on the subject. He answered a few questions from Council members, noting that the study showed significant halibut mortality savings with modifications to the procedures for handling halibut on Amendment 80 vessels. There was no public comment on the issue, and no action was taken.

D-2 (d) Fixed Gear LLP Licenses Allocated to CQE Communities

ACTION REQUIRED

(d) Receive discussion paper on fixed gear LLP licenses for CQE communities

BACKGROUND

At the October 2009 meeting, the Council requested that staff prepare a discussion paper describing how Western and Central GOA fixed gear LLP licenses were allocated to community quota eligible (CQE) communities by the Council's action on fixed gear recency. Specifically, the Council asked that the paper discuss whether the number of licenses allocated to CQEs met the Council's intent of replacing the number of licenses held by CQE residents that did not qualify for a Pacific cod endorsement. The attached discussion paper (Item D-2(d)(1)) provides the information requested by the Council, and describes how the Council could revise the number of licenses allocated to CQE communities if it wishes to reconsider the action.

Jeannie Heltzel (NPFMC) gave a brief presentation. The AP did not review this agenda item, and the Council took public comment.

COUNCIL DISCUSSION/ACTION

Mr. Fields moved, which was seconded by Mr. Hull, to amend an action previously taken by the Council to clarify the Council's intent by authorizing 6 additional WGOA and 9 additional GOA fixed gear LLP's be available for requested use by CQE in qualifying CQU communities in the respective management areas.

It was noted that this action was to ensure that there would be no net loss of permits in a community due to the Council's fixed gear LLP recency action. **Motion passed unanimously.**

D-3 Staff Tasking

ACTION REQUIRED
Review tasking and committees and provide direction

BACKGROUND

Committees and Tasking

The list of Council committees is attached as Item D-3(a). An updated workplan for implementing the programmatic groundfish management policy is attached as Item D-3(b). Item D-3(c) is the three meeting outlook, and Item D-3(d) provides a summary of current projects and tasking. The Council may wish to discuss priorities for completing ongoing projects, as well as any new tasks assigned during the course of this meeting.

The Ecosystem Committee met earlier this week, and you will receive the committee's recommendations on MPAs and EFH under those respective agenda items. The Council may elect to receive the balance of the committee's report during staff tasking.

Chris Oliver gave a brief report regarding upcoming issues and housekeeping agenda items. There was discussion on committee reports and their staging. There was no AP report and no public comment.

COUNCIL DISCUSSION/ACTION

Mr. Cotten moved and it was seconded to have staff draft a discussion paper outlining how changes can be made to the GOA PSC limits in the future. It was also noted the paper should include information on how the process differs under the BSAI FMP. **Motion passed without objection.**

Mr. Tweit moved and it was seconded by Mr. Henderschedt that Council draft a letter that requests clarification on issues related to the preparation and release of the Steller sea lion biological opinion. Mr. Tweit provided an outline of talking points and after discussion among Council members, and it was generally agreed that scheduling and details suggested in the letter would be left up to the Executive Director working with the Council Chairman. **Motion passed without objection.**

Mr. Henderschedt moved and it was seconded by Mr. Benson that Council request initial review new MRAs for BSAI directed arrowtooth with 3 alternatives: 1) status quo, 2) MRAs based on a Pcod template, and 3) MRAs based on a flathead sole template. Motion passed without objection.

Mr. Tweit moved which was seconded to assess basic reasons for levels of unharvested Pcod in the BSAI, and analysis of measures that could be taken to ensure more complete utilization of the resource. Motion passed without objection.

Chairman Olson noted that comments are still open for Marine Spatial Planning and Catch Harvest shares, and noted it will be on the February agenda.

Mr. Tweit moved and it was seconded by Mr. Benson to draft a letter to NMFS building off the SSC's comments urging an AI bottom trawl survey in 2010. Motion passed without objection.

Dan Hull moved to recommend IFQ implementation Committee meet prior to February meeting to review IFQ proposals and provide a report to the Council. The motion was seconded. There was discussion regarding deadlines for submission for new proposals. It was designated to have the 10th of January as a deadline, and note it in the Council newsletter. **Motion passed without objection.**

The Council briefly reviewed the Board of Fisheries proposals and comments, especially 108 and 109, which refers to increasing GHL to state water Pcod fisheries. It was generally agreed that there may be consultation issues, and that staff (NMFS, ADF&G and NPFMC) should be at the BOF meeting to inform board members and communicate "concerns", rather than "position."

There was brief discussion regarding DSR rockfish (especially yelloweye) and how the Council and BOF will address conservation and management in the future. Additionally, it was generally agreed that ADF&G staff will provide a synopsis of regulations for yelloweye to the Council.

It was generally agreed that the SSC does not consider BOF proposals that affect Council action, however the Plan Team may take Pcod harvest inside 3 miles into account. It was noted the information will be addressed under ACL process.

Genetic Sampling priorities:
Mr. Tweit suggested that Council draft a letter to NOAA/NMFS identifying needs relative to Chum genetics. Request agency devote more resources, without impacting Chinook research. If sufficient resources are not available to evaluate both Chum and Chinook, then NMFS, AFSC, and ADF&G staff should convene to establish appropriate Chum samples for analysis while minimizing disruption to Chinook analyses.

HAPC scheduling
Chairman Olson noted it can be put on the February agenda.

Proposed rule on Financial Disclosure
Mr. Henderschedt noted that Council may want to comment on administrative sections where ED and Chairman see fit.

Mr. Cotten noted the industry would be providing information about Seashare and the salmon donation program. He also requested the ED keep Council members updated on relevant Congressional actions, including re-opening Magnuson-Stevens act.

Chairman Olson noted the following appointments:
- Dr. Tom Gelatt was appointed to the Aleutian Islands Fishery Ecosystem Plan Team
- All SSC members were re-appointed for the following year
- The AP: Joe Childers, Mark Cooper, Craig Cross, John Crowley, Julianne Curry, Jerry Downing, Tom Enlow, Tim Evers, Jeff Farvor, Becca Gisclair, Jan Jacobs, Bob Jacobson, Simon Kinneen, Chuck McCallum, Matt Moir, Theresa Peterson, Ed Poulsen, Beth Stewart, Lori Swanson, and Anne Vanderhoven.

Mr. Olson thanked the departing AP members, and thanked the Council for the long and productive week of work, and wished everyone happy holidays.

ADJOURN

The Council meeting concluded on Tuesday, December 15th, at 11:17am.

MINUTES
NPFMC MEETING
December 2009

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APPENDICIES:

North Pacific Fishery Management Council

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Approved: February 11, 2010

ADVISORY PANEL MINUTES
North Pacific Fishery Management Council
December 7–11, 2009

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

Joe Childers	Tim Evers	Chuck McCallum
Mark Cooper	Jeff Farvour	Matt Moir
Craig Cross	Becca Robbins Gisclair	Rex Murphy
John Crowley	Jan Jacobs	Theresa Peterson
Julianne Curry	Bob Jacobson	Ed Poulsen
Jerry Downing	Simon Kinneen	Beth Stewart
Tom Enlow	Mike Martin	Lori Swanson

The AP unanimously approved the minutes from the previous meeting.

The AP heard a brief presentation on the Northern Fiber Optic Link project from Ike Icard, Kodiak Kenai Cable Company, who is engineering the undersea fiber optic cable system, which extends from the Gulf of Alaska through Bristol Bay to northern Alaska.

C-1 GOA Pacific Cod Sector Allocations

Within the components, bold represents preferred option(s), ***bold, italics, underline*** are additions, ~~strikeouts~~ are deletions.

AP recommends that the Council adopt the following problem statement for final action for the Allocation of Pacific cod among sectors in the Western and Central GOA.

Purpose and Need Statement
The limited access derby-style management of the Western GOA and Central GOA Pacific cod fisheries has led to competition among the various gear types (trawl, hook-and-line, pot and jig) and operation types (catcher processor and catcher vessel) for shares of the total allowable catch (TAC). Competition for the GOA Pacific cod resource has increased for a variety of reasons, including increased market value of cod products, rationalization of other fisheries in the BSAI and GOA, increased participation by fishermen displaced from other fisheries, reduced Federal TACs due to the State waters cod fishery, and Steller sea lion mitigation measures including the A/B seasonal split of the GOA Pacific cod TACs. The competition among sectors in the fishery may contribute to higher rates of bycatch, discards, and out-of-season incidental catch of Pacific cod.

Participants in the fisheries who have made long-term investments and are dependent on the fisheries face uncertainty as a result of the competition for catch shares among sectors. To reduce uncertainty and contribute to the stability across the sectors, and to promote sustainable fishing practices and facilitate

development of management measures, the Western GOA and Central GOA Pacific cod TACs should be divided among the sectors. Allocations to each sector would be based primarily on qualifying catch history, but may be adjusted to address conservation, catch monitoring, and social objectives including considerations for small boat sectors and coastal communities. Because harvest sector allocations would supersede the inshore/offshore processing sector allocations for Pacific cod by creating harvest limits, the Council may consider regulatory changes for offshore and inshore floating processors in order to sustain the participants of fishing communities.

The timing of the Pacific cod A and B seasons may have limited the participation of jig vessels in the parallel and Federal fisheries of the GOA. Additionally, the State waters jig allocation has gone uncaught in some years, potentially due to the lack of availability of Pacific cod inside three miles. A non-historical federal catch award, together with the provision of access in Federal waters for the State Pacific cod jig allocations, offers entry-level opportunities for the jig sector.

Currently, there are no limits on entry into the parallel waters groundfish fisheries, and no limits on the proportion of the GOA Pacific cod TAC that may be harvested in parallel waters. There is concern that participation in the GOA Pacific cod parallel waters fishery by vessels that do not hold LLP licenses may increase. The Council, in consideration of options and recommendations for the parallel fishery, will need to balance the objectives of providing stability to the long term participants in the sectors, while recognizing that new entrants who do not hold Federal permits or licenses may participate in the parallel fishery.

AP recommends that the Council select alternative 2 as the preferred alternative selecting the options in bold within the components of Alternative 2.

~~**ALTERNATIVE 1. No Action.** The GOA Pacific cod TACs will not be allocated among the sectors.~~

ALTERNATIVE 2. The GOA Pacific cod TACs will be allocated among the sectors.

Component 1: Management areas
The Western and Central GOA Pacific cod TACs will be allocated among the various gear and operation types, as defined in Component 2 (the management areas could be treated differently).

Component 2: Sector definitions
The Western and Central GOA Pacific cod TACs will be allocated among the following sectors. The Council has the option to either give a single allocation to each sector, or to divide any allocation by vessel length based on the option(s) listed below.

CENTRAL GOA:

- **Trawl catcher processors**
- **Trawl catcher vessels**
- **Hook-and-line catcher processors**
  - ~~Option: Hook-and-line catcher processors <125 ft~~
  - ~~Hook-and-line catcher processors ≥125 ft~~
- ~~**Hook-and-line catcher vessels**~~
  - ~~**Option**:~~
- **Hook-and-line catcher vessels <50 ft**
- **Hook-and-line catcher vessels ≥50 ft**
- ~~Pot catcher processors~~

- ~~Pot catcher vessels~~

~~Suboption~~:

- **~~Combine~~ CP Pot sector**
- **~~and~~ CV Pot Sector**
- **Jig vessels**

WESTERN GOA:

- **Trawl catcher processors**
- **Trawl catcher vessels**
- ***Hook-and-line catcher processors***

~~Option: Hook-and-line catcher processors <125 ft~~

~~Hook-and-line catcher processors ≥125 ft~~

- ***Hook-and-line catcher vessels***

~~Option: Hook-and-line catcher vessels <60 ft~~

~~Hook-and-line catcher vessels ≥60 ft~~

- ~~Pot catcher processors~~
- ~~Pot catcher vessels~~

~~Option: Pot catcher vessels <60 ft~~

~~Pot catcher vessels ≥60 ft~~

~~Suboption:~~ **~~Combine~~**

- ***CP Pot Sector***
- ***CV Pot Sector***
- **Jig vessels**

~~Option: For Western GOA only, create a single sector allocation for combined trawl and pot catcher vessels.~~

~~Suboption: Applies only to vessels <60 ft.~~

Western and Central GOA:

Option: ~~Restrict vessels from participating in the GOA Pacific cod fishery using more than one operational type in a given year.~~ Holders of CP licenses shall make a one-time election to receive a WGOA and/or CGOA CP or CV endorsement for Pacific cod *if that CP license made a minimum of one landing while operating as a CV under the authority of the CP license from 2002 to 2008, except CP licenses with landings made only operating as CVs will have a GOA Pacific cod CV endorsement added to the license.*

Upon implementation of the GOA Pacific cod sector allocations, holders of these licenses will be limited to *fishing off of the allocation assigned to* ~~operating in~~ the sector designated by their license in the GOA cod fishery. For example, CPs *licenses assigned to the CP sector* may not *fish off of the allocation assigned to* ~~operate as~~ CVs in the GOA Pacific cod fishery. Future catch accounting for these vessels should be according to *the sector to which those licenses are assigned* ~~operating mode~~.

(Note: This CP or CV endorsement would be added to the LLP license, and would apply only to the Western and Central GOA Pacific cod fisheries; the existing operation type endorsement would remain on the LLP license and would apply to other groundfish fisheries.)

Component 3: Definition of qualifying catch

Qualifying catch includes all retained legal catch of Pacific cod from the Federal and parallel waters fisheries in the Western and Central GOA.

- **Catch will be calculated using Fish Tickets for catcher vessels and Catch Accounting/Blend data for catcher processors.**
- **Under all options, incidental catch allocated to trawl catcher vessels for the Central GOA Rockfish program (currently, 2.09% of the Central GOA Pacific cod TAC) will be deducted from the Central GOA trawl catcher vessel B season allocation.**
- **Each sector's allocation will be managed to support incidental and directed catch needs for that sector.**

Component 4: Sector Allocations

~~**Part A: Years included for purposes of determining catch history**~~
Central GOA:
The AP recommends the following allocations for the Central GOA Pacific cod sectors:

Central GOA		Annual Allocation	Compare to 60/40 A season	Compare to 60/40 B season	Percent of annual	Percent of annual	Percent of seasonal	Percent of seasonal
HAL CP	4.70%	4.75%	60.0%	40.0%	2.8%	1.9%	4.7%	4.7%
HAL CV <50	14.70%	14.85%	60.0%	40.0%	8.9%	5.9%	14.8%	14.8%
HAL CV >=50	6.30%	6.36%	60.0%	40.0%	3.8%	2.5%	6.4%	6.4%
Pot CV	26.20%	26.46%	60.0%	40.0%	15.9%	10.6%	26.5%	26.5%
Pot CP	0.50%	0.51%	60.0%	40.0%	0.3%	0.2%	0.5%	0.5%
Trawl CP	3.85%	3.89%	60.0%	40.0%	2.3%	1.6%	3.9%	3.9%
Trawl CV	42.75%	43.18%	60.0%	40.0%	25.9%	17.3%	43.2%	43.2%
Total	99.0%	100.00%			60.0%	40.0%	100.0%	100.0%
Jig	1.50%	1.50%	60.0%	40.0%				

Motion on jig allocation passed 10/9

~~Option 1: Qualifying years 2000 – 2006: average of best 3 years~~
~~Option 2: Qualifying years 2000 – 2006: average of best 5 years~~
~~Option 3: Qualifying years 2002 – 2007: average of best 3 years~~
~~Option 4: Qualifying years 2002 – 2007: average of best 5 years~~
~~Option 5: Qualifying years 2002 – 2008: average of best 3 years~~
~~Option 6: Qualifying years 2002 – 2008: average of best 5 years~~
~~Option 7: Average of above options 1-6.~~
~~Option 8: Average of above options 2, 4 and 6.~~
~~Option: Average of above options 2 and 6~~

~~NOTE: The Council has the option to choose separate qualifying years for each sector.~~

- ~~In order to reflect a broader range of allocations for the Council's allocation adjustment considerations under Component 9, the range of potential annual allocations in the analysis is increased by 3% above the sector's highest potential allocation and decreased by 3% below the sector's lowest potential allocation, except sectors with an allocation of less than 5% would retain their current lowest potential allocation.~~
- ~~When sectors are divided into subsectors (e.g., by vessel length), the allocation will be calculated using the best set of years for the sector, and the sum of the subsector allocations will equal the allocation to the sector.~~

The Central GOA action was accepted as a friendly amendment.

Western GOA:
The AP recommends the following allocations for Western GOA Pacific cod sectors:

Western GOA	AP Rec.	Annual Allocation	Compare to 60/40 A season	Compare to 60/40 B season	A season allocation Percent of annual	B season allocation Percent of annual	A season allocation Percent of seasonal	B season allocation Percent of seasonal
HAL CP	20.9%	21.22%	62.0%	38.0%	13.2%	8.1%	21.9%	20.2%
HAL CV	1.0%	1.02%	51.9%	48.1%	0.5%	0.5%	0.9%	1.2%
Pot CV	28.3%	28.73%	49.8%	50.2%	14.3%	14.4%	23.8%	36.1%
Pot CP	1.9%	1.93%	41.6%	58.4%	0.8%	1.1%	1.3%	2.8%
Trawl CP	2.4%	2.44%	46.4%	53.6%	1.1%	1.3%	1.9%	3.3%
Trawl CV	44.0%	44.67%	67.3%	32.7%	30.1%	14.6%	50.1%	36.5%
Total	98.50%	100.00%			60.0%	40.0%	100.0%	100.0%

The motion for the Western GOA passed 17/1.

~~**Option 1: Qualifying years 1995 – 2005: average of best 7 years**~~
~~Option 2: Qualifying years 2000 – 2006: average of best 5 years~~
~~Option 3: Qualifying years 2002 – 2007: average of best 5 years~~
~~Option 4: Qualifying years 2002 – 2008: average of best 5 years~~
~~Option 5: Average of all options above~~
~~***NOTE: The Council has the option to choose separate qualifying years for each sector***.~~

- ~~In order to reflect a broader range of allocations for the Council's allocation adjustment considerations under Component 9, the range of potential annual allocations in the analysis is increased by 3% above the sector's highest potential allocation and decreased by 3% below the sector's lowest potential allocation, except sectors with an allocation of less than 5% would retain their current lowest potential allocation.~~
- ~~When sectors are divided into subsectors (e.g., by vessel length), the allocation will be calculated using the best set of years for the sector, and the sum of the subsector allocations will equal the allocation to the sector.~~

Minority Report on Component 4 – Sector Allocation
A motion to select Option 7, to average options 1-6 failed 6/15. As stated in the sector split document, best years options favor years when an occurrence happened which resulted in a higher than average percentage, what has been referred to as cherry picking. AP minority believe that the option brought forward in the motion represents an average of the two best years option for a particular gear type and is a form of selecting what is best for a particular gear type. An average of all options represents a blend and results in a fair and equitable distribution. In addition, page 138 of the sector split document illustrates the gross revenue figures for the Kodiak fixed gear vessels fishing in 2001- 2008 as $41,781,338 with 249 vessels participating and the Kodiak trawl fleet at $20,361,109 with 26 vessels participating.. This factor, combined with the potential of CQE licenses that may be activated with the ability to participate in the fixed gear allocation justify an average of the qualifying years.
Signed by: Theresa Peterson, Jeff Farvour, Becca Robbins Gisclair, Bob Jacobson, Chuck McCallum and Ed Poulsen

Part B: Western and Central GOA Sideboards:

- **For AFA sideboard vessels: Combine the inshore and offshore AFA CV sideboard amounts into a single sideboard for each management area.**
- **For non-AFA crab sideboard vessels: ~~Recalculate the sideboards and~~ Establish separate CP and CV sideboard amounts ~~by gear type~~ for each management area.**

Part C: Seasonal apportionment of sector allocations (different options may be selected for the management areas):

Central GOA:

Option 1: Apportion each sector's annual allocation 60% to the A season and 40% to the B season

~~Option 2: Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC.~~

- ~~These seasonal apportionment options do not apply to the jig sector.~~

Western GOA:

~~Option 1: Apportion each sector's annual allocation 60% to the A season and 40% to the B season.~~

Option 2: Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC.

~~Option 3: Only the A Season TAC will be apportioned among sectors; the B season TAC will not be apportioned among sectors.~~

- ~~These seasonal apportionment options do not apply to the jig sector.~~

Component 5: Allocation of Pacific cod to jig sector

Western & Central GOA:

Before allocating the TACs among the other sectors, set aside ~~1%, or 2%~~ 1.5% *[motion passed 10/9]* **of the Central GOA Federal pacific cod TACs and ~~1% or~~ 1.5% of the Western GOA Federal Pacific cod TACs, for the initial allocation to the jig vessel sector, with a stair step provision to increase the jig sector allocation by 1% if 90% of the Federal jig allocation in an area is harvested in any given year. The jig gear allocation will be capped at 5% ~~or 7%~~ of the Central and Western GOA Federal Pacific cod TACs.**

Subsequent to the jig allocation increasing, if the harvest threshold criterion described below is not met within ~~three~~ *two* consecutive years, the jig allocation will be stepped down by 1% in the following year, but shall not drop below the level initially allocated.

~~Option 1: 90% of the current allocation.~~

Option 2: 90% of the previous allocation

The jig allocation will be set aside from the TAC.

The Council requests that staff continue to work with the State of Alaska and NMFS to explore considerations required to implement possible options for the jig fishery management structure (both State parallel/Federal and State) that create a workable fishery and minimize the amount of stranded quota, focusing on Option 1. Possible solutions that could be explored are:

Option 1: State parallel/Federal managed Pacific cod jig fishery. Federal allocations managed 0-200 miles through a parallel fishery structure. Any State waters jig GHL could (under subsequent action by the Alaska Board of Fisheries) be added to this State parallel/Federal managed jig sector allocation so that the jig sector is fishing off a single account. If the Board of Fisheries chooses not to take the jig GHL, it would roll into the Federal jig allocation. The Council will make such recommendation to the Board of Fisheries. Until the Board changed the GHL in response to this recommendation, ~~Option 2~~

~~would be invoked~~ **a distinct Parallel/Federal and State waters fisheries will continue to exist, and the two fisheries will be managed as follows:**

The Federal TAC would be divided into an A/B season of 60%/40%. The A season would open on Jan 1st and close when the TAC is reached or on March 15th. The State jig fishery could open either when the Federal season closes due to TAC or on March 15th. The Federal B season would open on Sept 1st or after the state water fishery closes.

If a combined Parallel/Federal fishery is created, the fishery will be managed as follows. ~~**There would be no seasonal split of the combined parallel/Federal TAC.**~~ **The fishery would open on Jan 1st and close when the TAC is reached.**

~~**Suboption:**~~ **The combined State/Parallel Jig fishery would be divided into an A/B season of 60%/40%.**

The jig sector for the B season will open on June 10 for directed fishing.

~~**Option 2: Until the Board of Fisheries takes action in response to the Council recommendation or input from the public, a distinct Parallel/Federal and State waters fisheries continue to exist, the two fisheries will be managed as follows:**~~

~~**The Federal TAC would be divided into an A/B season of 60%/40%. The A season would open on Jan 1st and close when the TAC is reached or on March 15th. The State jig fishery could open either when the Federal season closes due to TAC or on March 15th. The Federal B season would open on Sept 1st.**~~

Minority Report on Component 5 – Motion to strike jig allocation cap of 5% and insert 7% failed 3/16

The AP minority commented that entry level opportunity in Federal fisheries has been impacted in a variety of ways, from recent license limitation restrictions in cod to the unforeseen high cost of quota to participate in the halibut/sablefish fisheries. The potential found in jig with start up opportunity and room for growth results in a mechanism to provide revenue to enter into other fisheries. It is an entry level with potential to garnish sufficient income to access additional fisheries to create a diverse fishing portfolio. Signed by: Theresa Peterson, Jeff Farvour and Becca Robbins Gisclair

Component 6: Management of unharvested sector allocations – Central and Western GOA

Any portion of a CV, CP, or jig allocation determined by NMFS to remain unharvested during the remainder of the fishery year will become available as soon as practicable to:

Option 1: CV sector to CV sector first, and CP sector to CP sectors first, and then to all other sectors taking into account the capability of a sector, as determined by the Regional Administrator, to harvest the reallocated amount of Pacific cod.

~~Option 2: all sectors.~~

Component 7: Apportionment of hook-and-line halibut PSC (other than DSR) between catcher processors and catcher vessels – Gulfwide

Option 1: No change in current apportionments of GOA halibut PSC

Option 2 : Apportion the GOA hook-and-line halibut PSC to the CP and CV sectors in proportion to the total Western GOA and Central GOA Pacific cod allocation to each sector. No later than November 1, any remaining Halibut PSC not projected by NMFS to be used by one of the hook-and-line sectors during the remainder of the year would be made available to the other sector. The apportionment of halibut will be proportional to the Pacific cod area apportionment.

Component 8: Community protection provisions

The component would protect community participation in the processing of Pacific cod and protect community delivery patterns established by the inshore/offshore regulations. For the purposes of Options 1, 2 and 3 under Component 8, motherships include catcher processors receiving deliveries over the side and any floating processor that does not meet the regulatory definition of a stationary floating processor in 679.2. Stationary floating processors may process groundfish only at a single geographic location during a given year.

For each management area, the mothership processing cap will be one or a combination of any of the following:

~~Option 1: Motherships may not accept deliveries of directed cod.~~

Option 2: Allow mothership activity up to a percentage of the Pacific cod TAC to be selected by the Council (0 ~~10~~% in the CGOA; ~~1.5~~ 2.4% ~~10~~% in the Western GOA). *[Motion passed 13/7]*

Suboption 1: Within the boundaries of Western ~~and Central~~ GOA communities that have provided certified municipal land and water boundaries to the State of Alaska Department of Community and Economic Development. *[Motion passed 17/3]*

~~Need to add definitions to~~ **Clarify limits on Stationary Floating Processors (SFP) to retain certain protections provided by the Inshore/Offshore regulations:**

1. **The vessel cannot operate as an SFP in the GOA and an AFA Mothership in the BSAI during the same year.**
2. **The vessel cannot operate as an SFP in the GOA and a CP in the BSAI during the same year.**
3. **The vessel cannot operate as an SFP in the GOA and a CP in the GOA during the same year.**

Other existing regulations on SFPs continue to apply.

~~Suboption 2: Within a 2 nautical mile seaward swath of the following list of Census Designated Places:~~

~~Sand Point~~	~~King cove~~	~~Larsen Bay~~	~~Chenega Bay~~
~~Port Lions~~	~~Karluk~~	~~Chignik~~	~~Nanwalek~~
~~Chignik Lagoon~~	~~Ouzinkie~~	~~Old Harbor~~	~~Akhiok~~
~~Halibut Cove~~	~~Perryville~~	~~Port Graham~~	~~Tatitlek~~
~~Seldovia~~		~~Ivanoff Bay~~	~~Tyonek~~

~~Option 3: Allow federally permitted vessels to operate as a Motherships:~~

Option 4: Allow federally permitted vessels to operate as a ~~mothership or~~ stationary floating processor at more than one geographic location in the Western GOA in a year provided that the vessel is operating only inside the boundaries of a Western GOA municipality ~~of the State of Alaska~~. *[Motion passed 19/0/2]*

~~Suboption: (can be applied to Options 2, 3 and 4): Limit weekly processing of Pacific cod by vessels to (a) 125 mt per week, (b) 200 mt per week, or (c) 300 mt per week. This limit applies to all Pacific cod landings from catcher vessels.~~

~~**Component 9**~~

~~**The Council may adjust sector allocations to incorporate considerations that are associated with conservation, catch monitoring, equity of access, bycatch reductions and social objectives.**~~

Motion to delete Component 9 passed 15/5.

AP Minority Report for Component 9 – 3% increase for the CGOA trawl sector

We believe that the CGOA CV trawl sector has been severely disadvantaged by regulations and management decisions that have been made. We believe that an increased allocation of 3% should be awarded to the CGOA CV trawl sector. The reasons for the increase in allocation to the fleet are as follows:

- *Removal of the 1995-2005 time clip for the CGOA sector allocation while including this time period for allocation in the WGOA.*
- *Unequal start and end dates that prohibit trawling from January 1 to January 20 and November 1 to December 31, thereby create an exclusive fishing period for the fixed gear sector.*
- *The creation of the State waters Pacific cod fishery that reallocated the cod ABC to the pot sector – a reallocation of the cod resource to federal pot cod participants.*

These inequities equal a total loss of 14.96% of CGOA cod resource thus justifying the 3% increase allocation to the CV trawl sector.
Signed by: Michael Martin, Mark Cooper, Jerry Downing and Joe Childers.

Component 10: Parallel Waters Issues – Central and Western GOA

~~Option 1: Develop recommendation for the Alaska Board of Fisheries on the parallel fishery that could complement Council action, such as:~~

- ~~Gear limits~~
- ~~Vessel size limits~~
- ~~Exclusive registration~~

Option 2: Limit access to the parallel fishery for Federal fishery participants.

- **Require any pot or longline vessel with an LLP or an FFP to have the appropriate Pacific cod endorsement and area endorsement on the LLP; and the GOA designation and the appropriate gear and operation type designations on the FFP in order to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.**
- **Require any trawl vessel with an LLP or an FFP to have the appropriate gear and area endorsement on the LLP; and the GOA area designation and the appropriate gear and operation type designations on the FFP to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.**

  Suboption 1: In addition, require the above Federally-permitted or licensed vessels that fish in the parallel waters to adhere to Federal seasonal closures of the Western/Central GOA sector allocations corresponding to the sector in which the vessel operates.

  Suboption 2: Vessels with a GOA area designation and the gear and operation type designations specified in Option 2 cannot remove these designations from the FFP and can only surrender or reactivate the FFP:

  ~~a. Once per calendar year~~

  ~~b. Once every eighteen months~~

  c. Once every three years

Component 10 passed 17/0.

Final amended motion passed 19/1.

C-2 GOA Rockfish Program

The Advisory Panel recommends the Council refine the alternatives for analysis of the rockfish program to include the following

Harvest shares awarded to processors will be transferable.

1. Harvest shares held by processors will be subject to the same 5% cap for holding and use that applies to harvest shares held by harvesters.
   Suboption: Grandfather initial recipients
2. The harvest shares held by processors will be divisible for transfer.
3. The harvest shares held by processors may be transferred to:
   Option 1: Those processors, at the plant level, who were initially issued harvest shares.
   Option 2: Those persons who have processed at least 100-250 mt of rockfish delivered by catcher vessels within a two-year period during the new program
   Suboption 1: in the port of Kodiak
   Suboption 2: to a shoreside processing facility

The motion passed 18/0/1.

C-3(a) GOA 2010/2011 Groundfish Specifications & SAFE report

The AP recommends that the Council approve the Gulf of Alaska Groundfish SAFE report. *Motion passed 18/0.*

The AP recommends that the Council adopt final GOA specifications for 2010-2011 OFLs, ABCs, and TACs as shown in the attached table and described below.

Set 2010-2011 TACs equal to ABC for all stocks with the following exceptions:

1. Pacific cod TAC is reduced according to the table in C-3(a) supplemental to account for the apportionment to the state waters fishery in 2010 and 2011.
2. Rollover the 2009 TAC for 2010 and 2011 for:
   - Shallow water flatfish and flathead sole in the Central and Western GOA
   - Arrowtooth flounder for all areas
   - Other slope rockfish in the EYAK/SEO
   - GOA Atka mackerel
   - GOA other species

Motion passed 18/0.

Further, the AP recommends the Council adopt the GOA halibut PSC apportionments annually and seasonally for 2010-2011, as indicated in C-3(a) Supplemental. *Motion passed 18/0.*

The AP recommends the Council adopt the revised halibut discard mortality rates for 2010-2012 as provided in the action memo in C-3(a). *Motion passed 18/0.*

C-3(b) BSAI 2010/2011 Groundfish Specifications & SAFE Report

The AP recommends that the Council approve the Bering Sea/Aleutian Islands Groundfish SAFE report. *Motion passed 18/0*

The AP recommends that the Council adopt the final BSAI specifications for 2010-2011 OFLs, ABCs, and TACs as shown in the attached Table 1. *Motion passed 16/1*

The AP recommends the Council adopt the Prohibited Species Catch tables for 2010-2011 (Tables 8a–8e) as modified and attached to these minutes. *Motion passed 18/0*

Further, the AP recommends the Council adopt the revised halibut discard mortality rates for 2010–2012 as provided by the IPHC in action memo in C-3(b). *Motion passed 18/0*

C-4(a) Bering Sea Salmon Bycatch Data Collection

The AP recommends that the Council adopt the following revised alternatives for final action.

Alternative 2A
In addition to the status quo data sources:

(1) Transaction data for salmon – quantity and price of transfers (survey will be used to determine whether these are arm's length transactions). As defined by:

Option 2 – Compensated Transfer Form: Require that IPAs and AFA Cooperatives summarize initial holdings of Chinook by vessels or other entities, and that they summarize all transfers regardless of whether the transfers were "compensated" transfers. For all "compensated" transfers, each party (transferor and recipient) must complete and submit to NMFS a Compensated Transfer Form.

Transfer Form will indicate the amount of monetary compensation OR if no monetary compensation was exchanged, a description and value estimate for what was traded for the salmon bycatch credits/quota.

Alternative 3

(1) Average annual hourly fuel burned fishing and transiting and annual fuel purchases in gallons to be used to:
estimate costs of moving vessels to avoid salmon bycatch (vessel fuel use, transit time, and lost fishing time).

(2) Post-season surveys of skippers to determine rationale for decision making during the pollock season (fishing location choices and salmon bycatch reduction measures). (Summary in IPA report with individual skipper responses to NMFS.)

Information in the IPA or cooperative report will contain: (1) the average annual hourly fuel burned fishing and transiting, and (2) post-season surveys of skippers to determine rationale for decision making during the pollock season (fishing location choices and salmon bycatch reduction measures).
* clarify that under transfers at beginning of the year, "initial holdings" refers to salmon allocations (holdings) as of January 20.

Motion passed 18-0

C-4(b) Bering Sea Chum Salmon Bycatch

The AP received a report from staff on the Bering Sea chum bycatch discussion paper and the salmon bycatch workgroup committee report.

The AP recommends the Council adopt the following revised alternatives for analysis.

Alternative 1 – Status Quo

Alternative 1 retains the current program of the Chum Salmon Savings Area (SSA) closures triggered by separate non-CDQ and CDQ caps with the fleet's exemption to these closures per regulations for Amendment 84 and as modified by the Amendment 91 Chinook bycatch action.

Alternative 2 – Hard Cap

Component 1: Hard Cap Formulation (with CDQ allocation of 10.7%)

a) ~~58,000~~ **51,633**
b) 206,000
c) 353,000
d) 488,000

Component 2: Sector Allocation

a) No sector allocation
b) Allocations to Inshore, Catcher Processor, Mothership, and CDQ
    1) Pro-rata to pollock AFA pollock sector allocation
    2) Historical average
        i. 2004-2006
        ii. 2002-2006
        iii. 1997-2006
        iv. 1997-2009 *[motion passed 21/0]*
    3) Allocation based on 75% pro-rata and 25% historical
    4) Allocation based on 50% pro-rata and 50% historical
    5) Allocation based on 25% pro-rata and 75% historical

Component 3: Sector Transfer

a) No transfers or rollovers
b) Allow NMFS-approved transfers between sectors
    Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:
        1) 50%
        2) 70%
        3) 90%
c) Allow NMFS to roll-over unused bycatch allocation to sectors that are still fishing

Component 4: Cooperative Provision

a) Allow allocation at the co-op level for the inshore sector, and apply transfer rules (Component 3) at the co-op level for the inshore sector.
    Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:
        1) 50%
        2) 70%
        3) 90%
b) Allow NMFS to roll-over unused bycatch allocation to coops that are still fishing

Alternative 3 – Trigger Closure

Component 1: Trigger Cap Formulation

a) ~~45,000~~ **30,000**

b) 58,000
c) 206,000
d) 353,000
e) 488,000

Application of Trigger Caps

a) Apply trigger to all chum bycatch
b) Apply trigger to all chum bycatch in the CVOA
c) Apply trigger to all chum bycatch between specific dates

Component 2: Sector allocation

a) No sector allocation
b) Allocations to Inshore, Catcher Processor, Mothership, and CDQ
    1) Pro-rata to pollock AFA pollock sector allocation
    2) Historical average
        i. 2004-2006
        ii. 2002-2006
        iii. 1997-2006
        iv. 1997-2009 *[motion passed 21/0]*
    3) Allocation based on 75% pro-rata and 25% historical
    4) Allocation based on 50% pro-rata and 50% historical
    5) Allocation based on 25% pro-rata and 75% historical

Component 3: Sector Transfer

a) No transfers or rollovers
b) Allow NMFS-approved transfers between sectors
    Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:
        1) 50%
        2) 70%
        3) 90%
c) Allow NMFS to roll-over unused bycatch allocation to sectors that are still fishing
    Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:
        1) 50%
        2) 70%
        3) 90%

Components 4: Cooperative Provisions

a) Allow allocation at the co-op level for the inshore sector, and apply transfer rules (Component 3) at the co-op level for the inshore sector.
    Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:
        1) 50%
        2) 70%
        3) 90%
b) Allow NMFS to roll-over unused bycatch allocation to coops that are still fishing.

Component 5: Area Option

a) Area identified in October, 2008 discussion paper
b) Existing Chum Salmon Savings Area (differs from status quo with application of other components)
c) New areas [to be identified by staff] which are small, discrete closure areas, each with its own separate cap whereby bycatch in that area only accrues towards the cap.

Component 6: Timing Option – Dates of Area Closure

~~a) Existing closure dates (August 1 – August 31 and September 1 through October 14 if trigger is reached.)~~
b) New closure dates

Component 7: Rolling Hot Spot (RHS) Exemption – Similar to status quo, participants in a vessel-level (platform level for Mothership fleet) RHS would be exempt from regulatory triggered closure(s).

a) Sub-option: RHS regulations would contain an ICA provision that the regulatory trigger closure (as adopted in Component 5) apply to participants that do not maintain a certain level of rate-based chum salmon bycatch performance.

Motion passed 12/8/1

Minority Report: A minority of the AP felt that the upper end of the range of caps in the motion – up to 488,000 – was too high and did not represent a "reasonable" range of alternatives. While not predisposed to a hard cap, the minority felt that when considering hard cap options relative to other potential bycatch measures that it was prudent to only analyze realistic options. Only in one year did chum salmon bycatch exceed this cap level, and record high bycatch levels are not an appropriate cap to be considered in an action designed to reduce chum salmon bycatch. Recent historical averages, which provide a more accurate representation of recent bycatch experience, and what is practicable for bycatch reductions, should be utilized instead. A range of caps utilizing averages which include the most recent years provides a reasonable range of alternatives and still provides a high end cap (233,844) which has only been exceeded three times in the history of the pollock fishery.
Signed by: Rebecca Robbins Gisclair, Simon Kinneen, Jeff Farvour, Tim Evers, Theresa Peterson, Chuck McCallum, Rex Murphy and Julianne Curry

C-4(c) Rural Community Outreach

The AP received an update from staff on the draft Bering Sea chum salmon bycatch outreach plan, and a report on the Rural Community Outreach Committee meeting.

C-5 Amendment 80 Cooperative Formation

The AP recommends moving the document forward for public review with the following preferred alternatives selected:

Alternative 4: Reduce both the number of unique QS holders and the number of QS permits required to form a cooperative

New suboption 5: 2 QS holders, 7 QS permits
GRS suboption: The GRS shall be applied in aggregate to all cooperatives if this calculation meets or exceeds the GRS requirement.

The AP recommends the Council delete Alternative 6 and the accompanying language in the Purpose and Need statement which reads 'or by requiring that any otherwise eligible member be accepted by a cooperative subject to the same terms and conditions as other members.'

Motion passed 17/1/1

C-6(a) BSAI Crab – Amendment Package Alternatives

The AP recommends the Council adopt the following Purpose and Needs Statement and revised alternatives for analysis (as highlighted).

Purpose and need statement:
The Bering Sea/Aleutian Islands (BSAI) Crab Rationalization Program is a comprehensive approach to rationalize an overcapitalized fishery in which serious safety and conservation concerns needed to be addressed. Conservation, safety, and efficiency goals have largely been met under the program.

Experience under the BSAI Crab Rationalization Program has made apparent the need to analyze alternatives to status quo to achieve: entry-level investment opportunities for active participants

This focused analysis on entry level investment opportunities for active participants will by definition include an analysis of the A/B split through potential share conversions.

Additional flexibility under the program is needed to address some inefficiencies created through the share matching system. For example, if a PQS holder opts not to apply for IPQ, the program should allow competitive markets to determine whether resources are harvested rather than redistribute the IPQ for share matching.

Processors and communities have received protections through processor quota shares under this program since the year of implementation. Higher TACs afford an opportunity to expand competition while maintaining protection for processor investments and recognizing community dependency under an IPQ threshold.

Alternative 1:

No action, status quo.

Alternative 2:

Increase investment opportunities for active participants by increasing the proportion of C share quota in all rationalized fisheries through a market-based reallocation.

Change the 3 percent C share allocation to:

a) 6 percent
b) 8 percent
c) 10 percent

Suboption: Applicable only to b) and c) above (increase to 8 or 10 percent), redesignated C shares will be subject to:

1) the A share/B share split (including regionalization)
2) regionalization

Suboption: Applicable to a), b) and c) above (increase to 6, 8 or 10 percent), redesignated C shares will be subject to:

3) the A share/B share split (including regionalization)

4) regionalization

Suboptions: Use the following mechanism to achieve the increase (i and iii can be combined):

i) A pro-rata reduction in owner shares (distributed over a period not to exceed 5, 7, or 10 years **in equal portions every year**) to create C shares available for active participants to purchase. Owner share holders who meet active participation requirements would be able to retain their converted C shares.

~~ii) A percentage re-designation of owner shares to C shares at the time of each transfer. The purchasing owner is required to comply with the active participation definition or divest of the C shares.~~

iii) A pro-rata reduction of PQS (distributed over a period not to exceed 5, 7, or 10 years) and conversion into C shares available for active participants to purchase through market transactions.

For catcher processor QS, the creation of C share QS will be achieved strictly by the conversion of CP owner QS to CP C share QS.

PQS/QS Conversion Rate

~~Each crab fishery may have a different conversion ratio. These ratios are based on rough estimates of the relative value of each PQS to CVO QS. This range could be expanded or modified based on further analysis.~~

~~a) 1 PQS unit = 0.5 CVO QS unit~~
~~b) 1 PQS unit = 0.4 CVO QS unit~~
~~c) 1 PQS unit = 0.3 CVO QS unit~~
~~d) 1 PQS unit = 0.2 CVO QS unit~~
~~e) 1 PQS unit = 0.1 CVO QS unit~~
~~f) 1 PQS unit = 0.075 CVO QS unit~~

The new catcher vessel C share QS would be created by converting catcher vessel owner QS and PQS to catcher vessel C share QS with:

a) 100 percent created from catcher vessel owner QS and 0 percent created from PQS;

b) 75 percent created from catcher vessel owner QS and 25 percent created from PQS;

c) 50 percent created from catcher vessel owner QS and 50 percent created from PQS;

d) 25 percent created from catcher vessel owner QS and 75 percent created from PQS; or

e) 0 percent created from catcher vessel owner QS and 100 percent created from PQS.

The intent is to maintain the current share caps as a percentage of the pool.

~~Alternative 3:~~

~~Increase investment opportunities for active participants by establishing a preferential purchase and finance program for all share types (but no share conversion).~~

~~1) The Crab Advisory Committee is directed to consider the potential for a private contractual proposal to increase investment opportunities for active participants. A response and recommendations will be made to the Council.~~

~~2) The proposed program should address the following:~~

~~a. Establishing goals for an aggregate amount of QS owner shares to be held by active participants at 5, 7, and 10 years.~~

~~b. Identify and address any potential impacts on industry efficiency or investment and on communities.~~

~~c. Identify any regulatory issues that may need to be addressed, such as use and ownership caps, and provide recommendations to address these issues.~~

~~**Alternative 4:**~~

~~C share Regional Fishery Association~~

~~The committee is tasked to review proposals to form a regional fishery association (RFA) to hold and distribute C shares on behalf of RFA members.~~

~~If RFAs are established, the aggregate total of all C shares shall be:~~

~~a) 6 percent~~

~~b) 8 percent~~

~~c) 10 percent.~~

Component 1 (IPQ accounting when PQS holder opts not to apply)

If a PQS holder opts not to apply for IPQ in a year, distribute harvesting quota that would have been the matching CVO IFQ A shares as open delivery B shares.

Request staff to provide a discussion on the issue of stranded IFQ and IPQ resulting from a QS holder opting not to apply for IFQ.

Note: The original motion deleted Component 2; however a motion to put Component 2 back in with these changes, passed 11/9.)

Component 2 (Establish IPQ thresholds)

The amount of IPQ (individual processing quota) issued in any year shall not exceed,

Option a) in the *C. opilio* fishery,

~~i) 26 million pounds.~~

ii) 45 million pounds.

iii) 64 million pounds.

iv) 80 million pounds.

Option b) in the Bristol Bay red king crab fishery,

i) 12 million pounds.

ii) 15 million pounds.

iii) 18 million pounds (status quo).

~~**Suboption**: Any IFQ above the threshold will be auctioned by NMFS to the highest bidder.~~

The AP requests that staff come back with information regarding entry opportunities before and after rationalization.

Final motion passed 20/0

Minority Report: Under Alternative 2, the minority supports adding an option of 12% to the C share allocations that would complement the existing range of options. Adding a 12% option to the upper range of the C share allocation addresses "Experience under the BSAI Crab Rationalization Program has made apparent the need to analyze alternatives to status quo to achieve entry-level investment opportunities for active participants" in the Purpose and Need Statement.

The minority feels adding an option of 12% is not unreasonable considering that a C share allocation of 33% is no longer on the table It addresses issues of loss of crew jobs, consolidation, and getting quota into the hands of active crew.

Signed by: Beth Stewart, Julianne Curry, Rex Murphy, Becca Robbins Gisclair, Chuck McCallum, Theresa Peterson, Tim Evers and Jeff Farvour

C-6(b) BSAI Crab – WAG Emergency Rule

Joint Petition for Emergency Regulation for the WAG Fishery
The AP recommends that the Council request NOAA Fisheries to promulgate an emergency regulation under section 305(c) of the Magnuson-Stevens Act to suspend the regional delivery requirement in the Western Aleutian Islands golden king crab (WAG) fishery for the remainder of the 2009-2010 crab fishing year. *Motion passed 20/0*

The AP recommends the Council adopt the following Emergency Relief Proposal for WAG Landing Requirement.

Purpose and Need Statement: The purpose of this proposal is to develop a regulation to allow waiver of the requirement that west-designated Western Aleutian Islands gold king crab (WAG) individual fishing quota (IFQ) be delivered west of 174 º W. longitude, in the event that no shoreside processing facility is open to take delivery and process WAG IFQ. In that circumstance, the regional landing requirement needs to be relaxed to allow the IFQ to be delivered outside the west region, to promote full utilization of the TAC.

Alternative 1: Status Quo

Alternative 2: Contractually Defined Exemption
To receive an exemption from the regional landing requirement in the WAG fishery, specified QS holders, PQS holders, shoreside processors, and municipalities shall have entered into a contract. The contract parties will annually file an affidavit with NMFS affirming that a master contract has been signed.

Definitions:
QS Holders: Any person or company that holds in excess of [options: 5, 10, or 20] percent of the west-designated WAG QS.

PQS Holders: Any person or company that holds in excess of [options: 5, 10, or 20] percent of the west-designated WAG PQS.

Shoreside Processors: A shoreside processing facility that is located in one of the defined municipalities and that processed in excess [options: 5, 10, or 20] percent of the west-designated WAG IFQ in the preceding fishing year.

Municipalities: The municipalities of Adak and Atka.

Approval of Exemption:
An exemption to the regional landing requirement will be granted if the contracting parties have filed an affidavit with NOAA Fisheries affirming that a master contract has been signed.

Option 1) In the affidavit, each of the parties as defined above, or their authorized representative, must signify their approval of the exemption in writing.

Option 2) In the affidavit, each of the parties as defined above, or their authorized representative, must signify their approval of the exemption in writing, which shall not be unreasonably withheld. A contracting party's refusal to approve an exemption from the regional landing requirement is subject to binding arbitration. The arbitrator shall be selected from the list of arbitrators identified under the crab rationalization program, and the costs of the arbitration shall be split among the contracting parties. If the arbitrator finds that the contract party unreasonably withheld its approval of an exemption, the arbitrator may order that the requirement for that party's approval be waived and the exemption approved, provided that all other requirements for an exemption are satisfied.

Motion passed 20/0

C-6(c) Snow Crab/Tanner Crab Rebuilding Plans

The AP recommends endorsing the recommendations of the SSC in their minutes on pages 38-40, with one addition. On page 40, in the 3rd bullet the first sentence should read as follows:

> **"The appropriate base years, including the methodology for calculating the baseline years, over which to estimate average recruitment for all crab stock projections, not just those for snow and Tanner crab, should be reviewed."**

Motion passed 17/0

D-1(a) Groundfish ACL requirements

The AP received minutes of the Non-Target Species Committee that met December 6, 2009 and heard a report from Council staff. The AP recommends the Council adopt the alternatives below for analysis to amend the groundfish FMPs to conform to annual catch limits requirement under Magnuson-Stevens Act.

Alternative 1. No action (status quo).

Alternative 2. Eliminate the other species assemblage and manage (GOA) squids, (BSAI and GOA) sculpins, (BSAI and GOA) sharks, and (BSAI and GOA) octopus separately, move prohibited species and forage fish into the EC category, and move non-specified species out of the FMPs.

Motion passed 15/0

D-1(d) AI Processing Sideboards

The AP recommends the Council take no further action on this item at this time. *Motion passed 13/2*

AP recommended TACs, OFLs, and ABCs for 2010-2011 Gulf of Alaska groundfish fisheries

Stock/		2009				2010			2011		
Assemblge	Area	OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	W (61)		15,249	15,249	14,935		26,256	26,256		34,728	34,728
	C (62)		14,098	14,098	14,006		28,095	28,095		37,159	37,159
	C (63)		11,058	11,058	12,135		19,118	19,118		25,287	25,287
	WYAK		1,215	1,215	1,221		2,031	2,031		2,686	2,686
	Subtotal	58,590	41,620	41,620	42,297	103,210	75,500	75,500	135,010	99,860	99,860
	EYAK/SEO	11,040	8,280	8,280		12,326	9,245	9,245	12,326	9,245	9,245
	Total	69,630	49,900	49,900	42,297	115,536	84,745	84,745	147,336	109,105	109,105
Pacific Cod	W		21,567	16,175	14,243		27,685	20,764		34,265	25,699
	C		31,521	23,641	23,380		49,042	36,782		60,698	45,524
	E		2,212	1,991	778		2,373	2,017		2,937	2,496
	Total	66,600	55,300	41,807	38,401	94,100	79,100	59,563	116,700	97,900	73,719
Sablefish	W		1,640	1,640	1,341		1,660	1,660		1,488	1,488
	C		4,990	4,990	4,780		4,510	4,510		4,042	4,042
	WYAK		1,784	1,784	1,774		1,620	1,620		1,450	1,450
	SEO		2,746	2,746	2,803		2,580	2,580		2,320	2,320
	Total	13,190	11,160	11,160	10,698	12,270	10,370	10,370	11,008	9,300	9,300
Deep-water Flatfish	W		706	706	8		521	521		530	530
	C		6,927	6,927	428		2,865	2,865		2,928	2,928
	WYAK		997	997	4		2,044	2,044		2,089	2,089
	EYAK/SEO		538	538	2		760	760		778	778
	Total	11,578	9,168	9,168	442	7,680	6,190	6,190	7,847	6,325	6,325
Shallow-water flatfish	W		26,360	4,500	96		23,681	4,500		23,681	4,500
	C		29,873	13,000	8,195		29,999	13,000		29,999	13,000
	WYAK		3,333	3,333	1		1,228	1,228		1,228	1,228
	EYAK/SEO		1,423	1,423			1,334	1,334		1,334	1,334
	Total	74,364	60,989	22,256	8,292	67,768	56,242	20,062	67,768	56,242	20,062
Rex sole	W		1,007	1,007	342		1,543	1,543		1,521	1,521
	C		6,630	6,630	4,162		6,403	6,403		6,312	6,312
	WYAK		513	513	1		883	883		871	871
	EYAK/SEO		846	846			900	900		888	888
	Total	11,756	8,996	8,996	4,505	12,714	9,729	9,729	12,534	9,592	9,592
Arrowtooth Flounder	W		30,148	8,000	1,517		34,773	8,000		34,263	8,000
	C		164,251	30,000	22,813		146,407	30,000		144,262	30,000
	WYAK		14,908	2,500	56		22,835	2,500		22,501	2,500
	EYAK/SEO		12,205	2,500	52		11,867	2,500		11,693	2,500
	Total	261,022	221,512	43,000	24,438	254,271	215,882	43,000	250,559	212,719	43,000
Flathead Sole	W		13,010	2,000	303		16,857	2,000		17,520	2,000
	C		29,273	5,000	3,115		27,124	5,000		28,190	5,000
	WYAK		3,531	3,531			1,990	1,990		2,068	2,068
	EYAK/SEO		650	650			1,451	1,451		1,508	1,508
	Total	57,911	46,464	11,181	3,418	59,295	47,422	10,441	61,601	49,286	10,576

AP recommended TACs, OFLs, and ABCs for 2010-2011 Gulf of Alaska groundfish fisheries

Stock/ Assmblge	Area	2,009 OFL	2,009 ABC	2,009 TAC	2,009 Catch	2,010 OFL	2,010 ABC	2,010 TAC	2,011 OFL	2,011 ABC	2,011 TAC
Pacific ocean perch	W	4,409	3,713	3,713	3,805	3,332	2,895	2,895	3,220	2,797	2,797
	C	9,790	8,246	8,246	8,027	12,361	10,737	10,737	11,944	10,377	10,377
	WYAK		1,108	1,108	1,147		2,004	2,004		1,937	1,937
	SEO		2,044	2,044	1		1,948	1,948		1,882	1,882
	E(subtotal)	3,741	3,152	3,152	1,148	4,550			4,396		
	Total	17,940	15,111	15,111	12,980	20,243	17,584	17,584	19,560	16,993	16,993
Northern rockfish[3]	W		2,054	2,054	1,946		2,703	2,703		2,549	2,549
	C		2,308	2,308	1,942		2,395	2,395		2,259	2,259
	E										
	Total	5,204	4,362	4,362	3,888	6,070	5,098	5,098	5,730	4,808	4,808
Rougheye	W		125	125	80		80	80		81	81
	C		833	833	100		862	862		869	869
	E		326	326	100		360	360		363	363
	Total	1,545	1,284	1,284	280	1,568	1,302	1,302	1,581	1,313	1,313
Shortraker	W		120	120	151		134	134		134	134
	C		315	315	192		325	325		325	325
	E		463	463	207		455	455		455	455
	Total	1,197	898	898	550	1,219	914	914	1,219	914	914
Other slope[3]	W		357	357	401		212	212		212	212
	C		569	569	385		507	507		507	507
	WYAK		604	604	82		273	273		273	273
	EYAK/SEO		2,767	200	11		2,757	200		2,757	200
	Total	5,624	4,297	1,730	879	4,881	3,749	1,192	4,881	3,749	1,192
Pelagic Shelf rockfish	W		819	819	716		650	650		607	607
	C		3,404	3,404	2,143		3,249	3,249		3,035	3,035
	WYAK		234	234	177		434	434		405	405
	EYAK/SEO		324	324	1		726	726		680	680
	Total	5,803	4,781	4,781	3,037	6,142	5,059	5,059	5,739	4,727	4,727
Demersal rockfish	Total	580	362	362	137	472	295	295	472	295	295
Thrnyhd Rockfish	W		267	267	230		425	425		425	425
	C		860	860	275		637	637		637	637
	E		783	783	152		708	708		708	708
	Total	2,540	1,910	1,910	657	2,360	1,770	1,770	2,360	1,770	1,770
Atka mackerel	Total	6,200	4,700	2,000	2,221	6,200	4,700	2,000	6,200	4,700	2,000
Big Skate	W		632	632	68		598	598		598	598
	C		2,065	2,065	1,656		2,049	2,049		2,049	2,049
	E		633	633	87		681	681		681	681
	Total	4,439	3,330	3,330	1,811	4,438	3,328	3,328	4,438	3,328	3,328
Longnose Skate	W		78	78	62		81	81		81	81
	C		2,041	2,041	880		2,009	2,009		2,009	2,009
	E		768	768	175		762	762		762	762
	Total	3,849	2,887	2,887	1,117	3,803	2,852	2,852	3,803	2,852	2,852
Other skates	Total	2,806	2,104	2,104	1,007	2,791	2,093	2,093	2,791	2,093	2,093
Other Species	Total	8,720	6,540	4,500	2,327	9,432	7,075	4,500	9,432	7,075	4,500
Total		**632,498**	**516,055**	**242,727**	**163,382**	**693,253**	**565,499**	**292,087**	**743,559**	**605,086**	**328,464**

Table 1. Advisory Panel Recommendations for Bering Sea Aleutian Islands TACs, SSC OFL and ABC Recommendations for the 2010-2011 Fisheries.

Species	Area	2009				2010			2011		
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	EBS	977,000	815,000	815,000	810,052	918,000	813,000	813,000	1,220,000	1,100,000	1,100,000
	AI	34,000	28,200	19,000	1,282	40,000	33,100	19,000	39,100	32,200	19,000
	Bogoslof	58,400	7,970	10	9	22,000	156	50	22,000	156	50
Pacific cod	BSAI	212,000	182,000	176,540	163,587	205,000	174,000	168,780	251,000	214,000	207,580
Sablefish	BS	3,210	2,720	2,720	876	3,310	2,790	2,790	2,970	2,500	2,500
	AI	2,600	2,200	2,200	1,055	2,450	2,070	2,070	2,200	1,860	1,860
Atka mackerel	Total	99,400	83,800	76,400	72,274	88,200	74,000	74,000	76,200	65,000	65,000
	EAI/BS		27,000	27,000	26,433		23,800	23,800		20,900	20,900
	CAI		33,500	32,500	29,541		29,600	29,600		26,000	26,000
	WAI		23,300	16,900	16,300		20,600	20,600		18,100	18,100
Yellowfin sole	BSAI	224,000	210,000	210,000	103,808	234,000	219,000	219,000	227,000	213,000	213,000
Northern rock sole	BSAI	301,000	296,000	90,000	48,593	243,000	240,000	90,000	245,000	242,000	90,000
Greenland turbot	Total	14,900	7,380	7,380	4,284	7,460	6,120	6,120	6,860	5,370	5,370
	BS		5,090	5,090	2,074		4,220	4,220		3,700	3,700
	AI		2,290	2,290	2,210		1,900	1,900		1,670	1,670
Arrowtooth flounder	BSAI	190,000	156,000	75,000	28,931	191,000	156,000	75,000	191,000	157,000	75,000
Flathead sole	BSAI	83,800	71,400	60,000	19,424	83,100	69,200	60,000	81,800	68,100	60,000
Other flatfish	BSAI	23,100	17,400	17,400	2,155	23,000	17,300	17,300	23,000	17,300	17,300
Alaska plaice	BSAI	298,000	232,000	50,000	13,698	278,000	224,000	50,000	314,000	248,000	50,000
Pacific Ocean perch	BSAI	22,300	18,800	18,800	14,780	22,400	18,860	18,860	22,200	18,680	18,680
	BS		3,820	3,820	623		3,830	3,830		3,790	3,790
	EAI		4,200	4,200	3,867		4,220	4,220		4,180	4,180
	CAI		4,260	4,260	3,879		4,270	4,270		4,230	4,230
	WAI		6,520	6,520	6,411		6,540	6,540		6,480	6,480
Northern rockfish	BSAI	8,540	7,160	7,160	3,087	8,640	7,240	7,240	8,700	7,290	7,290
Shortraker	BSAI	516	387	387	198	516	387	387	516	387	387
Blackspotted/ R	BSAI	660	539	539	194	669	547	547	650	531	531
Other rockfish	BSAI	1,380	1,040	1,040	586	1,380	1,040	1,040	1,380	1,040	1,040
	BS		485	485	193		485	485		485	485
	AI		555	555	393		555	555		555	555
Squid	BSAI	2,620	1,970	1,970	353	2,620	1,970	1,970	2,620	1,970	1,970
Other species	BSAI	80,800	66,700	50,000	26,653	88,200	61,100	50,000	88,200	61,100	50,000
Total	BSAI	2,638,226	2,208,666	1,681,546	1,315,879	2,462,945	2,121,880	1,677,154	2,826,396	2,457,484	1,986,558

2009 catches through November 7 from AKR Catch Accounting including CDQ.

TABLE 8a–FINAL 2010 AND 2011 APPORTIONMENT OF PROHIBITED SPECIES CATCH ALLOWANCES TO NON-TRAWL GEAR, THE CDQ PROGRAM, AMENDMENT 80, AND THE BSAI TRAWL LIMITED ACCESS SECTORS

PSC species	Total non-trawl PSC	Non-trawl PSC remaining after CDQ PSQ[1]	Total trawl PSC	Trawl PSC remaining after CDQ PSQ[1]	CDQ PSQ reserve[1]	Amendment 80 sector		BSAI trawl limited access fishery
						2010	2011	
Halibut mortality (mt) BSAI	900	832	3,675	3,349	393	2,425	2,375	875
Herring (mt) BSAI	n/a	n/a	1,974	n/a	n/a	n/a	n/a	n/a
Red king crab (animals) Zone 1[1]	n/a	n/a	197,000	175,921	21,079	98,920	93,432	53,797
C. opilio (animals) COBLZ[2]	n/a	n/a	4,350,000	3,884,550	465,450	2,148,156	2,028,512	1,248,494
C. bairdi crab (animals) Zone 1[2]	n/a	n/a	830,000	741,190	88,810	351,176	331,608	348,285
C. bairdi crab (animals) Zone 2	n/a	n/a	2,520,000	2,250,360	269,640	599,271	565,966	1,053,394

[1] Section 679.21(e)(3)(i)(A)(2) allocates 326 mt of the trawl halibut mortality limit and § 679.21(e)(4)(i)(A) allocates 7.5 percent, or 67 mt, of the non-trawl halibut mortality limit as the PSQ reserve for use by the groundfish CDQ program. The PSQ reserve for crab species is 10.7 percent of each crab PSC limit.

[2] Refer to § 679.2 for definitions of zones.

TABLE 8b-FINAL 2010 AND 2011 HERRING AND RED KING CRAB SAVINGS SUBAREA PROHIBITED SPECIES CATCH ALLOWANCES FOR ALL TRAWL SECTORS

Fishery Categories	Herring (mt) BSAI	Red king crab (animals) Zone 1
Yellowfin sole	169	n/a
Rock sole/flathead sole/other flatfish [1]	29	n/a
Turbot/arrowtooth/sablefish[2]	14	n/a
Rockfish	10	n/a
Pacific cod	29	n/a
Midwater trawl pollock	1,508	n/a
Pollock/Atka mackerel/other species[2]	214	n/a
Red king crab savings subarea non-pelagic trawl gear[3]	n/a	49,250
Total trawl PSC	1,974	197,000

[1]"Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

[2]Pollock other than pelagic trawl pollock, Atka mackerel, and "other species" fishery category.

[3]In October 2009 the Council recommended that the red king crab bycatch limit for non-pelagic trawl fisheries within the RKCSS be limited to 25 percent of the red king crab PSC allowance (see § 679.21(e)(3)(ii)(B)(2)).

TABLE 8c–FINAL 2010 AND 2011 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL LIMITED ACCESS SECTOR AND NON-TRAWL FISHERIES

BSAI trawl limited access fisheries	Prohibited species and area[1]				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	C. opilio (animals) COBLZ	C. bairdi (animals)	
				Zone 1	Zone 2
Yellowfin sole	167	47,397	1,176,494	293,234	1,005,879
Rock sole/flathead sole/other flatfish[2]	0	0	0	0	0
Turbot/arrowtooth/sablefish[3]	0	0	0	0	0
Rockfish	5	0	2,000	0	848
Pacific cod	453	6,000	50,000	50,816	42,424
Pollock/Atka mackerel/other species	250	400	20,000	4,235	4,242
Total BSAI trawl limited access PSC	875	53,797	1,248,494	348,285	1,053,394

Non-trawl fisheries	Catcher processor	Catcher vessel
Pacific cod-Total	760	15
January 1-June 10	314	10
June 10-August 15	0	3
August 15-December 31	446	2
Other non-trawl-Total	58	
May 1-December 31	58	
Groundfish pot and jig	Exempt	
Sablefish hook-and-line	Exempt	
Total non-trawl PSC	833	

[1] Refer to § 679.2 for definitions of areas.

[2] "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

[3] Greenland turbot, arrowtooth flounder, and sablefish fishery category.

TABLE 8d–FINAL 2010 PROHIBITED SPECIES BYCATCH ALLOWANCE FOR THE BSAI AMENDMENT 80 COOPERATIVES

Year	Prohibited species and zones[1]				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	C. opilio (animals) COBLZ	C. bairdi (animals)	
				Zone 1	Zone 2
2010	1,754	70,237	1,461,309	257,715	440,277

[1] Refer to § 679.2 for definitions of zones.

TABLE 8e–FINAL 2010 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI AMENDMENT 80 LIMITED ACCESS FISHERIES

	Prohibited species and area[1]				
Amendment 80 limited access fisheries	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	C. opilio (animals) COBLZ	C. bairdi (animals)	
				Zone 1	Zone 2
Yellowfin sole	440	9,690	633,544	51,561	128,794
Jan 20 - Jul 1	293	9,500	617,709	46,515	102,242
Jul 1 - Dec 31	147	190	15,835	5,046	26,552
Rock sole/other flat/flathead sole[2]	139	18,947	53,203	41,799	30,099
Jan 20 - Apr 1	108	18,685	51,204	37,500	27,000
Apr 1 - Jul 1	16	130	1,000	2,150	1,550
July 1 - Dec 31	15	132	999	2,149	1,549
Turbot/arrowtooth/sablefish[3]	6	45	100	100	100
Rockfish	45	n/a	n/a	n/a	n/a
Pacific cod	1	1	1	1	1
Pollock/Atka mackerel/other species[4]	40	0	0	0	0
Total Amendment 80 trawl limited access PSC	671	28,683	686,848	93,461	158,994

[1] Refer to § 679.2 for definitions of areas.

[2] "Other flatfish" for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, and arrowtooth flounder.

[3] Greenland turbot, arrowtooth flounder, and sablefish fishery category.

[4] Pollock other than pelagic trawl pollock, Atka mackerel, and ''other species" fishery category. "Other species" for PSC monitoring includes sculpins, sharks, skates, and octopus.

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Certified: Dan Bendy
Date: 1/22/10

SCIENTIFIC AND STATISTICAL COMMITTEE
to the
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
December 7-9, 2009

The SSC met during December 7-9, 2009 at the Hilton Hotel, Anchorage, Alaska. Members present were:

Pat Livingston, Chair
NOAA Fisheries—AFSC
Robert Clark
Alaska Department of Fish and Game
George Hunt
University of Washington
Seth Macinko
University of Rhode Island
Farron Wallace
Washington Dept of Fish and Wildlife
Keith Criddle, Vice Chair
University of Alaska Fairbanks
Sue Hills
University of Alaska Fairbanks
Gordon Kruse
University of Alaska Fairbanks
Franz Mueter
University of Alaska Fairbanks
Doug Woodby
Alaska Department of Fish and Game
Milo Adkison (for Terry Quinn)
University of Alaska Fairbanks
Anne Hollowed
NOAA Fisheries—AFSC
Kathy Kuletz
US Fish and Wildlife Service
Lew Queirolo
NOAA Fisheries—Alaska Region

Members absent were:

Troy Buell
Oregon Department of Fish and Wildlife
Ray Webster
International Pacific Halibut Commission

B-1(a) Plan Team Nomination

The SSC considered the nomination of Dr. Tom Gelatt to the Aleutian Islands Fishery Ecosystem Plan Team. The SSC supports this nomination. Dr. Gelatt is very well qualified and his expertise will fill an important gap on the AIFEP Team.

C-3 Groundfish Catch Specifications

GOA & BSAI Pacific cod

Grant Thompson (NMFS-AFSC) presented the GOA and BSAI stock assessments for Pacific cod. Mark Maunder and Kenny Down (Freezer Longliner Coalition) provided public testimony on concerns with the current model and recommended a number of alternative model configurations. Gerry Merrigan (Prowler Fisheries) suggested a rollover of the 2009 ABC in view of the projected sharp increase in biomass in 2011.

The stock assessments for Pacific cod in both the BSAI and GOA continue to go through a number of changes to improve model fit to survey abundance and size and age composition information. Changes to model structure, additions of data to the model, and comparisons of model sensitivity were well presented and documented. The SSC commends the authors of this assessment for responding to requests from the SSC, plan teams, and the public for numerous model runs.

A revised reference model B1 was developed for both BSAI and GOA stocks. Model B1 incorporated a number of changes based on recommendations from the Plan team and SSC. This is the first time cohort-specific growth and an adjustment for an apparent ageing bias was included in the model to address a potential bias in the age data. Because it is not currently possible to estimate bias within the model, the bias adjustment was estimated iteratively and incorporated into the ageing error matrix. Although there are concerns over how this was accomplished (based upon best fit of the model), the bias adjustment did improve model fit to the age data. At the September 2009 team meeting Tom Helser (NMFS-AFSC) presented information regarding the age reading data, but there remain a number of questions that will require additional analyses to fully understand the uncertainty concerning the age readings. Hypotheses about the existence of ageing bias include: 1) age samples and length samples are taken from survey hauls with spatially distinct growth characteristics; 2) growth is highly variable and changes rapidly, particularly for younger ages showing pronounced ontogenetic structure; and 3) the age determination methods introduce a bias. The SSC encourages studies to evaluate the causes for the mismatch between survey length modes and estimated mean length at age of younger fish in the Bering Sea and difficulty of fitting age compositions in the Gulf of Alaska.

The SSC recommends that proposals for model configurations be submitted to the assessment author in April. These proposals will be reviewed the Plan Team(s) and recommendations for future model runs will be vetted by the SSC in June. During the summer months, the stock assessment authors will run the selected models and will present preliminary results to the Plan Team(s) in September. The Plan Teams will then select their preferred suite of models for October SSC review based on model performance. The authors can reserve the right to bring forward additional models for the final SAFE as needed.

SSC Recommendations to the assessment author:

- Evaluate incorporating age conditioned on length rather than age composition and mean size-at-age.
- Evaluate the use of informative priors on selectivities to alleviate convergence problems and constrain selectivity parameters to preserve a reasonable shape
- Exclude fishery age composition data unless a reasonable spatial distribution of samples becomes available.
- The IPHC survey does not appear to inform the model and should be removed.
- Evaluate spatial temporal variation in Fishery CPUE trends for next year (time permitting).

The SSC has identified the following research priorities for Pacific cod:

1. Catchability estimation, including a comparison of net efficiencies between the Bering Sea and Gulf of Alaska survey gear.
2. Estimation of natural mortality independent of the model
3. Recruitment dynamics to better understand the factors that result in strong recruitment events.

BSAI Pacific Cod

There were a number of new data added to inform the BSAI Pacific cod model including: 1) revised catch data for 1991-2008, preliminary catch data for 2009 and accompanying commercial fishery size composition data; 2) 2009 EBS shelf bottom trawl survey numeric abundance estimate with accompanying size composition data, 2008 EBS shelf bottom trawl survey age composition data and 1994-2008 EBS shelf bottom trawl survey mean length at age data; 3) 2008 January-May longline fishery age composition data and mean length at age data; 4) updated variances in the ageing error matrix; 5) updated 2008 seasonal catch per unit effort (CPUE) data for the trawl, longline, and pot fisheries, and preliminary 2009 catch rates for the trawl, longline, and pot fisheries; 6) 2008 International Pacific Halibut Commission (IPHC) longline survey Pacific cod catch rate; and 2009 IPHC longline survey size composition data.

The overall population trend in the near future appears positive. The 2009 EBS shelf-bottom trawl survey biomass estimate was 421,000 t, up 4% from 403,000 t and the numeric abundance estimate of 717 million fish was up about 50%. The 2006 year class, which appeared exceptionally strong in the 2008 survey, still appears to be above average, but survey estimates of this year class are 30% lower than last year's model predictions. The 2008 year class appears to be very large, though it has been observed only once.

The SSC was presented with a suite of fourteen alternative models for the BSAI that were stepwise modifications of the reference model adopted for last year's specifications. The models were classified into three groups. Models without mean size-at-age include three versions (A1, A2, and A3) of the 2008 model accepted for use by the Plan Team and SSC last year, differing only with respect to the amount of age composition data included. Models that incorporate mean size-at-age and age composition data include five models (B1, C1, D1, E1 and G1) with model configurations and features requested by the Plan Team, SSC, and the public. The last group of models (B2, D2, E2, and G2) was fitted to the length composition data only; however, models in this group included mean size-at-age. The revised reference model (B1 and its variants) estimated cohort specific growth and included a bias adjustment term of 0.4 years at all ages added to the internal ageing error matrix. Other features include: 1) the product of survey catchability and selectivity averaged over the 60-81 cm length range was required to equal 0.47, based on archival tag data on vertical distribution; 2) no selectivity deviations were estimated for the last two surveys, so those schedules used the expected values 3) the standard deviation of size at age was estimated externally. The author selected a final model based on these criteria: 1) inclusion of age composition data as requested by the Plan Team and the SSC; 2) the response to various requests such as the correction of age reading bias and cohort-specific growth; and 3) statistical fit to the data. Using these criteria, model B1 (from group 2) was selected as the preferred model, primarily because it included age data and had the best fit.

The SSC agrees with the Plan Team choice of model B1 for assessment of the BSAI Pacific cod stock. The BSAI stock qualifies for management under Tier 3b, because projected biomass for 2010 is below $B_{40\%}$. **The SSC agrees with this Tier designation and recommends setting the 2010 BSAI ABC at 174,000 t, which is the maximum permissible. ABC is projected to increase to 214,000 t in 2011. The corresponding BSAI OFL levels under Tier 3b for 2010 and 2011 (FOFL=0.29) are 205,000 t and 251,000 t, respectively.**

GOA Pacific Cod

A considerable amount of new data was added to inform the GOA Pacific cod model including: 1) catch data for 1991-2008 were updated, and preliminary catch data for 2009 were incorporated; 2) commercial fishery size composition data for 2008 were updated, and preliminary size composition data from the 2009 commercial fisheries were incorporated; 3) age composition and mean-size-at-age data from the 2007 bottom trawl survey were incorporated into some models; 4) age composition data and mean size at age data from the 2008 January-May longline fishery were incorporated into some of the models; 5) size composition data from the 2009 bottom trawl survey and the numeric abundance estimate from the 2009 GOA bottom trawl survey was incorporated; 6) the variances in the ageing error matrix were updated in all of the models that use age data, and possible biases in age data were corrected for in some of the models that use age data; 7) seasonal catch per unit effort (CPUE) data for the trawl, longline, and pot fisheries from 2008 were updated, and preliminary catch rates for the trawl, longline, and pot fisheries from 2009 were incorporated.

Similar to the BS Pacific cod stock, projections of the population trend in the near future appears positive. The 2009 trawl survey estimate of 574 million fish was up about 199% from the 2007 estimate. Spawning biomass was projected to increase dramatically in subsequent years due to a number of young year classes in the population.

The SSC was presented a suite of ten alternative models for the GOA that were stepwise modifications of the reference model adopted for last year's specifications. The models were classified into three groups. The first group of models was the same as the 2008 model configuration, differing only with respect to treatment of age composition data (Models A1-A4). The second group of models incorporated mean size-at-age and age composition data include three models (B1, D1, and E1). This group of models includes model configurations and features requested by the Plan Team, SSC and the public. The last group of models (B2, D2, and E2) were fitted to the size composition data only, however included mean size-at-age. The revised reference model (B1 and its variants) estimated cohort specific growth and included a bias term of 0.4 years at all ages added to the internal ageing error matrix. Other features include: 1) the product of survey catchability and selectivity averaged over the 60-81 cm length range was required to equal 0.47, based on archival tag data on vertical distribution; 2) no selectivity deviations were estimated for the last two surveys, so those schedules used the expected values 3) the standard deviation of size at age was estimated externally. The author selected a final model based on these criteria: 1) inclusion of age composition data as requested by the Plan Team and the SSC; 2) the response to various requests such as the correction of age reading bias and cohort-specific growth; and 3) statistical fit to the data. Using these criteria, model B1 (from group 2) was selected as the preferred model, primarily because it included age data and had the best fit.

The model (B1) estimate of GOA spawning biomass is projected to be above $B_{40\%}$, which indicates that this stock qualifies for management under Tier 3a. This is a change from the 2008 assessment when the Tier designation was 3b. **The SSC agrees with revised Tier designation, the Plan Team choice of model B1, and recommendations setting the 2010 ABC at 79,100 t, which is the maximum permissible. ABC is projected to increase to 97,900 t in 2011. The corresponding OFL levels under Tier 3a (F_{OFL}=0.60) are 94,100 t and 116,700 t, respectively. The SSC agrees with the area apportionment of the ABC to the west, central, and eastern management areas of the Gulf as follows:**

Year		Western	Central	Eastern	Total
2010	ABC	27,685	49,042	2,373	79,100
2011	ABC	34,265	60,698	2,937	97,900

Sablefish

Diana Stram (NPFMC) and Jim Ianelli (NMFS-AFSC) presented the GOA plan team report and recommendations for sablefish. Public testimony from Mark Maunder (Quantitative Resource Assessment) provided a written review of the sablefish assessment and requested that his comments and suggestions be considered during the workshop planned for 2010. Gerry Merrigan (Prowler Fisheries) commented that he believes sperm whale depredation is affecting the survey catch. He also requested that the authors consider treating the incidence of whale depredation differently between the survey and the fishery. The survey does not have the ability to actively avoid whales while the fishers can alter their grounds to reduce encounters with whales. He also commented that whale depredation may be underestimated in the fishery because observers only record killer whale depredation and sperm whale depredation is currently not recorded. Paul MacGregor (representing himself), commented that whale depredation has been an issue for many years. He noted that the Japanese longline association tried to reduce depredation using electricity and found that this method had many safety issues that prohibited its use. Rhonda and Jim Hubbard (Marketer and Fisherman), commented that historical quotas may have been set artificially low to limit the transfer of unused quota to foreign fleets (Japanese). Ms. Hubbard noted that sablefish fishers are hoping to preserve the resource for future generations as evidenced by their recent application for MSC certification. She noted that she is not opposed to lowering quotas when necessary because managers are doing their job. She would like to see more outreach and encouraged the author to have open meetings. She also noted that the fleet doesn't like to fish in spring because of high

numbers of small fish and confirmed that whale depredation definitely occurs, but the fishery tries to avoid them and recommends that the Council considers allowing avoidance measures.

This year's model was unchanged from the model used last year and was updated with information from surveys and fishery. **The SSC agrees with the author's recommendation for Tier 3b management for sablefish. The SSC accepted the author's and the Plan Team's recommendations for ABC and OFL for 2010/11 for sablefish and the recommended apportionments below.** Specific SSC comments on the assessment follow.

SSC recommended ABC and OFL for sablefish (tons)

Area	2010 OFL	2010 ABC	2011OFL	2011 ABC
BS	3,310	2,790	2,970	2,500
AI	2,450	2,070	2,200	1,860
GOA	12,270	10,370	11,008	9,300
W		1,660		1,488
C		4,510		4,042
WYAK		1,620		1,450
SEO		2,580		2,320
Total	18,030	15,230	16,176	13,658

The SSC agrees with the authors' recommendation to use last year's model configuration updated with recent data. The model was updated with relative abundance and length data from the 2009 longline survey, relative abundance and length data from the 2008 longline and trawl fisheries, age data from the 2008 longline survey and longline fishery, and biomass and length data from the 2009 NMFS GOA bottom trawl survey.

SSC recommendations to the Sablefish assessment author

In 2009, evidence of killer whale depredation was recorded for 10 out of 16 Bering Sea stations of the NMFS longline survey. The authors explored several methods to correct for this high level of depredation and none worked to his satisfaction. Therefore, they treated 2009 as if no survey had occurred in the region and estimated the Bering Sea portion of the stock by multiplying the survey estimate from the last year the Bering Sea was sampled (2007) by the ratio of change from the Gulf of Alaska survey (2007-2009). The SSC agrees with this approach for this year's assessment. However, they note that this is not a long-term solution to the problem of depredation in the Bering Sea. The SSC encourages the authors to continue to explore statistical and modeling approaches that will take advantage of the full data set to interpolate depredated stations. The SSC recommends that the authors explore alternative survey methods and evaluate if these methods may be less susceptible to whale depredation.

The SSC realizes that developing a reliable index of sperm whale depredation may be difficult, but this remains an important concern for this assessment because it could influence the reliability of longline survey catch rates as an index of abundance trends.

While gully stations are sampled during the survey, the catch rates used in the model do not include gully stations. Gully stations may provide information on juvenile sablefish. The authors examined the trends in gully stations and the slope stations to see if the gully stations portrayed a different pattern than the RPNs used in the assessment. The trends were similar in both datasets; however, the correlation was not high. The authors found some evidence that the gully stations may provide information on incoming year classes of sablefish. The SSC encourages the authors to continue to explore the information content of the gully stations especially with respect to estimating incoming year classes.

The authors also compared sablefish catch rates from the IPHC longline survey to the catch rates from the sablefish longline survey. The two time series were comparable although the IPHC survey was more variable. The SSC encourages the authors to continue to explore whether sablefish catch rates from the IPHC survey could be used to provide additional information to the assessment. In particular, the SSC

recommends that the authors work with the IPHC to determine whether the IPHC survey data could be used to fill in CPUE in areas missed by the NMFS sablefish survey.

The time trend in the domestic longline fishery CPUE continues to be different from the surveys. The SSC continues to be concerned that inclusion of the longline fishery CPUE as an index of population status may not be appropriate. It is possible that this index does not reflect population trends because the fleet targets high density regions that would exhibit relatively constant CPUE rates across time. The authors indicated that they will examine the implications of dropping this index and the SSC supports that analysis.

Results of the assessment show that there have been no strong year classes of sablefish since 2000. This is the longest period without a strong year class in the time series. The 2000 year class will represent a large portion of the spawning biomass in the near future. The retrospective pattern that previously showed the assessment was overestimating sablefish abundance appears to have been improved in recent years. The SSC recommends that this retrospective pattern continue to be examined in the future.

The Authors noted that several model changes that were recommended by the CIE will be considered at a workshop in the spring of 2010. The SSC supports this approach to addressing model changes and recommends that a SSC member attend this meeting (Franz Mueter has volunteered to represent the SSC). The SSC reviewed the CIE comments and the author's responses that were contained in an Appendix to the SAFE. The SSC encourages work on each of the issues identified. In particular, the SSC highlights the need to address the following issues:

The authors should justify why both RPNs and RPWs are necessary in the model and why this does not constitute double weighting.

The SSC continues to encourage the development of a sablefish migration model. This model would provide improved estimates of exploitation by cohort and would provide a useful tool for area apportionments. They support the authors' plan to review the available tagging data to assess sablefish movement and to model apportionment.

The SSC noted that the report submitted by the public included a recommendation to consider shortening the time series. The SSC does not recommend dropping the early part of the time series but they do recommend exploring the use of temporal partitions to adjust for changes in the survey, exploitation, or biology of the stock.

GOA SAFE and Harvest Specifications for 2010/11

The SSC reviewed the information presented below in Table 1 and determined that none of these species were subjected to overfishing in 2008. Also, in reviewing the status of stocks with reliable biomass reference points (all Tier 3 and above stocks and rex sole) and the 2010/2011 ABC/OFL recommendations for these species, the SSC determined that these species are not considered overfished or approaching an overfished condition.

Table 1. GOA Groundfish Catch and OFL amounts (t) for 2008 for overfishing determinations.

Stock/assemblage	Area/District	OFL	Catch	Percent of Catch/ OFL
Pollock	W/C/WYK	72,110	51,721	72%
	SEO (650)	11,040	0	0%
Pacific cod*	GOA	88,660	58,712	66%
Flatfish (deep-water)	GOA	11,343	574	5%
Rex sole	GOA	11,933	2,706	23%
Flathead sole	GOA	55,787	3,446	6%
Flatfish (shallow-water)	GOA	74,364	9,727	13%
Arrowtooth flounder	GOA	266,914	29,293	11%
Sablefish	GOA	15,040	12,635	84%
Pacific ocean perch	Western	4,376	3,682	84%
	Central	9,717	7,678	79%
	Eastern	3,714	1,100	30%
	GOA Total	17,807	12,460	70%
Shortraker rockfish	GOA	1,197	662	55%
Rougheye rockfish	GOA	1,548	410	26%
Other rockfish	GOA	5,624	834	15%
Northern rockfish	GOA	5,430	4,060	75%
Pelagic shelf rockfish	GOA	6,400	3,648	57%
Thornyhead rockfish	GOA	2,540	747	29%
Big skates	GOA	4,439	1,424	32%
Longnose skates	GOA	3,849	1,156	30%
Other skates	GOA	2,806	1,550	55%
Demersal shelf rockfish	SEO	611	149	24%
Atka mackerel	GOA	6,200	2,113	34%
Total		665,642	198,027	

*Includes State managed Pacific cod fisheries

Table 2. SSC recommendations for GOA Groundfish 2010- 2011 OFLs and ABCs shown with the 2009 OFL, ABC, TAC, and Catch amounts (catches reported through November 7th, 2009 from AKR Catch accounting). Numbers in bold indicates where SSC recommendations differ from the Plan team recommendations.

Stock/ Assemblage	Area	2009 OFL	ABC	TAC	Catch	2010 OFL	ABC	2011 OFL	ABC
Pollock	W (61)		15,249	15,249	14,935		26,256		34,728
	C (62)		14,098	14,098	14,006		28,095		37,159
	C (63)		11,058	11,058	12,135		19,118		25,287
	WYAK		1,215	1,215	1,221		2,031		2,686
	Subtotal	58,590	41,620	41,620	42,297	103,210	75,500	135,010	99,860
	EYAK/ SEO	11,040	8,280	8,280		12,326	9,245	12,326	9,245
	Total	69,630	49,900	49,900	42,297	115,536	84,745	147,336	109,105
Pacific Cod	W		21,567	16,175	14,243		27,685		34,265
	C		31,521	23,641	23,380		49,042		60,698
	E		2,212	1,991	778		2,373		2,937
	Total	66,600	55,300	41,807	38,401	94,100	79,100	116,700	97,900
Sablefish	W		1,640	1,640	1,341		1,660		1,488
	C		4,990	4,990	4,780		4,510		4,042
	WYAK		1,784	1,784	1,774		1,620		1,450
	SEO		2,746	2,746	2,803		2,580		2,320
	Total	13,190	11,160	11,160	10,698	12,270	10,370	11,008	9,300
Deep-water Flatfish	W		706	706	8		521		530
	C		6,927	6,927	428		2,865		2,928
	WYAK		997	997	4		2,044		2,089
	EYAK/SEO		538	538	2		760		778
	Total	11,578	9,168	9,168	442	7,680	6,190	7,847	6,325
Shallow-water flatfish	W		26,360	4,500	96		23,681		23,681
	C		29,873	13,000	8,195		29,999		29,999
	WYAK		3,333	3333	1		1,228		1,228
	EYAK/SEO		1,423	1,423			1,334		1,334
	Total	74,364	60,989	22,256	8,292	67,768	56,242	67,768	56,242
Rex sole	W		1,007	1,007	342		1,543		1,521
	C		6,630	6,630	4,162		6,403		6,312
	WYAK		513	513	1		883		871
	EYAK/SEO		846	846			900		888
	Total	11,756	8,996	8,996	4,505	12,714	9,729	12,534	9,592
Arrowtooth Flounder	W		30,148	8,000	1,517		34,773		34,263
	C		164,251	30,000	22,813		146,407		144,262
	WYAK		14,908	2,500	56		22,835		22,501
	EYAK/SEO		12,205	2,500	52		11,867		11,693
	Total	261,022	221,512	43,000	24,438	254,271	215,882	250,559	212,719
Flathead Sole	W		13,010	2,000	303		16,857		17,520
	C		29,273	5,000	3,115		27,124		28,190
	WYAK		3,531	3,531			1,990		2,068
	EYAK/SEO		650	650			1,451		1,508
	Total	57,911	46,464	11,181	3,418	59,295	47,422	61,601	49,286
Pacific ocean perch	W	4,409	3,713	3,713	3,805	3,332	2,895	3,220	2,797
	C	9,790	8,246	8,246	8,027	12,361	10,737	11,944	10,377
	WYAK		1,108	1,108	1,147		2,004		1,937
	SEO		2,044	2,044	1		1,948		1,882
	E(subtotal)	3,741	3,152	3,152	1,148	4,550		4,396	
	Total	17,940	15,111	15,111	12,980	20,243	17,584	19,560	16,993
Northern	W		2,054	2,054	1,946		2,703		2,549

Stock/ Assemblage	Area	2009 OFL	ABC	TAC	Catch	2010 OFL	ABC	2011 OFL	ABC
rockfish[3]	C		2,308	2,308	1,942		2,395		2,259
	E								
	Total	5,204	4,362	4,362	3,888	6,070	5,098	5,730	4,808
Rougheye	W		125	125	80		80		81
	C		833	833	100		862		869
	E		326	326	100		360		363
	Total	1,545	1,284	1,284	280	1,568	1,302	1,581	1,313
Shortraker	W		120	120	151		134		134
	C		315	315	192		325		325
	E		463	463	207		455		455
	Total	1,197	898	898	550	1,219	914	1,219	914
Other slope[3]	W		357	357	401		212		212
	C		569	569	385		507		507
	WYAK		604	604	82		273		273
	EYAK/SE		2,767	200	11		2,757		2,757
	O								
	Total	5,624	4,297	1,730	879	4,881	3,749	4,881	3,749
Pelagic Shelf rockfish	W		819	819	716		650		607
	C		3,404	3,404	2,143		3,249		3,035
	WYAK		234	234	177		434		405
	EYAK/SE		324	324	1		726		680
	O								
	Total	5,803	4,781	4,781	3,037	6,142	5,059	5,739	4,727
Demersal rockfish	Total	580	362	362	137	472	295	472	295
Thornyhead Rockfish	W		267	267	230		425		425
	C		860	860	275		637		637
	E		783	783	152		708		708
	Total	2,540	1,910	1,910	657	2,360	1,770	2,360	1,770
Atka mackerel	Total	6,200	4,700	2,000	2,221	6,200	4,700	6,200	4,700
Big Skate	W		632	632	68		598		598
	C		2,065	2,065	1,656		2,049		2,049
	E		633	633	87		681		681
	Total	4,439	3,330	3,330	1,811	4,438	3,328	4,438	3,328
Longnose Skate	W		78	78	62		81		81
	C		2,041	2,041	880		2,009		2,009
	E		768	768	175		762		762
	Total	3,849	2,887	2,887	1117	3,803	2,852	3,803	2,852
Other skates	Total	2,806	2,104	2,104	1,007	2,791	2,093	2,791	2,093
Other Species	Total	8720	6,540	4,500	2,327	9,432	7,075	9,432	7,075
Total		632,498	516,055	242,727	163,382	693,253	565,499	743,559	605,086

GOA General Comments

The methods for area apportionment of the ABC that are used in the specific chapters are different from those given in the general introductory material to the SAFE on page 4. The SSC suggests that the table be updated. Also, a different number of years are used for various species (e.g., 5 years for sablefish, 4 years for pollock, 3 surveys, most recent survey). SSC members recall extensive discussions about these issues but the rationale for the decision is not given in the SAFE chapters. The SSC suggests that description of the apportionment rationale in each SAFE chapter of area-apportioned species would be helpful to the reader.

GOA Pollock

This assessment is a straightforward update of last year's assessment with new fisheries and survey data from 2008 and 2009. The estimate of biomass from the 2009 NMFS bottom trawl survey more than doubled from the 2007 estimate, and the 2009 ADFG survey biomass increased by 43% over the 2008 estimate. Winter spawning surveys in Shelikof Strait, the Shumagin Islands, and near Sanak also increased but remained near historically low levels. Large increases in trawl survey biomass estimates were evident at most size classes, suggesting increased availability of pollock to the surveys in 2009. This increase was not reproduced in the best model, which substantially underestimated the 2009 survey biomasses. The projected age 3+ biomass in 2010 increased to 756,550 t (female spawning biomass: 184,567 t) with a negligible probability that spawning biomass will fall below $B_{20\%}$.

The GOA pollock model has undergone extensive review and its performance has been assessed in a Management Strategy Evaluation (Dr. T. Amar's PhD dissertation). The SSC believes that the model continues to provide an appropriate basis for determining reference points for management. As in previous assessments, catchability for the NMFS bottom trawl survey was fixed at 1 as a precautionary measure. For added precaution, the SSC has previously endorsed the constant buffer approach recommended by the authors and Plan Team, which reduces ABC from the maximum permissible. As a further precautionary measure, the author and Plan Team recommend fixing the recruitment of the 2007 year class at the average recruitment for this year's projections, in spite of early indications (from one year of survey data) that the 2007 year class is 1.7 times the average. In this instance, because of previous instances where a large year class was initially estimated but failed to materialize (presumably as a consequence of predation by arrowtooth flounder), and because of the low biomass estimates from EIT surveys the SSC concurs with the proposed approach.

As in past years, the SSC recommends that this stock be managed under Tier 3. Spawning biomass is below $B_{40\%}$, placing the stock in Tier 3b. Therefore the SSC agrees with the projected ABC and OFL levels by area as summarized below (after subtracting 1,650t pollock GHL in Prince William Sound). For area EYAK/SEO, the calculations are done using Tier 5 methodology using natural mortality and survey biomass from the last available bottom trawl survey in 2009.

SSC recommendations for 2010 and 2011 GOA walleye pollock ABC and OFL (t)

	2010		2011	
Area	OFL	ABC	OFL	ABC
W (610)		26,256		34,728
C (620)		28,095		37,159
C (630)		19,118		25,287
WYAK		2,031		2,686
Subtotal	103,210	84,745	135,010	109,105
EYAK/SEO	12,326	9,245	12,326	9,245
Total	115,536	93,990	147,336	118,350

The SSC notes that there are numerous precautionary measures built into the assessment that, when taken together, reduce the recommended ABC to approximately half of the model point estimate. When ACL measures are revised for groundfish stocks, these elements of precaution need to be re-evaluated to develop a consistent approach to dealing with uncertainty across stocks.

The GOA Plan Team requested SSC input on the value of the FOCI work to the management of the GOA pollock stock. The SSC believes that the enormous amount of knowledge that has been gained from the FOCI work is currently underutilized. It can and should be incorporated more fully into the stock assessment. The SSC urges the FOCI group to work with the assessment authors to incorporate suitable predictors of recruitment into the assessment model to evaluate their performance retrospectively and to eventually provide future recruitment trajectories for management strategy evaluations, and assessments of the possible impacts of future climate variability on GOA walleye pollock.

Recommendations to assessment authors:

The SSC concurs with the GOA plan team recommendations for the next assessment (see GOA PT minutes). In particular, the SSC encourages the author to (1) re-evaluate data input sample sizes for the multinomial and other likelihood components and (2) model age-1 abundances to potentially improve recruitment estimates. In addition, the SSC requests that the authors address the following concerns in next year's assessment:

- The authors should re-evaluate survey catchability. The catchability coefficient appears to be well estimated in the model and a 95% confidence interval for q based on the likelihood profile (Fig. 1.20) does not include 1. Therefore, we request that the authors bring forward results from a model that estimates q for next year's assessment. Indications from this year's survey that fish may have been more available to the survey due to environmental conditions suggests that including an environmental covariate in the estimation of q may prove useful, similar to the flatfish assessments and previous pollock assessments in the EBS.
- Changes in condition or weight-at-age of walleye pollock over time should be evaluated to help identify the relative importance of bottom-up vs. top-down forcing on walleye pollock.

GOA Atka mackerel

Atka mackerel in the Gulf of Alaska have been managed as a Tier 6 stock since 1996 because the biomass estimates are considered unreliable for Tier 5 management. In fact, the coefficient of variation of the Gulf-wide assessment for Atka mackerel was 83% in 2009. This is due in large part to a patchy distribution, with the greatest concentrations in the Shumagin Island area.

The SSC appreciates the information provided in the stock assessment on potential stock structure in relation to the BSAI stock, based on our request for exploration of this issue in 2008. Given the significant differences in population size, distribution, recruitment patterns, and resilience noted by the stock assessment authors, we support the continued separation of assessment and management of GOA and BSAI stocks as prudent.

The SSC agrees with the Plan Team and stock assessment authors for continued management of GOA Atka mackerel in Tier 6, as well as their recommendations for ABC = 4,700 t and OFL = 6,200 t for both 2010 and 2011.

GOA Flatfishes

All of the flatfish stocks in the GOA were given full assessments, updated with trawl survey data from 2009 and age and size composition data that were available. **The SSC concurs with assessment authors' and Plan Teams' recommendations for 2010/2011 OFL and ABC and area apportionments for GOA flatfishes as noted in Table 2.** Details of assessments by stock and recommendations to assessment authors follow.

The deep water flatfishes were assessed under the same tiers as used in the 2007 assessment, with Dover sole in Tier 3a and Greenland turbot and deepsea sole in Tier 6. Selectivity scaling functions for males were attempted for the Dover sole model, although the base model from 2007 was selected by the assessment authors and Plan Team for managing this stock. The SSC concurs with the Plan Team recommendation to investigate survey biomass estimates and natural mortality rates for Greenland turbot and deepsea sole with hopes of moving these species into Tier 5 during the next assessment. The SSC would also like to see ADF&G trawl survey data incorporated into the Dover sole assessment during the next assessment cycle.

Assessments of the shallow water flatfishes and arrowtooth flounder were similar to those from 2007, with data updated through 2009. Northern and southern rock sole are assessed at Tier 4 and other shallow water flatfish at Tier 5. Arrowtooth flounder are assessed at Tier 3a.

Although scaling parameters for male fishery and survey selectivity were attempted in the assessment model for rex sole in 2009, this feature was not utilized in the final preferred model. The base model from 2007 was used for the 2009 assessment. The estimation of fishery selectivity continues to be problematic in determining reference points for this stock. The assessment authors took prior SSC advice and applied the maturity schedule for females as the fishery selectivity in the model and calculated what appear to be reasonable estimates of OFL and ABC using Tier 3a. However, the Plan Team noted and the SSC concurred that the estimate of $F_{40\%}$ and $F_{35\%}$ were not reliable and therefore recommended using the Tier 5 calculations for OFL and ABC using the model estimate of biomass. The $F_{40\%}$ estimate derived from the model had an extremely large standard error due to the fishery taking primarily large fish and sensitivity of the model to the estimate of the age at 50% selection by the fishery. The SSC notes that the estimate of $B_{40\%}$ from the model was reliably estimated and could be used to determine the status of this stock.

Scaling parameters for male fishery and survey selectivity were utilized by the authors in the assessment model in 2009 for flathead sole, but this feature was not accepted by the Plan Team in the final preferred model. The base model from 2007 was used for the 2009 assessment. Flathead sole are assessed at Tier 3a.

SSC recommendations for GOA flatfish OFL and ABC for 2010 and 2011 (t)

Stock	Tier	2010 OFL	2010 ABC	2011 OFL	2011 ABC
Deep water flatfish	3a,6	7,680	6,190	7,847	6,325
Shallow water flatfish	4,5	67,768	56,242	67,768	56,242
Rex sole	5	12,714	9,729	12,534	9,592
Arrowtooth flounder	3a	254,271	215,882	250,559	212,719
Flathead sole	3a	59,295	47,422	61,601	49,286

SSC recommendations for flathead sole assessment authors:

- The SSC concurs with the Plan Team recommendations for further analysis of the selectivity functions and for an additional review of the new assessment model during the next year.
- It was not clear to the SSC that the new model fitted the survey biomass data very well based on Table 8.15 of the SAFE document. In addition to such a table, the SSC would like to see a graph of the biomass estimates from the new and base model with confidence intervals (or SE's) plotted along with the survey biomass to allow better visual assessment of the model fits.

GOA Pacific ocean perch

The Pacific ocean perch stock assessment is based on the same base model as in the previous assessment cycle (2007, 2008), but with alternative configurations designed primarily to test the effect of modifications to selectivity functions. Changes to input data include new biomass estimates from the 2009 survey, new survey and fishery age compositions, new catch estimates, and updated historic data.

The stock assessment authors have been troubled by model estimates of catchability that have been drifting upwards from 1.7 beginning in 2003 when the model was first implemented to over 2 in recent years. They have also been concerned with poor fit to fishery age composition data. In response, the authors have investigated the effect of modeling selectivity separately for 3 periods that reflect operational differences in the fishing industry:

1. 1961-1976, during the foreign fishery when the age composition was likely to be more pristine with a larger proportion of older fish,
2. 1977-1995, during the conversion to a domestic fleet, but still dominated by large factory trawlers that towed deep and farther from port, and

3. 1996-present, a period with smaller catcher boats, semi-pelagic trawling, and fishing cooperatives.

The new selectivity functions for these periods are logistic, averaged logistic-gamma, and gamma, respectively, to model a trend towards dome-shaped selectivity through time. This approach provided a more parsimonious model (fewer parameters) with improved fit, especially for the age composition data, while also providing a lower, more realistic estimate of catchability slightly below 2. While the new model results double the F35% and F40% levels, the authors note that the increased mortality is expected to occur in the middle of the age distribution, with lower mortality of older age classes.

The SSC supports the Plan team's recommendations to accept these changes, and we note that the approach taken is a nice blend of common sense and investigative modeling. **The SSC accepts the recommendations of the Plan team and the assessment authors that the stock is to be managed in Tier 3a with the current female spawning biomass level greater than B40%. The SSC agrees with the recommendation for OFL = 20,243 t in 2010 and 19,560 t in 2011, with ABC = 17,584 t in 2010 and 16,993 t in 2011. The SSC agrees with the area apportionments of ABC and OFL for both years to the western, central and eastern areas, as well as the eastern GOA split of the ABCs to the West Yakutat and Southeast Outside areas as given in the table below (amounts are metric tons).**

SSC recommendations for GOA POP ABC and OFL for 2010 and 2011 (t)

Year		Western	Central	Eastern	WYAK	SEO	Total
2010	ABC	2,895	10,737	--	2,004	1,948	17,584
2011	ABC	2,797	10,376	--	1,937	1,882	16,993
2010	OFL	3,332	12,361	4,550	--	--	20,243
2011	OFL	3,220	11,944	4,396	--	--	19,560

GOA Northern Rockfish

Two configurations of the model used in 2007 were evaluated for use in 2009. The first of these (model 1) simply used updated data, including new data from the biennial survey conducted in 2009. The second model configuration (model 2) used a more consistent method of assigning year-specific likelihood weights to the data components for fishery and survey age and size data. Model 2 provides a better balance to the fits of the size and age data than model 1 as well as a better fit to the survey biomass index time series.

The SSC appreciates the SAFE authors' efforts to improve the assessment by way of a more consistent method of assigning likelihood weights. While we continue to be concerned with the poor fit to the survey biomass data, particularly the high estimates obtained in many of the recent years (1999, 2001, 2005, and 2007), we recognize the good fit to data from survey years with low survey biomass.

The SSC accepts the Plan Team and authors' estimate of spawning biomass = 34,790 t in 2010, above $B_{40\%}$ = 24,550 t, and therefore agree with the recommendation to continue with Tier 3a management. The SSC agrees with the recommendation for OFL = 6,070 t in 2010 and 5,730 t in 2011, with ABC = 5,100 t in 2010 and 4,810 t in 2011. The SSC agrees with the geographic apportionment of the ABC for 2010 as 2,703 t to the Western Gulf and 2,395 t to the Central Gulf, and for 2011 as 2,549 t to the Western Gulf and 2,259 t to the Central Gulf.

SSC recommendations for GOA Northern Rockfish ABC and OFL for 2010 and 2011 (t)

Year		Western	Central	Eastern	WYAK	E. Yak/SE	Total
2010	ABC	2,703	2,395	2	--	--	5,100
2011	ABC	2,549	2,259	2	--	--	4,810
2010	OFL	--	--	--	--	--	6,070
2011	OFL	--	--	--	--	--	5,730

SSC Comments to the GOA Northern rockfish stock assessment authors
The SSC looks forward to seeing the new maturity data that has recently become available for this species and the impact on incorporation of those data into the assessment model next year. The SSC agrees with the authors' suggestion to expand the plus group age category from 23 years to at least 30 years, noting that a substantial proportion of the assessed stock appears to be in the current plus age group.

GOA Shortraker/Other slope rockfish

New information in the Shortraker and Other Slope rockfish assessments includes the biomass estimates from the 2009 trawl survey. The authors used the same assessment methodology as in past assessments for shortraker rockfish and "other slope rockfish".

Shortraker rockfish are managed as a Tier 5 species. Shortraker could be managed as a Tier 4 species but due to uncertainty in obtaining reliable ages, the authors recommend that this stock be managed as a Tier 5 species.

The other slope rockfish complex is composed of 15 rockfish species. As in previous years, a Tier 4 designation is used for sharpchin, and a Tier 5 designation is recommended for redstripe, harlequin, silvergray, redbanded, and other minor rockfish species.

The SSC accepts the proposed Tier designations for shortraker rockfish and other slope rockfish harvest specifications. The SSC also accepts the authors and Plan Team recommendation for managing shortraker rockfish separately from the remaining other slope rockfish complex. The SSC accepts the authors' and Plan Team recommendations for ABC and OFL, and the associated area apportionments of the ABC for shortraker rockfish and other slope rockfish for 2010 and 2011 (Table 2).

Since 2003, the biomass of silvergray rockfish has declined from 51,916 t to 9,851 t. The silvergray rockfish population resident in waters off the state of Alaska is at the northern end of the range for this species. Therefore, biomass fluctuations may represent shifting proportions of the stock available in waters off southeast Alaska. It does not appear that the fluctuations are due to fishing mortality because the catch of silvergray rockfish has been well below the ABC.

The trawl survey biomass estimates of harlequin rockfish have varied widely. Since 2005, the NMFS trawl survey biomass estimates of harlequin rockfish dropped from 33,125 in 2005 t to 2,686 t in 2009. The biomass estimate used to estimate the ABC and OFL is computed by weighting the most recent 3 surveys giving a progressively heavier weight to the more recent surveys using factors of 4, 6, and 9. In 2011, the high 2005 biomass estimate will drop out of the time series. The SSC notes that the recent catches of harlequin rockfish would have approached the single species ABC if the stock had not been managed in a complex. In addition, the authors commented that the estimate of M for harlequin remains uncertain.

SSC recommendations to shortraker/Other slope rockfish assessment authors
The SSC requests that the authors review the time trends for silvergray rockfish to assess whether recent declines are a conservation concern. The age data for silvergray rockfish ends in 1999. The SSC encourages the authors to request age determinations for silvergray rockfish collected in recent years to assess whether declines are due to recruitment failure or shifting spatial distributions.

The SSC requests that the author reviews the current harvest of harlequin rockfish to determine whether the current harvest strategy is sustainable for this species.

GOA Rougheye Rockfish

The rougheye rockfish complex consists of rougheye rockfish and blackspotted rockfish, which are assessed in aggregate using a single age-structured stock assessment model. The new data added to this model included: the updated estimates of 2007-2009 fishery catch, 2004 and 2006 fishery ages, 2007 fishery length compositions, 2009 trawl survey biomass estimate, 1987 and 2007 trawl survey age compositions, 2008-2009 longline survey relative population weights, and 2008-2009 longline survey size compositions. The assessment authors considered different methods to estimate the proportion of rougheye rockfish and blackspotted rockfish caught in the years 1993-2004. They concluded that estimation based on observer data may provide a more accurate estimate of the true proportion of RE/BS catch than the proportion based on the blend estimates. The SSC agrees that it was reasonable to use of the observer data to reconstruct the rougheye and blackspotted catch.

The assessment methodology is very similar to the 2007 model. This year the authors considered two model configurations: Model 1 was identical to last year's model updated with new data, Model 2 was identical to Model 1 except a CV of approximately 30% is implemented for the earlier part of the catch time series (1977-1992) where catches are not as well known, while a CV of 5% was used for the rest of the time series. As determined in the 2007 SAFE appendix analysis, the increased weight on the catch time series allows for increased robustness of the model to weighting sensitivity. The author's preferred model was Model 2. The SSC agrees with the authors and recommends using Model 2 for estimating 2010 and 2011 harvest specifications.

The SSC accepts the authors and Plan Teams proposed 2010/2011 ABC and OFL specifications for the rougheye complex and their proposed area apportionments for the ABC (Table 2).

SSC Comments to the rougheye rockfish stock assessment authors and Plan Team:
The SSC repeats its earlier request that the assessment authors bring forward separate models for the two rockfish species. The SSC recognizes that a key step towards the development of a split species model is the improvement in the accuracy of species identification by NMFS survey scientists and observers. A high priority should be placed on improving species identifications for rougheye and blackspotted rockfish through improvements in observer training and field identification guides (e.g., continued refinement of the species ID pamphlet that came out of Orr and Hawkins 2008 work).

The SSC agrees that currently using a mixed species model does not pose a conservation concern because directed fisheries are prohibited, and the incidental catch of rougheye and blackspotted rockfish remains well below the recommended ABC. However, the catch should be monitored to prevent overfishing. In particular, the authors should monitor the bycatch trends in the sablefish, halibut longline fisheries, and look for evidence of "topping off" in the POP fishery.

The SSC notes that the MCMC estimate of trawl survey q for the rougheye complex (0.381 Model 2) is considerably different than the q for dusky rockfish (0.911 Model 2). It would be useful to compare the model estimates of q for different species of rockfish and consider whether the estimates are reasonable.

As noted in the assessment, the rockfish pilot project may allow improved utilization of the rockfish quotas. The authors should continue to consider the impact of the rockfish pilot program on catch.

GOA Pelagic Shelf Rockfish

Pelagic shelf rockfish includes widow, yellowtail, and dusky rockfish. As in previous years, an age structured assessment was used to assess dusky rockfish. The authors and the Plan Team recommend that these species continue to be managed as a complex for 2010/2011. The authors estimate the reference points for the complex as the sum of species specific ABCs and OFLs for the members of the complex. Using this practice, ABCs for widow rockfish and yellowtail rockfish were estimated using a Tier 5

approach while a Tier 3 approach was used to for dusky rockfish. For the pelagic shelf rockfish assemblage, ABC and OFL for dusky rockfish are combined with ABC and OFL for widow and yellowtail rockfish. The SSC agrees with this approach to management of the Pelagic shelf rockfish complex.

This year the authors considered two model configurations for the dusky rockfish stock assessment: Model 1 was identical to last year's model updated with new data, Model 2 was identical to Model 1 except the catch time series was split into 2 time periods and different weighting schemes were applied to the two time periods. The author's preferred model was Model 2. New data for 2009 included updated 2008 fishery catch, estimated 2009 fishery catch, three new years of fishery ages (2003, 2005, 2006), 2007 survey ages, and 2009 survey biomass. As a result of the passage of GOA groundfish FMP Amendment 77, dark rockfish is no longer considered in the Pelagic Shelf Rockfish assessment. The SSC agrees with the determination of Tier 3a management for dusky rockfish. The SSC agrees with the author and recommends using Model 2 for estimating 2010 and 2011 harvest specifications for dusky rockfish.

The SSC supports the Plan Team and SAFE authors' recommendation for OFL and ABC levels for Pelagic shelf rockfish, as well as the area apportionments of ABC and OFL for both years (Table 2).

SSC Comments to the pelagic shelf rockfish stock assessment authors and Plan Team

The SSC notes that the MCMC estimate of trawl survey q for the rougheye complex (0.381) is considerably different from the q for dusky rockfish (0.911). It would be useful to compare the model estimates of q for different species of rockfish and consider whether the estimates are reasonable.

The Plan Team recommended reorganizing the complex to managing dusky rockfish as a single species group. They considered the implications of this action on management of widow and yellowtail rockfish and noted that one option would be to manage widow and yellowtail rockfish as part of the Other Slope rockfish complex. The SSC agreed that reorganization of the complex should be considered and noted that the option to manage widow and yellowtail rockfish as part of the other slope complex should be considered. The SSC notes that these changes could be assessed as part of consideration of assemblage membership that will occur in FMP amendments to implement the ACL requirements.

SSC recommendations to stock assessment authors

The authors continue to use the 1996 length weight data in the dusky rockfish assessment. The SSC requests that the authors examine length weight from more recent surveys to determine whether additional information could be added to the assessment.

GOA Demersal shelf rockfish

Demersal shelf rockfish biomass is estimated from a habitat-based stock assessment focused on yelloweye rockfish densities derived from visual line transects conducted from submersibles. A new density survey was conducted in the Eastern Yakutat area in 2009. New information for the biomass projections are average weights for 2009, reported by area from directed commercial landings and from incidental catch in the halibut fishery. Age data were added from Central Southeast Outside (2004) and Eastern Yakutat (2005). Exploitable biomass for 2010 (14,321 t) decreased 18% from 2009 (17,390 t).

As in previous assessments, the SSC agrees with authors and Plan Team to apply precautionary measures in establishing allowable harvests, including: 1) using the 90% lower confidence bound, and 2) using a harvest rate lower than maximum under Tier 4 by applying F=M=0.02 to survey biomass. The SSC agrees with the resulting OFL = 472 t and ABC = 295 t for both 2010 and 2011.

SSC recommendations to stock assessment authors

The SSC noted that the large decrease in biomass estimated for 2009 appears inconsistent with the life history and population dynamics of these long-lived rockfish species. The SSC urges the assessment authors to consider an age-structured model in the future, from which to conduct a comparison of biomass

estimation methods. A study of survey timing would also help to determine if density surveys conducted early in the summer are representative of those conducted later in the year. The SSC also looks forward to seeing confidence intervals for recreational removals, which the authors expect to provide next year. The authors should also consider reviewing and possibly improving upon estimates of recreational removals by private anglers in outside waters, since these data are likely to differ markedly from charter anglers.

GOA Thornyhead Rockfish

Assessment of this stock continued as described in 2007 with an update in biomass from the 2009 survey. Results of a recent age study confirmed that reliable aging of thornyheads is indeed difficult. Maximum age from the study was similar to past studies (85-100 years). **The SSC agrees with the Plan Team recommendations and continues to support the Tier 5 calculations. The SSC also concurs with the Plan Team recommendations for 2010/11 ABCs, OFLs, and area apportionments (Table 2)**

SSC recommendations to stock assessment authors
Despite the difficulties in aging these animals, the SSC continues to encourage development of an age structured assessment for shortspine thornyhead. The SSC also noted a minor typo on page 1118, paragraph 3 of the SAFE document where estimates of natural mortality rate do not have a leading zero (e.g., M = 0.7 where it should be M=0.07).

GOA Skates

The stock assessment for GOA skates was updated with 2009 bottom trawl survey data and catch data. The major change this year was a new method of estimating skate bycatch in the IFQ halibut fishery.

The SSC agrees with the Plan team recommendation to continue management of GOA skates under Tier 5 with the biomass estimated using the average of the 4 recent AFSC trawl surveys, and the assumption of M = 0.1 for the two major species, big and longnose skates, as well as the composite group of other skates in the genus *Bathyraja*.

The SSC agrees with the Plan Team's recommended 2010 and 2011 OFL = 4,438 t and ABC = 3,328 t for big skate and OFL = 3,803 t and ABC = 2,852 t for longnose skate based on Tier 5 calculations. The SSC also agrees with the recommended OFL = 2,791 t and ABC = 2,093 t for other skates in this complex. The SSC agrees with the distinct area apportionment of individual ABCs for Big Skates to the Western, Central, and Eastern Gulf of Alaska equal to 598 t, 2,049 t, and 681 t for both years. For longnose skates the ABC apportionments for the W, C and E GOA are 81 t, 2,009 t, and 762 t, respectively. The SSC accepts the rationale that a single OFL provides adequate precaution given the bycatch-only status of the current catches.

The new method of bycatch estimation used the IPHC halibut survey bycatch data to estimate skate bycatch in the commercial fishery and used only those survey stations with the highest one-third of halibut catch rates. The rationale for this approach is the expectation that most of the commercial effort in the halibut fishery is likely to be in the high CPUE areas. The plan team was uncomfortable with this new approach, noting that the impact on the estimate of skate bycatch, which is primarily taken in the halibut fishery, is to reduce that estimate by an order of magnitude.

In regards to the state waters directed fishery for skates, given the potential for localized harvests exceeding guideline catch limits, we encourage the implementation of effort control rules, such as trip limits.

SSC Comments to the GOA skate stock assessment authors

The SSC concurs with the plan team's request for an investigation of alternative methods of estimating skate bycatch in the commercial halibut fishery, to include stratification based on the geographic distribution of the commercial fishery, as well as depth and area stratification.

GOA Other Species

Aggregate OFL and ABC levels are set for the GOA Other Species management category, which include sharks, sculpins, squid, and octopus. Individual assessments need to be developed for each member of the Other Species category to contribute to a group total OFL and ABC. **The SSC agrees with the Plan Team to set the aggregate ABC and OFL for this category to 7,075 t and 9,432 t, respectively for both 2010 and 2011.** SSC comments on the individual assessments of the group members follow.

GOA Sharks

The shark assessment was updated with catch and survey data through 2009. Owing to changes in the Catch Accounting System, there were relatively minor changes in the estimated shark catches over 2003-2008. Also, this year's assessment included preliminary estimates of shark bycatch in IFQ halibut fisheries. The SSC concurs with the plan team and author that sharks should again be managed using Tier 6 criteria. However, Tier 5 may apply in the future, especially for spiny dogfish. As pending Annual Catch Limit (ACL) analyses will lead to separate specifications for shark species, Tier 5 should be considered at that time. The SSC accepts the Plan Team's recommendation of OFL = 1,276 t and ABC = 957 t for both 2010 and 2011 using the 1997-2007 base period. The modest increase in OFL and ABC from last year is due to the revised catch estimates in the Catch Accounting System.

SSC recommendations to stock assessment authors

First, the SSC supports the four plan team recommendations on p. 16 of the November 2009 Plan Team minutes concerning sport fish catches, halibut bycatch, observer data, and Tier 5, as well as the team's research recommendation on shark population structure on p. 16 of the GOA SAFE introduction. The SSC also recommends adding a research priority on the development of aging methods for Pacific sleeper sharks so that M and other life history parameters can be estimated for future assessments. The results of Rice's (2008) master's thesis on spiny dogfish, such as biomass estimates relative to virgin biomass, should be referenced in the chapter. His findings may be relevant to discussions about the difficulty using the NMFS biannual trawl survey to estimate dogfish biomass.

The SSC supports further development of both proposed methods to estimate shark bycatch in halibut fisheries reported in the Appendix. When completed, reconstructed historical estimates of shark catch should be added to the historical catch time series for sharks. There appears to be an error in Table AA2. The catch weight estimates for sleeper sharks do not fall within their reported confidence intervals. Based on comparisons with Table AA7, it appears that it is the catch weight estimates (not the confidence intervals) that are in error.

Finally, the SAFE chapter authors should consider shark bycatch in state-managed fisheries, such as salmon gillnets and groundfish longline fisheries for cod and sablefish. The authors should explore ways to extend bycatch estimates to the state-managed longline fisheries. For instance, the same approach used to extend halibut survey bycatches of sharks to the halibut fishery could perhaps be applied to ADF&G longline surveys for sablefish in Southeast Alaska. Regarding salmon fisheries, such an approach may be unlikely, but shark bycatch could at least be characterized by ADF&G area managers.

GOA Sculpins

The stock assessment for sculpins in the GOA indicates an increase in biomass in 2009. In general, the trawl survey estimates for the 7 most common species found in the Gulf have a relatively low CV (< 0.3 for each) such that the biomass estimates are considered reliable and appropriate for Tier 5 management. The SSC agrees with continuing Tier 5 management for this group and accepts the recommendation to base the biomass estimate on the average of the last 4 surveys. The plan team and stock assessment authors have recommended choosing the most conservative estimate of M as 0.19. The SSC agrees with this approach, recognizing that an alternative approach will be needed when ACLs are revised, and agrees with the determination of OFL = 6,328 t and ABC = 4,476 t in both 2010 and 2011.

GOA Squid

The stock assessment for GOA squid provided updated information based on new survey data; however, the stock assessment authors recognize that biomass estimates are unreliable for squids in the Gulf. For this reason, the SSC agrees with continuation of Tier 6 management based on the maximum catch in the 1997 to 2007 period. The 2010 and 2011 OFLs based on this period equates to 1,530 t with an ABC = 1,148 t for both 2010 and 2011.

SSC Comments to the GOA squid stock assessment authors:

In response to SSC requests to include seabirds in the assessment, the authors added a paragraph on seabirds under their Ecosystem Considerations section, but did not integrate seabirds into other sections. For example, the authors make a good argument for approaching squid bycatch from the aspect of potential impact to apex predators, and that a potential management priority may be to maximize prey availability during certain seasons for protected resources. In this context, the authors suggest that management of squid bycatch could be focused on pinniped and cetacean foraging areas, and we suggest this section could add protected seabirds such as albatross. A similar addition could be made under 'data gaps and research priorities'.

The graph of seabird diets is a good addition, and it highlights that for several groups of birds, squid comprise >50% of their diets. The authors could combine these seabird groups for general reference, since they are all in the family Procelaridae (tubenoses). Collectively, the Procelarids number approximately 30 million birds during summer, and thus constitute a large consumer group dependent on this resource. Note that jaegers should be dropped from this group, and additionally should be removed from the figures on diet composition (Fig. 8 in the GOA assessment).

GOA Octopus

Recognizing that biomass estimates are unreliable for octopuses in the GOA, the authors and plan team have recommended a continuation of Tier 6 management, based on a maximum catch in the base years of 1997 to 2007. The SSC agrees with this approach and recommend the 2010 and 2011 OFL = 298 t with the ABC for each year = 224 t.

SSC Comments for NOAA General Counsel

The SSC requests clarification on the level of economic activity that would exceed the threshold, defined as a "*minimal amount of sale*," for octopus to be considered an Ecological Component species.

The SSC reviewed the information presented in Table 3 and determined that none of these species were subjected to overfishing in 2008. Also, in reviewing the status of stocks with reliable biomass reference points (all Tier 3 and above stocks) and the 2010/2011 ABC and OFL recommendations for those stocks, the SSC determined that these stocks are not considered overfished and are not approaching an overfished condition.

Table 3. BSAI Groundfish Catch and OFL amounts (t) for 2008 for overfishing determinations.

Stock/Assemblage	Area	OFL	Catch	Percent of Catch/OFL
Pollock	Bering Sea	1,440,000	990,562	69%
	Aleutian Islands	34,000	1,278	4%
	Bogoslof	58,400	9	0%
Pacific cod*	BSAI	207,000	170,615	82%
Sablefish	Bering Sea	3,380	1,125	33%
	Aleutian Islands	2,890	894	31%
Atka mackerel	BSAI	71,400	58,088	81%
Yellowfin sole	BSAI	265,000	148,894	56%
Rock sole	BSAI	304,000	51,278	17%
Greenland turbot	BSAI	15,600	2,751	18%
Arrowtooth flounder	BSAI	297,000	21,884	7%
Flathead sole	BSAI	86,000	24,542	29%
Other flatfish	BSAI	28,800	3,624	13%
Alaska plaice	BSAI	248,000	17,376	7%
Pacific ocean perch	BSAI	25,700	17,436	68%
Northern rockfish	BSAI	9,740	3,287	34%
Shortraker rockfish	BSAI	564	166	29%
Rougheye rockfish	BSAI	269	213	79%
Other rockfish	BSAI	1,330	598	45%
Squid	BSAI	2,620	1,542	59%
Other species	BSAI	104,000	29,376	28%
TOTAL		3,205,693	1,545,537	48%

*Includes State managed Pacific cod fisheries

Table 4. SSC recommendations for BSAI Groundfish 2010-2011 OFLs and ABCs shown with the 2009 OFL, ABC, TAC, and Catch amounts (t) (2009 catches through November 7 from AKR Catch Accounting including CDQ). Numbers in bold indicate where SSC recommendations differ from the plan team recommendations.

Stock/ Assemblage	Area	2009				2010		2011	
		OFL	ABC	TAC	Catch	OFL	ABC	OFL	ABC
Pollock	EBS	977,000	815,000	815,000	810,052	918,000	813,000	1,220,000	1,110,000
	AI	34,000	28,200	19,000	1,282	40,000	33,100	39,100	32,200
	Bogoslof	58,400	7,970	10	9	22,000	156	22,000	156
Pacific cod	BSAI	212,000	182,000	176,540	163,587	205,000	174,000	251,000	214,000
Sablefish	BS	3,210	2,720	2,720	876	3,310	2,790	2,970	2,500
	AI	2,600	2,200	2,200	1,055	2,450	2,070	2,200	1,860
Atka mackerel	Total	99,400	83,800	76,400	72,274	88,200	74,000	76,200	65,000
	EAI/BS		27,000	27,000	26,433		23,800		20,900
	CAI		33,500	32,500	29,541		29,600		26,000
	WAI		23,300	16,900	16,300		20,600		18,100
Yellowfin sole	BSAI	224,000	210,000	210,000	103,808	234,000	219,000	227,000	213,000
Northern rock sole	BSAI	301,000	296,000	90,000	48,593	243,000	240,000	245,000	242,000
Greenland turbot	Total	14,900	7,380	7,380	4,284	7,460	6,120	6,860	5,370
	BS		5,090	5,090	2,074		4,220		3,700
	AI		2,290	2,290	2,210		1,900		1,670
Arrowtooth	BSAI	190,000	156,000	75,000	28,931	191,000	156,000	191,000	157,000

Stock/ Assemblage	Area	2009				2010		2011	
		OFL	ABC	TAC	Catch	OFL	ABC	OFL	ABC
flounder									
Flathead sole	BSAI	83,800	71,400	60,000	19,424	83,100	69,200	81,800	68,100
Other flatfish	BSAI	23,100	17,400	17,400	2,155	23,000	17,300	23,000	17,300
Alaska plaice	BSAI	298,000	232,000	50,000	13,698	278,000	224,000	314,000	248,000
Pacific Ocean perch	BSAI	22,300	18,800	18,800	14,780	22,400	18,860	22,200	18,680
	BS		3,820	3,820	623		3,830		3,790
	EAI		4,200	4,200	3,867		4,220		4,180
	CAI		4,260	4,260	3,879		4,270		4,230
	WAI		6,520	6,520	6,411		6,540		6,480
Northern rockfish	BSAI	8,540	7,160	7,160	3,087	8,640	7,240	8,700	7,290
Shortraker	BSAI	516	387	387	198	516	387	516	387
Blackspotted/ Rougheye	BSAI	660	539	539	194	669	547	650	531
Other rockfish	BSAI	1,380	1,040	1,040	586	1,380	1,040	1,380	1,040
	BS		485	485	193		485		485
	AI		555	555	393		555		555
Squid	BSAI	2,620	1,970	1,970	353	2,620	1,970	2,620	1,970
Other species	BSAI	80,800	66,700	50,000	26,653	88,200	61,100	88,100	60,900
Total	BSAI	2,638,226	2,208,666	1,681,546	1,315,879	2,462,945	2,121,880	2,826,296	2,457,284

General comment for Aleutian Islands stock assessments

The SSC notes that the Aleutian Island bottom trawl survey was last conducted in 2006. Several stocks in the Aleutian Islands are in Tier 5 and above. However, reliable biomass estimates are required in order to maintain Tier 5 and higher status. If the Aleutian Island bottom trawl survey is not conducted in 2010, this may jeopardize the current tier status of these stocks. Additionally, the bottom trawl survey is an important source of ecosystem information for this important region. Thus, the SSC places a high priority on conducting a survey in 2010.

EBS Pollock

Jim Ianelli (NMFS-AFSC) summarized the 2009 EBS pollock assessment. Grant Thompson (NMFS-AFSC) summarized the Plan Team deliberations on the pollock specifications. The SSC appreciates the concise presentations, which addressed all of the key issues important to the decision-making process.

Public testimony was received from the following individuals and groups (in order of appearance):

- George Pletnikoff (Greenpeace) highlighted the uncertainty in the current assessment and suggested that the ABC may be biased high, based on a review of the pollock stock assessment model by Dr. Steven Martell (UBC). He provided a written review document from Dr. Martell to the SSC. His recommendation was to manage the stock under Tier 3 with an ABC of 433,000 t.
- Ed Richardson (Pollock Conservation Cooperative) supported the author's model and the author and Plan Team recommended ABC under Tier 1b (813,000 t), suggesting that it was sufficiently conservative. He also cited anecdotal evidence that pollock moved onto the shelf much later in the year in 2009, which would affect their availability to both the EIT and bottom trawl surveys.
- Tim Thomas (American Seafood Company, on behalf of PCC) provided observations from the fishing fleet that fish showed up on the fishing grounds much later than usual (by about one month) and that very large numbers of young fish were present on the shelf during the B season.
- Dan Hanson (Arctic Storm Management Group) supported the Plan Team's recommendation to set ABC at the maximum permissible level. As captain of the Arctic Storm, he reported seeing large numbers of young pollock on the shelf during the 2009 B season.

- Jon Warrenchuk (Oceana) expressed concern about a declining trend in the B_0 reference point due to decreasing recruitment over time. He also stressed the importance of $B_{20\%}$ as an ecosystem reference point to provide a sufficient prey base for Steller sea lions throughout the year. He requested that a more complete evaluation of the chance of the stock falling below $B_{20\%}$ be included in stock assessments, preferably based on average recruitment. Specific suggestions were provided in written comments.
- Brent Paine (United Catcher Boats) recommended accepting the Plan Team recommendation for maximum permissible ABC under Tier 1 using the best estimate of recruitment for projections. He re-iterated the rationale that the Plan Team provided in favor of using the best estimate of recruitment rather than average recruitment for the 2006 year class.
- Donna Parker (Arctic Storm) also supported the recommendations of the Plan Team for maximum permissible ABC. She suggested that there is no scientific basis for reducing recruitment of the 2006 year class to average recruitment.

The assessment is an update of last year's assessment with the exception of allowing fishery age selectivity to change annually instead of biennially. New data included 2009 catch data and survey biomass from both the summer bottom trawl (BT) and hydroacoustic (EIT) data. The authors explored several new features in this year's model:

- Several alternatives were evaluated for the weight-at-age vector used in projections of future biomass. A three-year running average of weight-at-age had been used in previous assessments. Using retrospective analyses, the authors explored the use of covariates to predict weight-at-age anomalies (temperature, abundance, average date/location of catch), but found that a 10-year running average was the best predictor of future weight-at-age. Given that density-dependent and environmental influences on weight-at-age are likely to be present, this issue should be revisited when longer time series or better information on the factors controlling growth are available. The SSC concurs with the author and the plan team recommendation to use a 10-year running average of weight-at-age in projections of future biomass.
- The authors explored two alternatives for estimating the probability that future biomass drops below $B_{20\%}$ in 2010, noting that a more appropriate reference point for Tier 1 stocks would be the probability that the stock falls below 20% of B_0. Based on estimation uncertainty alone, the probability that the stock is below $B_{20\%}$ in 2010 is 18% and decreases thereafter. The authors suggested an alternative approach that evaluates the probability that the stock will be perceived as being below 20% of B_0 in future years. The SSC believes that this MSE-type approach, which calculates the probability that management measures will be triggered, is also useful information and encourages further development of this approach. Under a reasonable range of future catch levels, the results suggest a very low probability that spawning biomass will be below 20% of B_0 in 2011.
- The authors explored an alternative mortality schedule that scales natural mortality to body size based on ecological theory. Preliminary results of estimating M in this manner seem very promising and suggest that the currently used schedule is conservative by using a relatively low fixed mortality of M=0.3 for fish age-3 and older. The SSC encourages further explorations of this approach. However, for the current assessment, we concur with the author and Plan Team to use the same fixed mortality schedule used in previous assessments.
- Age selectivity in the fishery was previously estimated in 2-year blocks, but is allowed to change each year in this year's assessment. This resulted in an improved fit to fishery mean age data, which appear to be well estimated, at least in recent years, based on bootstrap confidence intervals. The SSC concurs with this change to the assessment model.

The SSC agrees with the author and Plan Team that the model is appropriate for recommending harvest specifications. Because of concerns over low biomass levels, the Plan Team discussed whether EBS pollock should be managed under Tier 1 or Tier 3. The SSC determined in 1998 that EBS pollock qualify for management as a Tier 1 species, recognizing the quality of the data that are available to inform the assessment and the apparent stock-recruitment relationship that seems to be reasonably well approximated by a Ricker model. No new information was brought forward in the assessment or in the Plan Team minutes that would suggest that a Tier 1 designation is no longer appropriate. The SSC notes

that recent recruitments are well within the pattern of the current stock-recruitment relationship. **Therefore, we support continued management of EBS pollock under Tier 1.**

In response to concerns over the tier designations, the Plan Team made a general recommendation (i.e., not specific to the EBS pollock assessment) that a workshop be held, or a working group be formed, to develop guidance regarding how to decide when a stock qualifies for management under Tier 1. **The SSC suggests that the scope of such a workshop could be broadened beyond the narrow focus on Tier 1 designations.** In particular, such a workshop should be held in the context of revising ACL measures for groundfish and could help to further develop approaches on how to appropriately quantify and incorporate uncertainty in stock assessments that estimate recruitment. We also note that the upcoming CIE review provides an opportunity to assess the reliability of the stock-recruitment relationship for walleye pollock and the associated reference points, which could serve as a basis for further discussions.

For setting an appropriate ABC level for 2010, the Plan Team focused on uncertainty in the strength of the 2006 year class. In the current assessment, this year class is estimated to be weaker than last year's estimate, resulting in lower biomass estimates and a lower maximum ABC than projected last year. The Plan Team discussed two alternatives for setting the 2010 ABC. One alternative uses the best estimate of recruitment through the 2008 year class, while a second alternative would replace the model estimate of recruitment for the 2006 year class with the average recruitment from 1978-2008. A summary of the arguments in favor and against these two options is contained in the Plan Team minutes.

The approach that the SSC prefers when dealing with conservation concerns is to make adjustments in the harvest control rule, rather than in the assessment model. **The SSC concurs with the Plan Team and believes that an additional adjustment is not necessary at this time because the estimated uncertainty in the 2006 year class is reasonable given that there are now numerous observations of this year class from three bottom trawl surveys and three EIT surveys.** Therefore, we believe that the best available estimate of the 2006 year class strength is from the assessment model, and that this best estimate should be used in the harvest rule calculation. **Thus the SSC recommends a 2010 ABC of 813,000 t, and the corresponding 2010 OFL of 918,000 t using the Tier 1b formulae. Using the standard projection methodology, the 2011 ABC is 1,110,000 t, and the 2011 OFL is 1,220,000 t.** It is important to realize that the 2011 values are provisional and will be affected strongly by next year's data collection and analysis.

There are legitimate concerns over the status of the EBS pollock stock as expressed by the Plan Team and in public comments. In particular, the fishery is highly dependent on young fish, although the degree of this dependence on a single age class is not unprecedented. The large decrease in the estimated strength of the 2006 year class was particularly troubling, although a similar pattern was evident in the 1992 year class, which was underestimated in a number of assessments. Because of these concerns, and in support of our decision to accept the maximum permissible ABC for 2010, we point to the following precautionary aspects of the current assessment:

- Mortality in the model is fixed at a conservative rate of M = 0.3 for ages 3+, which tends to underestimate stock biomass. Natural mortality is likely higher than the assumed rate, particularly at intermediate ages, as was evident in the exploration of an alternative mortality schedule (see above).
- Younger pollock than currently assumed are likely to contribute to the spawning stock based on a recent study by Stahl and Kruse (2008); therefore spawning biomass may be higher than estimated.
- The total catchability (combined across BTS and EIT) is considerably larger than 1. If total catchability were fixed at 1, the estimated biomass would increase considerably. An argument could be made for fixing total catchability at 1 because there is no evidence of herding, double counting or other effects that would lead to a higher q. The stock assessment authors continue to explore this issue, including the relative distribution between the bottom and mid-water components.

- Steepness (i.e. productivity) in the stock-recruit relationship is constrained to avoid high estimates. As noted in the assessment, unconstrained estimates would result in considerably higher F_{MSY} estimates (near $F_{18\%}$).

We further note that preliminary fishery age data from 2009 produced results consistent with the preferred model with slightly larger recent recruitments and a slightly higher maximum permissible ABC.

Finally, we point to several encouraging signs based on preliminary or anecdotal evidence:

- Initial estimates from the model, based on one observation of the 2008 year class in the bottom trawl survey suggest a strong 2008 year class.
- Public testimony suggests that there may have been a delay in the movement of pollock onto the shelf due to the extent of the cold pool in the summer of 2009, which could have resulted in an underestimate of the 2006 year class. Previous assessments found some evidence for a relationship between bottom temperatures and survey catchability. This effect was not included in the current assessment because it was not found to be significant in previous assessments.

The 2009 assessment clearly indicated the importance of the EIT survey to adequately assessing both the mid-water and bottom component of the pollock stock. We note that the annual surveys will no longer take place after the BSIERP field work ends in 2010 and the AFSC will return to a biennial schedule for their summer EBS pollock acoustic surveys. Under this schedule, acoustic surveys will be conducted in the eastern Bering Sea in even years and in the GOA in odd years. We note that scientists at the AFSC have conducted an exploratory assessment of the relationship between acoustic biomass estimates derived from the NOAA ships and biomass estimates derived from acoustic data collected from boats chartered for the bottom trawl survey. This exploratory study showed promising results that suggest that an index of pelagic pollock abundance could be derived from the charter boats to augment the EBS pollock stock assessment when the NOAA ships are conducting the acoustic survey in the GOA. To obtain improved estimates of the mid-water component of pollock the SSC encourages efforts to further develop under-way acoustics in conjunction with the bottom trawl survey. The SSC would appreciate a presentation on the status of these efforts.

Aleutian Islands Walleye Pollock

The current assessment includes an update of the same model that was approved for last year's assessment (preferred model), as well as a model that excludes fisheries data from the area east of 174°W (which may represent catches from the eastern Bering Sea stock). The author and Plan team recommended use of the former model, which was developed following a CIE review in 2007. **The SSC concurs with the Plan Team to use this model for setting ABC. The SSC previously placed this stock in Tier 3 and concurs with the recommended maximum permissible ABC under Tier 3b. The projections result in a maximum permissible ABC of 33,100 t and an OFL of 40,000 t in 2010 and an ABC of 32,200 t and an OFL of 39,100 t in 2011 (assuming catch of 19,000t in 2010).**

Although the SSC accepts the 2010 maximum permissible ABC under Tier 3, we are very concerned about the lack of recent surveys in the Aleutian Islands. Without a new survey, we do not believe that a reliable estimate of biomass can be obtained from the current model. Without such an estimate, the stock would no longer qualify for management under Tier 3.

Bogoslof Walleye Pollock

This is a straightforward update of last year's assessment. The 2009 Bogoslof pollock echo integration-trawl (EIT) survey was the lowest estimate of biomass (110,000 t) in the region since the EIT survey began in 1988.

The SSC recommends that this stock be placed in Tier 5. **The recommended ABC comes from a formula similar to a Tier 3 calculation, substituting a reference biomass level of 2 million t for $B_{40\%}$, and is below the maximum permissible. The recommended ABC is 156 t and OFL is 22,000 t for both 2010 and 2011.**

SSC recommendations to the assessment authors

If the stock declines further, the ABC under the current approach will go to zero, which may prompt concerns over bycatch of Bogoslof pollock in other fisheries. Because changes to the management of this stock relate to the Central Bering Sea (Donut Hole) Pollock Convention, the SSC requests that the author include a historical perspective on the impacts of the Donut Hole Convention on this assessment and on how and why the current SSC rule was adopted.

BSAI Atka mackerel

The stock assessment model for Aleutian Islands Atka mackerel is the same as the model presented last year, which had undergone several improvements following a review by the Council of Independent Experts in June of 2008. Input data to the model was updated with recent year fishery data, 2008 fishery age composition data, and catch- and weight-at-age data from the 2008 fishery. The biennial bottom trawl survey in the Aleutian Islands was not conducted in 2008. Hence, the most recent survey data were collected in 2006.

The current model estimates that spawning biomass has been declining since 2005 (with suggestions of an approximate 10 year cycle: Figure 16.15), and that recent estimates are lower than those estimated last year, due in part to a downward revision in the recruitment estimate for the 2004 year class. Despite this, the outlook appears good with 4 strong year classes appearing in the 2008 fishery.

The SSC remains concerned with the lack of new survey data to confirm the strength of recent recruitment. However, we agree with the Plan Team to designate the BSAI stock in tier 3a for 2010 and 2011. **We support the recommendations made by the Plan Team and the stock assessment authors for the OFL and ABC levels in 2010 and 2011, including the apportionment of ABC to each of the three management areas as shown below.**

SSC recommended 2010 and 2011 ABC and OFL for Atka mackerel (tons)

Year		EAI/EBS	CAI	WAI	Total
2010	ABC	23,800	29,600	20,600	74,000
2011	ABC	20,900	26,000	18,100	65,000
2010	OFL				88,200
2011	OFL				76,200

The SSC appreciates the authors' efforts to provide us with a very clear and well written stock assessment. We especially appreciate the recounting of prior stock assessment issues and how these were resolved. Also, we appreciate the authors' response to our request for an estimate of the likelihood of biomass dropping below $B_{20\%}$, which was estimated to be near zero for 2010 and 2011.

The current area apportionment of Atka mackerel in the AI is based on a weighted average of the biomass from surveys conducted in 2000, 2002, 2004 and 2006 (page 1002 of the SAFE chapter). With the upcoming release of the status quo Biological Opinion for Steller Sea Lions and consequent renewed interest in Atka mackerel, up-to-date biomass and distribution data for one of their major prey items would seem prudent, even given the known issues of survey adequacy for Atka mackerel. Thus, we reiterate the importance of conducting an Aleutian Islands bottom trawl survey in 2010.

SSC Comments to the BSAI Atka Mackerel stock assessment authors:
The SSC asks that the diet data in Figure 16.25 be updated with data more recent than 1995. We also note that the two pie charts in that figure are reversed (predator pie chart should be chart B).

BSAI Flatfishes

The SSC received testimony from John Gauvin (Best Use Cooperative) about the yellowfin sole and flathead sole assessments. He indicated that more fishing effort has been required to catch smaller fish, indicating that fishermen are seeing a steeper decline than evident in the assessment. He speculated that differences could be attributable to halibut avoidance or catches of the smaller Bering Sea sole. He invited the assessment authors to the captains meeting to help resolve the observations and model results.

SSC recommendations to flatfish stock assessment authors
The SSC discussed Tier 1 stocks in which certainty in F_{msy} leads to little difference between the arithmetic and harmonic means and therefore very similar estimates of ABC and OFL. From a practical standpoint, the closeness of ABC to OFL would create potential overfishing, if the TAC is set equal to ABC and if actual catch slightly exceeds ABC. A pragmatic approach may be to set catch limits lower based on estimated implementation error such that the probability of realized catch exceeding OFL is low. However, an analytical approach may be to reexamine the apparent certainty in F_{msy} estimates and other sources of uncertainty that are not accounted for in current estimation procedures. The SSC recommends conducting a workshop to address this and related issues (see also EBS pollock) when ACL revisions to groundfish are being considered.

The SSC also recommends a research topic to flatfish assessment scientists. A meta-analysis of stock-recruit relationships for flatfish stocks may be very useful to evaluate productivity of these stocks, similar to one previously conducted for rockfish. This could help inform decisions about when a flatfish assessment using Tier 3 may qualify for Tier 1. In this year's SAFE, this question was raised in discussions about the Alaska plaice assessment, for which a new model and a stock-recruit relationship were presented.

Yellowfin sole

Survey and fishery data were updated, but there were no changes in the model. The SSC agrees with the Plan team's and author's recommended ABCs and OFLs based on tier 1 calculations. **For 2010, ABC = 219,000 t and OFL = 234,000 t and for 2011, ABC = 213,000 t and OFL = 227,000 t.**

SSC requests to the yellowfin sole assessment authors
In future assessments, the SSC requests that the table heading for Table 4-24 clarify that PSC catches (shown on p. 567) are not included. The SSC also noted that exploitation rates are estimated back to 1964 (Table 4.15) while catches are presented only back to 1977 (Table 4.1). If catches are sufficiently accurate to allow for estimation of exploitation rates in these early years, then the SSC requests reporting these older catches, as well.

Greenland turbot

Greenland turbot is a difficult stock to assess. In the 2008 assessment, there was much uncertainty in stock trends and differences existed between model and survey estimates. These led the Plan Team last year to recommend a stair-step approach for increasing ABC to the maximum permissible. Given the lack of fit issues, the SSC recommended evaluation of selectivity. In response, the assessment authors switched this year from the Stock Synthesis 2 (SS2) to the SS3 model. Even with the new model, selectivity parameters are difficult to estimate because sex ratio varies by gear type and fishery. These problems are exacerbated because the catch proportions vary widely among fisheries.

The SSC agrees with the Plan Team to abandon last year's stair-step procedure and instead to use this year's SS3 model under Tier 3a as follows: ABC = 6,120 t (area apportionment: 4,220 t for BS and 1,900 t for AI) and OFL = 7,460 t for 2010 and ABC = 5,370 t (3,700 t for BS and 1,670 t for AI) and OFL = 6,860 t for 2011.

The SSC commends the assessment authors for their efforts to improve this assessment model and address SSC and Plan team concerns. The SSC looks forward to additional improvements in next year's assessment.

Arrowtooth flounder

The arrowtooth flounder assessment was a straightforward update of last year's assessment. The SSC agrees with the Team's and authors' recommendations under Tier 3a representing combined specifications for *Atheresthes* spp. (arrowtooth and Kamchatka flounder). **For 2010, ABC = 156,000 t and OFL = 191,000 t and for 2011, ABC = 157,000 t and OFL = 191,000 t.**

Northern rock sole

This year's assessment model incorporated new maturity schedules, weight at age, and updated catch and survey data. **The SSC endorses the Team's and authors' recommended specifications under Tier 1. For 2010, ABC = 240,000 t and OFL = 243,000 t and for 2011, ABC = 242,000 t and OFL = 245,000 t.**

The SSC shares the Plan Team's concerns about the small separation of ABC from OFL. Over the long term, as mentioned under the SSC's general comments about flatfish assessments, a workshop should be convened to explore formal procedures to address such situations. The SSC commends the authors' analysis of northern rock sole under IPCC model scenarios in the appendix and looks forward to the possibility of a full research paper on this topic.

Flathead sole

This year's flathead sole assessment includes updated catch and survey data, as well as sex-specific size compositions. Otherwise, the model is unchanged from last year. **The SSC endorses the Team's and authors' recommended specifications using Tier 3a. For 2010, ABC = 69,200 and OFL = 81,800 and for 2011, ABC = 68,100 and OFL = 72,500 t.**

The SSC continues to appreciate the authors' ongoing examination of an apparent 1-year lag effect of temperature on survey catchability. Presuming that recent cold bottom temperatures will soon be replaced by warm temperatures, this new inflection point may provide additional evidence whether the 1-year lag is causative or spurious.

Alaska plaice

The year's Alaska plaice assessment represents the first split-sex model for this species. The SSC appreciates the authors' efforts to develop this new model. The resultant biomass estimates are quite different from last year's assessment, reportedly owing to the new model, the use of female weight at age (which is higher than combined sex weight at age) and recent good year classes. However, the catch specifications have not changed much, reportedly due to differences in survey catchability.

The SSC supports the author's and Plan Team's recommended specifications under Tier 3a. **For 2010, ABC = 224,000 and OFL = 278,000 t, and for 2011, ABC = 248,000 t and OFL = 314,000 t.**

SSC recommendations to the Alaska plaice assessment authors

Given the new assessment model, the SSC requests that the authors explore the possibility of estimating sex-specific M in the new model. As reported in the assessment, Zhang (1987) estimated M = 0.195 for males and M = 0.27 for females. The current assessment uses M = 0.25 for both sexes based on an analysis in the 1997 assessment. Given changes in the model, this warrants reassessing M used in the analysis, including sex-specific estimates.

Finally, the SSC recommends that the authors include maturity schedules in the SAFE document.

Other flatfish

The assessment of other flatfish (mostly starry flounder, longhead dab and rex sole) represents a straightforward update of last year's assessment. **The SSC agrees with the author's and Team's recommended catch specifications under Tier 5, in which ABC = 17,300 t and OFL = 23,000 t for both 2010 and 2011.**

SSC recommendations to other flatfish assessment authors

The SSC requests adding the biomass estimate for the 2006 Aleutian Islands survey to Table 10.4.

BSAI Rockfishes

There has not been an AI bottom trawl survey since 2006. This results in revised ABC and OFL specifications that have much greater uncertainty, because new estimates are based on update catch alone. Assessment authors for each rockfish species or species complex simply updated catch data and re-ran the projection model using results from the 2008 assessment model as the starting point.

Pacific Ocean Perch (POP)

SSC recommended 2010 and 2011 ABC and OFL for POP (tons)

Area	2010 OFL	2010 ABC	2011 OFL	2011 ABC
EBS		3,830		3,790
Eastern AI		4,220		4,180
Central AI		4,270		4,230
Western AI		6,540		6,480
Total	22,400	18,860	22,200	18,680

The SSC supports the continued application of Tier 3a harvest control rules for this stock and agrees with the Plan Team's recommendations for area-wide OFL and regional apportionment of ABC. Model projections indicate that this stock is neither overfished nor approaching an overfished condition.

Northern Rockfish

SSC recommended 2010 and 2011 ABC and OFL for northern rockfish (tons)

Area	2010 OFL	2010 ABC	2011 OFL	2011 ABC
	8,640	7,240	8,700	7,290

The SSC supports the continued application of Tier 3a harvest control rule for this stock and agrees with the Plan Team's recommendations for area-wide OFL's and ABC's. Model projections indicate that this stock is neither overfished nor approaching an overfished condition.

Shortraker Rockfish

SSC recommended 2010 and 2011 ABC and OFL for shortraker rockfish (tons)

Area	2010 OFL	2010 ABC	2011 OFL	2011 ABC
	516	387	516	387

The SSC agrees with the Plan Team recommendation to retain area-wide Tier 5 calculations of ABC and OFL for shortraker rockfish, and concurs with the ABC and OFL levels proposed by the Plan Team.

Blackspotted and Rougheye Rockfish Complex

SSC recommended 2010 and 2011 ABC and OFL for blackspotted and rougheye (tons)

Area	2010 OFL	2010 ABC	2011 OFL	2011 ABC
	669	547	650	531

This complex formerly known as the "rougheye rockfish" complex consists of two species that include rougheye rockfish (*Sebastes aleutianus*) and the recently described blackspotted rockfish (*Sebastes melanostictus*). Field identification between these two species is very difficult. However, identification criteria have been developed by State and Federal biologists to aid species identification. The SSC recommends expanded training for the trawl survey group and observer program so that these two species will be separated in future surveys and catch observations. This will be critical to understand the relative abundance and catch of these species within the AI and BS.

The SSC agrees with the Plan Team recommendation to use Tier 3b calculations for the AI portion of the stock and Tier 5 calculations for the BS portion, and to sum these values to produce area-wide ABC and OFL levels.

Other Rockfish Complex

SSC recommended 2010 and 2011 ABC and OFL for Other rockfish (tons)

Area	**2010 OFL**	**2010 ABC**	**2011 OFL**	**2011 ABC**
EBS		**485**		**485**
AI		**555**		**555**
Total	**1,380**	**1,0400**	**1,380**	**1,040**

As of 2009, dark rockfish are no longer included in the other rockfish complex. Catch in 2008 has been revised and the estimated 2009 catch has been included.

The SSC agrees with Plan Team and authors for setting F_{ABC} at the maximum allowable under Tier 5 by applying separate values of M for shortspine thornyhead and "other rockfish". The SSC rolls over its last year's recommendation for an area-wide OFL for this group and the recommended apportionments of the ABC to the AI and EBS for 2010 and for 2011.

BSAI Squid

The stock assessment for BSAI squids includes updated catch data, including length composition data, as well as new biomass estimates. Biomass estimates for squid are unreliable, and for this reason **the SSC agrees with the authors and plan team to continue with Tier 6 management based on average catch for the 1978 to 1995 period. The 2010 and 2011 OFLs based on this period equate to 2,620 t with an ABC = 1,970 t for both 2010 and 2011.**

SSC requests of the BSAI squid stock assessment authors:
The SSC comments for the GOA squid assessment generally apply to the BSAI assessment in that seabirds could be more completely integrated into the assessment. The SSC requests that the ecosystem consideration section of the stock assessment include a map of the squid catch distribution in relation to the distribution of the 3 albatross species (short-tailed, Laysan, and black-footed). Also, the SSC requests that the data displayed in Figure 14 be disaggregated so as to display dietary data for albatrosses independent of jaegers.

Note that the seabird diet graph (Fig 14) appears to be mislabeled as GOA data. It would be easier to compare Bering Sea and GOA diets if the same color codes were used for prey species in both the BS and GOA accounts (Fig. 8 in GOA, Fig. 14 in BS).

BSAI Other Species

Aggregate OFL and ABC levels are set for the BSAI Other Species management category, which include sharks, skates, sculpins, and octopus. **The SSC agrees with the Plan Team to set the aggregate ABC and OFL for this category to 61,100 t and 88,200 t, respectively for 2010 and 60,900 t and 88,100 t, respectively for 2011.** SSC comments on the individual assessments of the group members are as follows.

BSAI Sharks

The 2009 shark assessment represents a straightforward update from last year's assessment with catch and survey data from 2009. Catch estimates for 2003-2008 were revised owing to changes in the Catch Accounting System. These revisions resulted in negligible changes in the estimates. The SSC appreciates the additional biological information added to this year's assessment. The SSC agrees with the Plan Team recommendations of OFL = 598 t and ABC = 449 t for both 2010 and 2011 using catches from 1997-2007 as base years.

SSC request of the shark assessment authors
The SSC refers the authors to applicable SSC comments on the GOA shark assessment.

BSAI Skates

The stock assessment for BSAI skates is partitioned into a Tier 3 assessment for Alaska skates and Tier 5 assessment for all other skates. No changes were made to the assessment for Alaska skates in 2009, which used the same SS2 model as in 2008.

The SSC provided extensive comments regarding the lack of fit to survey size-at-age data for the Alaska skate, and requested presentation of a revised model with more realistic representation of growth. Due to time constraints, this was not possible, but the authors expect to be able to provide this next year.

Recognizing that there have been no substantive changes in the assessment, the SSC accepts the Plan team and authors' recommendation for Tier 3a analysis of Alaska skates based on the estimate of spawning biomass as 48% greater than $B_{40\%}$ with F_{OFL} = 0.08 and F_{ABC} = 0.069, and Tier 5 analysis of other skates combined with M = 0.10. The SSC accepts the determination of total OFL = 27,800 t and ABC = 24,000 for Alaska skates and an OFL = 8,220 t and ABC = 6,170 t for all other skates for both 2010 and 2011. These combine to total OFLs for all skates equal to 36,000 t and 35,900 t for 2010 and 2011, respectively, and total ABCs for all skates equal to 30,200 t and 30,000 t for 2010 and 2011, respectively.

BSAI Sculpins

The stock assessment for sculpins in the BSAI was updated with new biomass estimates as well as catch data. The plan team and authors recommend a new method of estimating harvest specifications where the OFL is based on a best estimate of M, and with the ABC estimated based on a precautionary estimate of M.

The SSC agrees with the recommendation to continue with Tier 5 management for BSAI sculpins, with individual specifications estimated separately for the most common species in the eastern Bering Sea and Aleutian Islands. We appreciate the authors' response to our request for a review of methods to estimate M, and we agree with the decision to use Hoenig's method based on maximum ages. We also accept the recommendation to use a best estimate of M to estimate the OFLs and a precautionary estimate of M to determine the ABCs. For the BSAI as a whole, the SSC agrees with the recommendation to set the OFL = 51,300 t and the ABC = 30,200 t for both 2010 and 2011.

BSAI Octopus

The SSC agrees with the authors and plan team that biomass estimates are unreliable for octopuses in the BSAI. We agree with continuation of Tier 6 management, based on a maximum catch in the base years of 1997 to 2007, resulting in an OFL = 311 t and ABC = 233 t for both 2010 and 2011.

Groundfish SAFE Appendices

GOA/BSAI Forage fish

The Forage Fish appendix to the GOA SAFE is not a full report during this 'off survey' year. No public testimony was given on this topic.

This appendix refers to species categorized as forage fish under the FMP. Because this category is outside of the specification process and stock assessments are not performed, the report departs from the typical SAFE format. The first full report on forage fish was done in 2008, which included data through 2007. This year's report is only an executive summary for GOA with updated catch and survey data through 2009. Some of the same information from the 2008 report, with 2009 updates for both the GOA and Bering Sea (BS), was also presented in the Ecosystem Considerations Chapter (EC). Because the NPRB BSIERP project has surveys in the BS from 2008 through 2010, and a new GOA IERP will conduct surveys in the GOA between 2010 and 2013, it is not clear when the next full report will be provided. **The SSC recommends a full forage fish report for both BS and GOA be provided in 2010.** The author notes that the NPRB-funded GOA IERP includes a forage fish component, and the SSC looks forward to receiving improved data and assessments.

In October 2009, the SSC recommended that the forage fish category be moved into the 'Ecosystem Components' as part of the groundfish ACL amendment package.

The chapter reports that forage fish species in the GOA (with over 60 species) are similar to those in the Bering Sea, and thus this summary for GOA suffices for both regions. However, the SSC notes that species composition is not the same between regions, and requests that future reports and executive summaries provide results for both BS and GOA. Graphs of relative CPUE of forage fish by regions are in the EC for both GOA and BS; in addition to these, SSC requests that forage fish sections include distribution maps from trawl surveys and acoustical survey indices of abundance.

The report notes that forage fish species are poorly sampled due to their small size, resulting in poor biomass estimates and even unknown numbers of species. Therefore, their status is difficult to determine, with the possible exception of eulachon. However, SSC notes that acoustic backscatter has been used by

AFSC to provide indices for some species such as capelin and euphausiids, and development of these efforts should continue, along with more small-mesh sampling. With regards to new indices of abundance for euphausiids, it is worth noting that this important forage group has increased three-fold between 2004 and 2009 in the EBS surveys.

The SSC discussed the possibility of incorporating key forage species comprised of juvenile age classes of species in the groundfish fishery (i.e., juveniles of pollock, cod, rockfish, flatfish) into this report. The SSC recognizes that the forage fish designation should be restricted to species officially in the forage fish management category. **The SSC suggests that a more complete assessment of forage species that includes not only the species in the managed forage fish category but also other common forage such as juvenile fish of target groundfish might be addressed within the Ecosystem Considerations section.** Also, to describe fully the prey field for apex predators, the Ecosystem Considerations section should include discussion about and distribution maps for juveniles of stocks in the groundfish fishery that are important prey. Additionally, the SSC recommends that under the forage fish Ecosystem Considerations section, the authors address the role of spatial segregation among forage species, predation on forage fish, and potential competition for zooplankton. Prey selection by apex predators will depend on distribution and relative availability of all prey species, not solely the absolute abundance of specific groups. It would therefore be useful to put both the abundance estimates and mapped distributions of forage fish species in the context of the entire prey field. Recent AFSC mapping of age-1 pollock based on acoustic backscatter is an example of how these new methods can be applied.

Editorial comments:

- Table 2 (p. 1402) does not seem to include all forage fish groups.
- Indicate if the black smelt species are included with 'unidentified smelts'.
- Include biomass estimates for the remaining families.
- In the table caption, indicate whether Table 3 refers to forage fish catches in AFSC trawl surveys, or as bycatch in commercial fisheries.

Grenadier

This was a brief update of the more detailed 2008 assessment. Jon Warrenchuck (Oceana) expressed a general (not specific to grenadiers) concern that categorization as an ecosystem component might have unforeseen implications; it might not allow sufficient harvest control if necessary. George Pletnikoff (Greenpeace) emphasized that species might have a value due to their ecosystem function even if there was no commercial value.

The authors have recommended that a grenadier management assemblage be formed that would include giant, Pacific, and popeye grenadiers. The authors recommend that this assemblage be managed as a non-target assemblage in the fishery. Four other grenadier species that are rarely caught because of their deep depth distribution would not be included in this assemblage.

The SSC felt that sufficient information was available to perform a Tier 5 assessment. However, there is an absence of deep trawl surveys from the Aleutian Islands region, and few surveys from the EBS and GOA. Additionally, these trawls may not encompass the full depth distribution of the species. Despite these uncertainties, **the SCC supports the proposed groundfish ACL amendment package consider an option for the grenadier complex of three species (giant, Pacific, and popeye) to be categorized as "in the fishery" with a Tier 5 assessment of giant grenadier.**

Ecosystem SAFE

This chapter and associated analyses continues to provide useful insight into the status and trends of BSAI and GOA ecosystems. The chapter has gone from collecting some of the early papers on ecosystem-based management and a collection of time series data to analyses of which indices are meaningful and how indicators can inform fishery management. The new format and associated models and projections are interesting and appear sufficiently developed to be brought before the SSC in detail. As noted in the Plan Team minutes, the goal is to develop an ecosystem report card that concisely represents the state of the ecosystem and provides key information that sets an ecosystem context for ABC recommendations discussed at the December council meetings. **A workshop on this topic has been proposed for the February 2010 SSC meeting and the SSC agreed that this was a priority topic to cover if there is sufficient time in the SSC agenda.**

In response to an SSC comment, authors described the importance of an index to groundfish management, implications of index trends on the ecosystem or ecosystem components, and how the information can be used to inform management decisions. The SSC suggests three next steps aimed at more directly using the information in management decisions. First, many of the indices are monitored for trends but no thresholds have been identified when the changes become worrisome and what change in management might be advised. For example, if evidence indicates a regime shift, biological indicators may need to be revised. The second suggestion is that there should be more interaction between the authors of the SAFE chapters and ecosystem chapter so that ideas brought forward in the Ecosystem Considerations section could be tested in stock assessments. Finally, explanations of observations, such as the lack of strong year classes, should be investigated in light of Ecosystem Considerations indices and data.

Overall, this chapter has improved greatly over the years. However, it would be useful to link the various and disparate sections. Although there was some improvement in this, it remains unclear how the various sections are integrated. Perhaps a flow chart illustrating all sections showing main links would give the reader a visual template of what is available and how sections are related. Sections that need more recent information include pinnipeds, seabirds, and seabird bycatch.

This year, the Ecosystem Considerations Chapter focused on the development and listing of indices, with the result that at times the big picture seemed obscured. It is important that not only the most recent environmental data be provided, but that its importance be emphasized by the synthesis of disparate fragments of data into interpretive reports. These connections should enhance understanding of processes that are of management importance or which have predictive power. Just because a phenomenon is measurable doesn't mean it is important. Five examples of reports that are lost in the indices and individual accounts are:

1) Flatfish recruitment hypothesis. Earlier work by Wilderbuer et al. pointed toward the possibility that winter wind patterns might be used to predict the recruitment success of certain flatfish species. The Ecosystem Considerations Chapter provides an update of this work and shows that the new data support the original hypotheses for some species, but perhaps not for others. These are important findings and need to be highlighted in the Executive Summary.

2) Impact of Climate on Fish Distributions. This subject is mentioned in two separate sections of the appendix but the two are widely separated and are not cross-linked or summarized in the Executive Summary. What are the implications of these findings? How does density-dependence and/or failure to shift southward influence species interactions? What are the management implications of these findings? These should be brought out as important and articulated clearly.

3) Importance of predation on pollock by arrowtooth flounder. Could the failure of some year classes of pollock to materialize as fully as expected on the basis of age-0 or age-1 observations be the result of

predation? Is the Bering Sea heading toward a situation like that in the Gulf of Alaska where arrowtooth dominate the fish biomass?

4) What is the status of the crustacean zooplankton on the shelf, and what are the implications of recent changes? One of the findings in recent years is that the abundance and distribution of the large copepods and euphausiids on the shelf have changed markedly, with declines in the warm years and returns in the recent cold years. These recent data need to be included in the chapter, and interpreted in light of their potential importance for affecting year class strength. Zooplankton data are vital for understanding ecosystem responses to climate variability and must be updated as quickly as possible.

5) The interaction of zooplankton abundance and cannibalism. The recent findings of the BASIS program need to be integrated with the zooplankton story. Their work suggests that when the abundance of euphausiids and large calanoid copepods is down, cannibalism and predation on small age-0 pollock increases. A similar story may hold in Prince William Sound and in the Barents Sea. The importance of these links and their impact on pollock recruitment need to be emphasized.

The importance of the focus on stories of this sort are at least two-fold: in the first place, they help assessment authors put their assessments in an ecosystem context- are the age-0 pollock seen this year likely to show up next year, and secondly, when the importance of certain data types is linked directly to fisheries management issues, there is an increased likelihood that further research effort will de devoted toward determining if the apparent relationships can be relied upon for predictive purposes.

Specific requests/comments:
The maximum disturbed area information is interesting but the SSC suggests that data on the amount of newly disturbed area would also be of interest.

In the GOA, the SSC recommends comparing survey bottom temperatures with temperature data from moorings. We know that wind events can affect bottom temperatures temporarily and mooring data could help with interpretation of the survey snapshot of bottom temperatures.

The Ecosystem Considerations appendix was originally envisioned to include tracking of regime shifts. An explicit statement about what indices are involved and what they mean relative to regime shifts would be helpful.

The indices are useful and an especially important part of the display of data is the pie graphs that show sources of data. The SSC recommends including these pie charts with all of the indices (i.e., the Pribilof Island top predators and regional trends graphs).

Although there is an apparent relationship between pollock year class strength and summer stratification, other factors may be involved. This index may be misleading if events earlier in the year determine the distribution and abundance of critical food resources for the pollock.

The five year spans of the projection windows represent different proportions of the life span depending on species, making it difficult to interpret the importance of the projections.

Many of the editor's responses to SSC comments were inadequate. Does 'okay' or 'comments were passed on to authors' mean that the authors agree, or that the requests were addressed in the respective sections? If they were or weren't addressed, a brief explanation would help the SSC review the progress of those sections.

It is not always clear what population or species group is being addressed (e.g., Page iv, bullet on seabird reproductive success at Pribilofs – '...half of the populations are within 1sd of their long-term mean...' Were the authors referring to different species on the Pribilofs?

Table 2 (p.8) is difficult to read or compare EBS to GOA biomass components. It may be necessary to split this into several tables and organize them to allow direct comparisons between EBS and GOA. In Table 2 /apex predators, it might be useful to combine seabird species by forage guild (i.e., piscivorous, planktivorous, or diver, surface-feeder) or families with similar diets and foraging behaviors (i.e., tubenoses, alcids, larids, seaducks). Individual seabird species contribute little biomass, so lumping certain groups for the biomass presentation would be more useful; a separate list of species that occur in EBS and GOA could be provided. Also in Table 2, Benthic Foragers should include seaducks (eiders, scoters, long-tailed ducks). In particular, eiders should be included here because two species are listed under ESA, and scoter species are of concern.

Pages 11-12: It appears that the final paragraphs in these first two sections have been exchanged.

Under 'Status and Trends' for seabirds (p.15), it is unclear what the source is for categorizing these as species of concern. The authors should re-check the current status for these species in Alaska (as opposed to other regions).

Page 19: these 2 items do not have all the sections of the previous ones such as factors causing trends and implications. Section 2, Fishing Effort, is a confusing mix of observations, effort, and HAPC.

Page 24, Implications section of North Pacific climate and SST indices is more of a forecast for what to expect for El Nino and the PDO – not implications for groundfish management. The sentence "This could have a broad range of effects on Alaska marine ecosystems" is not adequate.

The SSC suggests providing distribution maps in the Forage Fish section (p.66-67), including forage species with indices available from acoustic surveys (i.e., euphausiids, capelin, juvenile pollock). Some mention, and distribution maps, should be made here or elsewhere for commercial species that are important prey as juveniles (i.e., pollock).

Economic SAFE

An overview was presented of a new revenue decomposition analysis, included in the Introduction sections of the BSAI and GOA groundfish SAFEs. Although the SSC did not receive a presentation on the full Economics SAFE, committee members had an opportunity to review the document and to prepare comments. There was no public testimony.

The decomposition of revenues into price and quantity effects is helpful and facilitates determination of the extent to which price changes are attributable to variations in exchange rates or changes in demand parameters. This type of analysis should be very useful in preparation of RIR/IRFA documents that explore the likely economic consequences of contemplated management actions.

The 2009 Economics SAFE continues to evolve into a more inclusive and comprehensive reference document. This maturation of the presentation is a very important step in characterizing the economic, social, and cultural aspects of fisheries. The SSC supports and encourages continued investment in improving the Economic SAFE, recognizing the significant contribution this information makes to effective, equitable, and efficient marine resource management in the North Pacific, Bering Sea, and Arctic Ocean.

The Economic SAFE contains summary tables, brief overviews of market conditions, short descriptions of ongoing research, and a list of recent publications authored by AFSC Economic and Social Sciences Research Program staff. The SSC notes that the introduction now includes a somewhat expanded discussion of data sources and limitations. What is missing, however, are interpretations of what the data signify. For example, while the market summaries provide a helpful characterization of the past, they

need to be accompanied by structural and time series models that can be used to explore the likely economic consequences of contemplated management actions or to anticipate price and revenue trajectories. While there may not be sufficient information to devise sophisticated models, it would be useful to consider the approach adopted for stock assessments, wherein even poorly understood stocks are modeled and prospective and retrospective model forecasts are reported, to provide information about model uncertainty and to stimulate efforts to refine the models. The use of graphic displays is effective in conveying information suggesting or demonstrating market trends. However, the profile narratives could benefit from a careful technical edit to reduce redundancies and enhance the SAFE's accessibility and usefulness.

While the document acknowledges the increasing statutory emphasis on social and economic impacts of management policies on communities (*e.g.,* National Standard 8), there are no tabular summaries of community or regional indicators, nor analyses of what is happening in the relevant fishing communities. Tabulation of social and economic time series is valuable and should be continued, but needs to be accompanied by analyses, *i.e.*, informed interpretations of what the raw data signifies in terms of statutory emphases. The SSC realizes that these kinds of assessments will necessarily be initial efforts, but encourages the plunge into analytic efforts that directly respond to the emphasis on understanding impacts on communities.

While the Economic SAFE now correctly identifies the nature of Prohibited Species Catch "allowances," as a clearly distinct management principle from groundfish bycatch "allocations", the document does not yet reflect the same care in use of other important terminology. As noted in the December 2008 SSC Report, the Economics SAFE is replete with references to "PSC bycatch". The term PSC should not be used as a synonym for "the bycatch of prohibited species", unless the reference pertains to a groundfish species for which the MRA has been exceeded. Similar grammatical laxity pertains to the generic misuse of the attribution "Alaska" or "Alaskan" in the SAFE. While a brief disclaimer is provided in a footnote, this is insufficient justification for continuing to use incorrect terminology.

Halibut discard mortality rates

Jim Ianelli (NMFS-AFSC) and Jane DiCosimo (NPFMC) briefly presented estimates of 2008 CDQ and non-CDQ halibut bycatch discard mortalities in groundfish fisheries. For the first time, 10 years of data were available, so a 10-year average could be used for CDQ fisheries.

The SSC still supports the methodology used to estimate these mortality rates. The SSC accepts the recommended halibut discard mortality rates for 2010-2012 CDQ and non-CDQ groundfish.

C-4(a) Salmon Bycatch Data

Mark Fina (NPFMC) and Marcus Hartley (Northern Economics) summarized revisions to the draft RIR/IRFA. No public testimony was provided. **The SSC commends the analysts for addressing our primary concerns with the initial review draft RIR/IRFA and concludes that the document is suitable as a basis for decision-making.**

The revised analysis includes a clear statement of the purpose and need for action. The primary purposes of the proposed actions are: (1) evaluating the effectiveness of the IPA incentives in times of high and low levels of salmon bycatch abundance, the hard cap, and the performance standard in terms of reducing salmon bycatch, and (2) evaluating how the Council's action affects where, when, and how pollock fishing and salmon bycatch occur.

While the additional information to be collected under Alternative 2 and Alternative 3 would allow for more detailed understanding of the effects of Amendment 91, it is unlikely that analyses based on this information will unambiguously and comprehensively address the primary purposes of the proposed

action. This is because, in addition to varying in response to Amendment 91, the observable and reportable actions of fishermen will also depend on variations in pollock abundance, length-frequencies and spatial-temporal distribution, Chinook salmon abundance and distribution, and variations in the demand for different pollock product forms, etc. Some of these factors are unobservable and all of them will vary through time, partially or completely masking the influence of observations to be collected under the three alternatives. While the analysis alludes to this limitation, it is unduly optimistic about the extent to which data collected under Alternative 1 will address the Council's primary purposes. The incremental gains attributable to Alternatives 2 and 3 are appropriately described, but the potential benefits of self-reported estimates of the value of compensated transfers are understated. The analysis could benefit from a clear distinction between outcomes and impacts of the proposed alternatives—while the Council's primary purposes are stated in terms of impacts, the RIR/IRFA emphasizes outcomes and largely ignores causality.

The analysts continue to confront the fact that, as they report on page 10, "... this analysis is being completed before any actual IPA proposals are submitted..." Clearly, the final form and precise details of an actual IPA *will* influence the specific data the Council, NMFS, and the public will need to evaluate program performance. Recognizing this potentiality, the SSC notes that it should not surprise anyone that this data collection program may be required to adapt and evolve in response to terms and structures of IPA submissions. Acknowledging this, the analysts observe, and the SSC recommends, use of "More general regulations for a data collection program (that would) allow a more flexible, adaptable program..." (page 5, RIR/IRFA). This would be in accord with the choice-set under Section 1.3 Development of data collection regulations, "option" **1 – More general regulations** ... in combination with the procedural suboption 2, described on page 6. This reduces the "undesirable" rigidity of the data collection program, while "safe-guarding" the Council's prerogative to comment on any changes, prior to a recommended modification being submitted to OMB.

C-5 Initial Review Modify Amendment 80 Co-op Formation

Glenn Merrill (NMFS-AKR) provided an overview of the draft analysis. Public testimony was provided by Mike Symanski (FCA).

The draft analysis addresses concerns raised in the February 2009 SSC Report. The additional option added for analysis also appears to address SSC concerns about potential barriers to entry into co-ops. **The SSC concludes that this EA/RIR/IRFA is suitable to release for public review.** The SSC notes that alternative 6 does not entirely preclude a coalition of co-op members from creating onerous entry conditions designed to prevent realization of the Council's objective to assure access to the benefits of co-op membership to all seeking it. The SSC recommends release of the draft analysis, following an elaboration of the full spectrum of impacts that may emerge from Alternative 6. The SSC notes that a simple IFQ, without the issues associated with co-ops, would eliminate these problems of coercive and strategic behavior.

C-6(c) ACL and rebuilding plans for crab

The SSC received a report from Diana Stram (NPFMC) and presentations by Jack Turnock (NMFS-AFSC) on the ACL analysis for crab and rebuilding plans for snow crab and Tanner crab.

Public testimony was provided by Edward Poulsen (ICEPAC), Steve Minor (North Pacific Crab Association), Mateo Paz-Soldan (City of St. Paul), Arni Thompson (Alaska Crab Coalition), and Leonard Herzog (Homer Crab Cooperative), Frank Kelty (City of Unalaska), and Linda Kozak (Crab Group of Independent Harvesters).

The SSC reviewed a draft outline of the combined ACL analysis and rebuilding plans, which will be part of a single document such that rebuilding alternatives for snow and Tanner crab (but not Pribilof Island blue king crab, which have a separate rebuilding plan) will be examined under each ACL alternative.

ACL considerations

An analysis was presented about a potential approach to evaluating scientific uncertainty in assessment results associated with determining OFL. This approach could be used in the P^* method for determining appropriate buffers between ABC and OFL for crab stocks. The SSC believes that some approach to incorporating additional uncertainty in OFL beyond within-model uncertainty is warranted but had serious concerns about the proposed approach. In particular, the approach is sensitive to the particular stock assessment history and the estimated variance component is likely to fluctuate widely due to numerous factors that are not related to "true" model uncertainty.

The SSC recommends that analysts consider other approaches to incorporating additional uncertainty, specifically:

- Assuming that stock assessment models improve over time and ideally converge on a model that is at least approximately "correct" and accounts for the major (known) sources of uncertainty, we recommend that analysts consider an approach based on standard retrospective analyses. That is, the current model could be assumed to be the "correct" model and its performance in predicting future reference points is evaluated retrospectively. While not accounting for full model uncertainty, it would avoid the dependence of the estimated uncertainty on somewhat arbitrary assessment histories. We note that this approach would also avoid ambiguities about the best way to calculate variability in biomass estimates because the estimates from the most up-to-date model would serve as a natural reference level for computing the log-ratio of past estimates of biomass to the reference biomass.
- To limit large differences in the estimated level of uncertainty among stocks, an appropriate level of uncertainty across all stocks, or across groups of stocks that have a similar levels of complexity, could be determined through a meta-analysis and the resulting level of uncertainty could be applied to all stocks (within a group, if appropriate). This would limit the large differences in the perceived level of uncertainty across stocks and their effects on the size of the resulting buffers between ABC and OFL.

Stock rebuilding

The snow crab projection model is based on the current assessment model and uses estimated average recruitment with first-order autocorrelated residuals to generate future recruitments. The SSC had some discussion about appropriate time frames to use for average recruitment and concerns about the apparent decadal-scale patterns in past recruitments. Nevertheless, given the relatively short time frame considered in the rebuilding analysis, combined with the long lag between fertilization and recruitment to the fishery, **the SSC believes that the proposed approach adequately captures past recruitment variability and offers a reasonable approach to capturing future recruitment uncertainty for the purposes of the rebuilding analysis.** However, the SSC requests that the analysis describe the use of autocorrelated recruitment deviations and include discussion about the apparent pattern of decadal variability of recruitment.

For Tanner crab, the analysts plan to use the snow crab projection model with appropriate modifications to account for differences in snow crab and Tanner crab dynamics. As a fallback, a simpler model (e.g., delay-difference model) may be used to complete the analyses by the next crab plan team meeting in March. There may not be sufficient time for a full review of the model by the Plan Team and SSC.

The SSC has recommendations for both the snow crab and Tanner crab models and projections. However, given the short time frame for the rebuilding analyses, we realize that it may not be possible to satisfactorily address these recommendations in these analyses. However, at a minimum, we request that these points be addressed in the context of the annual assessments:

- For snow crab, we reiterate our request from the October meeting that the rebuilding analysis consider spatial dynamics of the stock, particularly the potential importance of southern versus northern areas occupied by the stock in terms of source of recruits, regional harvest rates, etc. Specifically, the environmental ratchet hypothesis of Orensanz, Armstrong, and colleagues suggests that densities of spawning stocks at the southern end of the range are disproportionately important. However, owing to the distributions of sea ice and operational costs, the southern portion of the stock experiences the highest harvest rates.
- For Tanner crab, there is ample evidence for biological differences in Tanner crab between the eastern and western portions of the stock. When developing the new assessment model for Tanner crab, consideration should be given to incorporating such differences into the model. As a minimum, the assessment model should ultimately include differences in maturity-at-size parameters, which differ substantially between areas.
- The appropriate base years over which to estimate average recruitment for all crab stock projections, not just those for snow and Tanner crab, should be reviewed. As indicated above, the rebuilding analyses may not be very sensitive to alternative recruitment scenarios, but the choice of appropriate recruitment estimates needs to be evaluated in the stock assessment process. As was pointed out in public testimony, there is some evidence for a shift in average recruitment associated with the 1988/89 regime shift.
- To the extent possible, results from the net efficiency study should be incorporated into the rebuilding plan.

Alternatives for the snow and Tanner crab analysis are structured around different time frames for rebuilding. For snow crab, these range from T_{min}, the minimum number of years in which rebuilding to the B_{MSY} proxy could occur with 50% probability under no fishing, to T_{end}, the year in which rebuilding to the B_{MSY} proxy would occur with 50% probability if fishing at the maximum permissible rate (75% of F_{OFL}). The rebuilding plan will go into effect in 2011/12 (Year 1) and assumes that catches in 2009/10 and 2010/11 will be at 75% F_{OFL}.

The SSC concurs with the alternatives as outlined in the document but requests the following modifications:

- Because of the relatively short rebuilding time frame estimated by the model, concerns were expressed about the possibility of having to develop another revision to the rebuilding plans if environmental conditions result in a few more years of poor recruitment. The SSC requests that the analysis include an alternative for an 8-year rebuilding horizon. Given the current estimates of the probability of rebuilding (Table 1 in the snow crab rebuilding alternatives), this would correspond to a probability of approximately 70% in the example provided. The SSC recognizes the scenario in the final model may result in a different required probability of rebuilding. Therefore, the alternatives should be frameworked to describe that the probability of rebuilding for the 8 year option would be determined from a scenario based on a fishing mortality rate no greater than 0.75 F_{msy}.
- We recommend that all of the alternatives include a performance measure to evaluate the probability that the stock does <u>not</u> rebuild by a certain year (for example after 10 years), similar to the $B_{20\%}$ threshold for some groundfish. This would provide a stronger incentive to avoid a potential stock collapse.

Finally, the SSC requests that Council staff explore the possibility of placing additional harvest measures directly into the BSAI crab FMP for crab stocks that experience repeated "overfished" and "not overfished" designations owing to environmental changes despite conservative harvest control rules. These measures could include fishery closure below specified thresholds and would be designed in such a way as to avoid repeated overfished designations. In the case of Tanner crab, the fishery fell below the state's harvest threshold and was closed during 1997 to 2004. Once a Tanner crab stock assessment model is built, an informative modeling exercise would be to examine the effects of the directed Tanner crab fishery during 2005-2009, as well as Tanner crab bycatch during 1997-2009, on the current status of this stock approaching the overfished condition.

C-1 GOA Pacific Cod Sector Split
Motion – 12/12/2009
Final Action

The Council adopts the purpose and need statement and Alternative 2 as the preferred alternative, as specified below.

GOA Pacific Cod Sector Split Purpose and Need Statement

The limited access derby-style management of the Western GOA and Central GOA Pacific cod fisheries has led to competition among the various gear types (trawl, hook-and-line, pot and jig) and operation types (catcher processor and catcher vessel) for shares of the total allowable catch (TAC). Competition for the GOA Pacific cod resource has increased for a variety of reasons, including increased market value of cod products, rationalization of other fisheries in the BSAI and GOA, increased participation by fishermen displaced from other fisheries, reduced Federal TACs due to the State waters cod fishery, and Steller sea lion mitigation measures including the A/B seasonal split of the GOA Pacific cod TACs. The competition among sectors in the fishery may contribute to higher rates of bycatch, discards, and out-of-season incidental catch of Pacific cod.

Participants in the fisheries who have made long-term investments and are dependent on the fisheries face uncertainty as a result of the competition for catch shares among sectors. To reduce uncertainty and contribute to stability across the sectors, and to promote sustainable fishing practices and facilitate management measures, the Western and Central GOA Pacific cod TACs should be divided among the sectors. Allocations to each sector would be based primarily on qualifying catch history, but may be adjusted to address conservation, catch monitoring, and social objectives, including considerations for small boat sectors and coastal communities. Because harvest sector allocations would supersede the inshore/offshore processing sector allocations for Pacific cod by creating harvest limits, the Council may consider regulatory changes for offshore and inshore floating processors in order to sustain the participation of fishing communities.

The timing of the Pacific cod A and B seasons may have limited the participation of jig vessels in the parallel and Federal fisheries of the GOA. Additionally, the State waters jig allocation has gone uncaught in some years, potentially due to the lack of availability of Pacific cod inside three miles. A non-historical Federal catch award, together with the provision of access in Federal waters for the State Pacific cod jig allocations, offers entry-level opportunities for the jig sector.

Currently, there are no limits on entry into the parallel waters groundfish fisheries, and no limits on the proportion of the GOA Pacific cod TAC that may be harvested in parallel waters. There is concern that participation in the GOA Pacific cod parallel waters fishery by vessels that do not hold LLP licenses may increase. The Council, in consideration of options and recommendations for the parallel fishery, will need to balance the objectives of providing stability to the long term participants in the sectors, while recognizing that new entrants who do not hold Federal permits or licenses may participate in the parallel fishery.

Alternatives, Components, and Options

ALTERNATIVE 2. The GOA Pacific cod TACs will be allocated among the sectors.

Component 1: Management areas

The Western and Central GOA Pacific cod TACs will be allocated among the various gear and operation types, as defined in Component 2 (the management areas could be treated differently).

Component 2: Sector definitions

The Western and Central GOA Pacific cod TACs will be allocated among the following sectors.

Central GOA

- Trawl catcher processors
- Trawl catcher vessels
- Hook-and-line catcher processors
- Hook-and-line catcher vessels <50 ft
- Hook-and-line catcher vessels ≥50 ft
- Combined CP and CV Pot sector
- Jig vessels

Western GOA

- Trawl catcher processors
- Trawl catcher vessels
- Hook-and-line catcher processors
- Hook-and-line catcher vessels
- Combined CP and CV Pot sector
- Jig vessels

Western and Central GOA

Holders of CP licenses shall make a one time election to receive a WGOA and/or CGOA CP or CV endorsement for Pacific cod if that CP license made a minimum of one Pacific cod landing while operating as a CV under the authority of the CP license from 2002 through 2008.

Upon implementation of the GOA Pacific cod sector allocations, holders of these licenses will be limited to fishing off of the allocation assigned to the sector designated by their license in the GOA cod fishery. For example, CP licenses assigned to the CP sector may not fish off of the allocation assigned to CVs in the GOA Pacific cod fishery. Future catch accounting for these vessels should be according to the sector to which those licenses are assigned.

(Note: This CP or CV endorsement would be added to the LLP license, and would apply only to the Western and Central GOA Pacific cod fisheries (directed and incidental catches); the existing operation type endorsement would remain on the LLP license and would apply to other groundfish fisheries. If a vessel holds multiple, stacked, licenses and one of those stacked LLPs is a CP LLP eligible to harvest Pacific cod in the GOA area of participation, all catch will count against the CP sector allocation.)

Component 3: Definition of qualifying catch

Qualifying catch includes all retained legal catch of Pacific cod from the Federal and parallel waters fisheries in the Western and Central GOA.

- Catch will be calculated using Fish Tickets for catcher vessels and Catch Accounting/Blend data for catcher processors.
- Under all options, incidental catch allocated to trawl catcher vessels for the Central GOA Rockfish program (currently, 2.09% of the Central GOA Pacific cod TAC) will be deducted from the Central GOA trawl catcher vessel B season allocation.
- Each sector's allocation will be managed to support incidental and directed catch needs for that sector.

Component 4: Potential Sector Allocations

Part A: Years included for purposes of determining catch history:

Central GOA

Each sector's best of Options 1-6 scaled to equal 100 percent, jig excluded.

Option 1: Qualifying years 2000-2006: average of best 3 years
Option 2: Qualifying years 2000-2006: average of best 5 years
Option 3: Qualifying years 2002-2007: average of best 3 years
Option 4: Qualifying years 2002-2007: average of best 5 years
Option 5: Qualifying years 2002-2008: average of best 3 years
Option 6: Qualifying years 2002-2008: average of best 5 years

Central GOA sector allocations with jig allocation taken off the top of the TAC

		Compare to 60/40		A season allocation	B season allocation	A season allocation	B season allocation
	Annual Allocation	A season	B season	Percent of annual allocation	Percent of annual allocation	Percent of seasonal allocation	Percent of seasonal allocation
HAL CP	5.1%	80.3%	19.7%	4.1%	1.0%	6.8%	2.5%
HAL CV <50	14.6%	63.9%	36.1%	9.3%	5.3%	15.5%	13.2%
HAL CV >=50	6.7%	84.0%	16.0%	5.6%	1.1%	9.4%	2.7%
Pot CV/CP	27.8%	63.9%	36.1%	17.8%	10.0%	29.7%	25.1%
Trawl CP	4.2%	48.8%	51.2%	2.0%	2.2%	3.4%	5.4%
Trawl CV	41.6%	50.8%	49.2%	21.1%	20.5%	35.2%	51.2%
Total	100.0%			60.0%*	40.0%*	100.0%*	100.0%*

*Due to rounding, percentages for each sector may not sum to totals.

Western GOA

Each sector's best of Options 1-4 scaled to equal 100 percent, jig excluded.

Option 1: Qualifying years 1995-2005: average of best 7 years
Option 2: Qualifying years 2000-2006: average of best 5 years
Option 3: Qualifying years 2002-2007: average of best 5 years
Option 4: Qualifying years 2002-2008: average of best 5 years

Western GOA sector allocations with jig allocation taken off the top of the TAC

				A season allocation	B season allocation	A season allocation	B season allocation
		Compare to 60/40					
	Annual Allocation	A season	B season	Percent of annual allocation	Percent of annual allocation	Percent of seasonal allocation	Percent of seasonal allocation
HAL CP	19.8%	55.2%	44.8%	10.9%	8.9%	18.2%	22.2%
HAL CV	1.4%	47.2%	52.8%	0.7%	0.7%	1.1%	1.8%
Pot CV/CP	38.0%	52.0%	48.0%	19.8%	18.2%	32.9%	45.6%
Trawl CP	2.4%	37.9%	62.1%	0.9%	1.5%	1.5%	3.7%
Trawl CV	38.4%	72.3%	27.7%	27.7%	10.7%	46.2%	26.6%
Total	100.0%			60.0%*	40.0%*	100.0%*	100.0%*

*Due to rounding, percentages for each sector may not sum to totals.

Part B: Western and Central GOA Sideboards

- For AFA CV sideboards: Combine the inshore and offshore AFA CV sideboard amounts into a single sideboard for each management area.
- For non-AFA crab sideboards: Recalculate the sideboards and establish separate CP and CV sideboard amounts by gear type for each management area.

Part C: Seasonal apportionment of sector allocations:

Central GOA

Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC, excluding the jig sector allocation.

Western GOA

Apportion each sector's annual allocation based on that sector's seasonal catch history during the qualifying years, while maintaining the overall 60%/40% apportionment of the TAC, excluding the jig sector allocation.

Component 5: Allocation of Pacific cod to jig sector

Before allocating the TACs among the other sectors, set aside 1% of the Central GOA Federal Pacific cod TACs, and 1.5% of the Western GOA Federal Pacific cod TACs, for the initial allocation to the jig vessel sector, with a stairstep provision to increase the jig sector allocation by 1% if 90% of the Federal jig allocation in an area is harvested in any given year. The jig gear allocation will be capped at 6% of the Central and Western GOA Federal Pacific cod TACs.

Subsequent to the jig allocation increasing, if the harvest threshold criterion described in the options below is not met during two consecutive years, the jig allocation will be stepped down by 1% in the following year, but shall not drop below the level initially allocated.

Option 2: 90% of the previous allocation

The jig allocation will be set aside from the TAC.

State parallel/Federal managed Pacific cod jig fishery

Federal allocation managed 0-200 miles through a parallel fishery structure. Any State waters jig GHL would (under subsequent action by the Alaska Board of Fisheries) be added to this State parallel/Federal managed jig sector allocation so that the jig sector is fishing off of a single account. If the Board of Fisheries chooses to relinquish State waters jig GHL, it would roll into the Federal jig allocation. The Council will make such recommendation to the Board of Fisheries. Until the Board of Fisheries changes the GHL in response to this recommendation, a State parallel/Federal jig sector allocation with a State waters GHL fishery would be invoked.

If a combined parallel/Federal fishery is created the fishery would be managed as follows:

The fishery would open on January 1 and close when the jig A season sector allocation is reached. The Federal B season for the jig sector would open on June 10.

The jig allocation will be apportioned 80% to the A season and 20% to the B season.

State parallel/Federal jig sector allocation with a State waters GHL fishery

Until the Board of Fisheries takes action in response to the Council recommendations or input from the public, ~~a~~ distinct parallel/Federal and State waters fisheries continues to exist, and the two fisheries will be managed as follows:

The Federal jig sector allocation would be divided into an A/B season of 60%/40%. The A season would open on January 1 and close when the jig A-season sector allocation is reached or on March 15, whichever occurs first. The Federal B season for the jig sector would open on June 10 or after the State GHL season closes, whichever occurs later.

The Council directs staff to develop a discussion paper to consider whether a Federal parallel fishery, a "reverse parallel fishery", is a viable management structure for the jig sector during the state GHL jig season. This management structure would allow LLP-exempt jig vessels to operate in Federal waters during a state Pacific cod fishery, with harvest accruing to the state GHL.

Component 6: Management of unharvested sector allocations

Any portion of a CV, CP, or jig allocation determined by NMFS to remain unharvested during the remainder of the fishery year will become available as soon as practicable to:

CV sectors first, and then to all sectors taking into account the capability of a sector, as determined by the Regional Administrator, to harvest the reallocated amount of Pacific cod.

Component 7: Apportionment of GOA-wide hook-and-line halibut PSC (other than DSR) between catcher processors and catcher vessels

Apportion the GOA hook-and-line halibut PSC to the CP and CV sectors in proportion to the total Western GOA and Central GOA Pacific cod allocations to each sector. No later than November 1, any remaining halibut PSC not projected by NMFS to be used by one of the hook-and-line sectors during the remainder of the year would be made available to the other sector. The apportionment of halibut will be proportional to the Pacific cod area apportionment determined during the TAC setting process.

Component 8: Community protection provisions (Western and Central GOA)

For the purposes of this provision, motherships include catcher processors receiving deliveries over the side and any floating processor that does not meet the regulatory definition of a stationary floating processor in 50 CFR 679.2. Stationary floating processors may process groundfish only at a single geographic location during a given year.

For each management area, the mothership processing cap is specified below:

Allow mothership activity for Pacific cod up to 2% of the Western GOA TAC in the Western GOA. Prohibit mothership activity for groundfish in the CGOA.

Allow Federally-permitted vessels that do not meet the definition of stationary floating processor and that do not harvest groundfish off Alaska in the same calendar year to operate as floating processors for Pacific cod deliveries in an amount up to 3% of the Central GOA Pacific cod TAC and 3% of the Western GOA Pacific cod TAC within the boundaries of Western and Central GOA CQE communities that provide certified municipal land and water boundaries to the State of Alaska Department of Commerce, Community, and Economic Development.

Retain the current definition of a stationary floating processor, but revise as follows so that there is no reference to the inshore component as applied to Pacific cod:

- A stationary floating processor may process Pacific cod in the Western and Central GOA only at a single geographic location in Alaska State waters in a given year.
- A stationary floating processor cannot operate as both a stationary floating processor and a CP/mothership during the same year.

Additionally, retain limits on the ability for AFA motherships and AFA CPs that are also active in the BSAI to process any Pacific cod in the GOA as follows:

- A vessel cannot operate as a stationary floating processor for Pacific cod in the GOA and as an AFA mothership in the BSAI during the same year.
- A vessel cannot operate as a stationary floating processor for Pacific cod in the GOA and as a CP in the BSAI during the same year.

Component 9: Potential models for resolving parallel fishery issues

The Council may provide recommendations for the Alaska Board of Fisheries' consideration on the parallel fishery that could complement Council action through use of the Joint Protocol Committee and regular review and comment on Board of Fisheries proposals, such as:

- gear limits
- vessel size limits
- exclusive registration

Limit access to the parallel fishery for Federal fishery participants:

- Require any pot or longline vessel with an LLP or an FFP to have the appropriate Pacific cod endorsement and area endorsement on the LLP; and the GOA area designation and the appropriate gear and operation type designations on the FFP in order to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.

- Require any trawl vessel with an LLP or an FFP to have the appropriate gear and area endorsements on the LLP; and the GOA area designation and the appropriate gear and operation type designations on the FFP in order to participate in the Western GOA or Central GOA Pacific cod parallel waters fishery.

In addition, require the above Federally-permitted or licensed vessels that fish in the parallel waters to adhere to Federal seasonal closures of the Western/Central GOA sector allocations corresponding to the sector in which the vessel operates.

Vessels with a GOA area designation and the gear and operation type designations specified in Option 2 cannot remove these designations from the FFP and can only surrender or reactivate the FFP

Once every three years

North Pacific Fishery Management Council Recommendations for Gulf of Alaska Groundfish OFLs, ABCs and TACs for 2010-2011 Fisheries

Stock/ Assemblage	Area	2009				2010			2011		
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	W (61)		15,249	15,249	14,935		26,256	26,256		34,728	34,728
	C (62)		14,098	14,098	14,006		28,095	28,095		37,159	37,159
	C (63)		11,058	11,058	12,135		19,118	19,118		25,287	25,287
	WYAK		1,215	1,215	1,221		2,031	2,031		2,686	2,686
	Subtotal	58,590	41,620	41,620	42,297	103,210	75,500	75,500	135,010	99,860	99,860
	EYAK/SEO	11,040	8,280	8,280		12,326	9,245	9,245	12,326	9,245	9,245
	Total	69,630	49,900	49,900	42,297	115,536	84,745	84,745	147,336	109,105	109,105
Pacific cod	W		21,567	16,175	14,243		27,685	20,764		34,265	25,699
	C		31,521	23,641	23,380		49,042	36,782		60,698	45,524
	E		2,212	1,991	778		2,373	2,017		2,937	2,496
	Total	66,600	55,300	41,807	38,401	94,100	79,100	59,563	116,700	97,900	73,719
Sablefish	W		1,640	1,640	1,341		1,660	1,660		1,488	1,488
	C		4,990	4,990	4,780		4,510	4,510		4,042	4,042
	WYAK		1,784	1,784	1,774		1,620	1,620		1,450	1,450
	SEO		2,746	2,746	2,803		2,580	2,580		2,320	2,320
	Total	13,190	11,160	11,160	10,698	12,270	10,370	10,370	11,008	9,300	9,300
Deepwater flatfish	W		706	706	8		521	521		530	530
	C		6,927	6,927	428		2,865	2,865		2,928	2,928
	WYAK		997	997	4		2,044	2,044		2,089	2,089
	EYAK/SEO		538	538	2		760	760		778	778
	Total	11,578	9,168	9,168	442	7,680	6,190	6,190	7,847	6,325	6,325
Shallow-water Flatfish	W		26,360	4,500	96		23,681	4,500		23,681	4,500
	C		29,873	13,000	8,195		29,999	13,000		29,999	13,000
	WYAK		3,333	3,333	1		1,228	1,228		1,228	1,228
	EYAK/SEO		1,423	1,423			1,334	1,334		1,334	1,334
	Total	74,364	60,989	22,256	8,292	67,768	56,242	20,062	67,768	56,242	20,062
Rex sole	W		1,007	1,007	342		1,543	1,543		1,521	1,521
	C		6,630	6,630	4,162		6,403	6,403		6,312	6,312
	WYAK		513	513	1		883	883		871	871
	EYAK/SEO		846	846			900	900		888	888
	Total	11,756	8,996	8,996	4,505	12,714	9,729	9,729	12,534	9,592	9,592
Arrowtooth flounder	W		30,148	8,000	1,517		34,773	8,000		34,263	8,000
	C		164,251	30,000	22,813		146,407	30,000		144,262	30,000
	WYAK		14,908	2,500	56		22,835	2,500		22,501	2,500
	EYAK/SEO		12,205	2,500	52		11,867	2,500		11,693	2,500
	Total	261,022	221,512	43,000	24,438	254,271	215,882	43,000	250,559	212,719	43,000
Flathead sole	W		13,010	2,000	303		16,857	2,000		17,520	2,000
	C		29,273	5,000	3,115		27,124	5,000		28,190	5,000
	WYAK		3,531	3,531			1,990	1,990		2,068	2,068
	EYAK/SEO		650	650			1,451	1,451		1,508	1,508
	Total	57,911	46,464	11,181	3,418	59,295	47,422	10,441	61,601	49,286	10,576
Pacific ocean perch	W	4,409	3,713	3,713	3,805	3,332	2,895	2,895	3,220	2,797	2,797
	C	9,790	8,246	8,246	8,027	12,361	10,737	10,737	11,944	10,377	10,377
	WYAK		1,108	1,108	1,147		2,004	2,004		1,937	1,937
	SEO		2,044	2,044	1		1,948	1,948		1,882	1,882
	E (subtotal)	3,741	3,152	3,152	1,148	4,550			4,396		
	Total	17,940	15,111	15,111	12,980	20,243	17,584	17,584	19,560	16,993	16,993
Northern rockfish[3]	W		2,054	2,054	1,946		2,703	2,703		2,549	2,549
	C		2,308	2,308	1,942		2,395	2,395		2,259	2,259
	E										
	Total	5,204	4,362	4,362	3,888	6,070	5,098	5,098	5,730	4,808	4,808
Rougheye	W		125	125	80		80	80		81	81
	C		833	833	100		862	862		869	869
	E		326	326	100		360	360		363	363
	Total	1,545	1,284	1,284	280	1,568	1,302	1,302	1,581	1,313	1,313
Shortraker	W		120	120	151		134	134		134	134
	C		315	315	192		325	325		325	325
	E		463	463	207		455	455		455	455
	Total	1,197	898	898	550	1,219	914	914	1,219	914	914

Stock/ Assemblage	Area	2009				2010			2011		
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Other slope[3]	W		357	357	401		212	212		212	212
	C		569	569	385		507	507		507	507
	WYAK		604	604	82		273	273		273	273
	EYAK/SEO		2,767	200	11		2,757	200		2,757	200
	Total	5,624	4,297	1,730	879	4,881	3,749	1,192	4,881	3,749	1,192
Pelagic shelf rockfish	W		819	819	716		650	650		607	607
	C		3,404	3,404	2,143		3,249	3,249		3,035	3,035
	WYAK		234	234	177		434	434		405	405
	EYAK/SEO		324	324	1		726	726		680	680
	Total	5,803	4,781	4,781	3,037	6,142	5,059	5,059	5,739	4,727	4,727
Demersal rockfish	Total	580	362	362	137	472	295	295	472	295	295
Thornyhead rockfish	W		267	267	230		425	425		425	425
	C		860	860	275		637	637		637	637
	E		783	783	152		708	708		708	708
	Total	2,540	1,910	1,910	657	2,360	1,770	1,770	2,360	1,770	1,770
Atka mackerel	Total	6,200	4,700	2,000	2,221	6,200	4,700	2,000	6,200	4,700	2,000
Big skate	W		632	632	68		598	598		598	598
	C		2,065	2,065	1,656		2,049	2,049		2,049	2,049
	E		633	633	87		681	681		681	681
	Total	4,439	3,330	3,330	1,811	4,438	3,328	3,328	4,438	3,328	3,328
Longnose skate	W		78	78	62		81	81		81	81
	C		2,041	2,041	880		2,009	2,009		2,009	2,009
	E		768	768	175		762	762		762	762
	Total	3,849	2,887	2,887	1,117	3,803	2,852	2,852	3,803	2,852	2,852
Other skates	Total	2,806	2,104	2,104	1,007	2,791	2,093	2,093	2,791	2,093	2,093
Other species	Total	8,720	6,540	4,500	2,327	9,432	7,075	4,500	9,432	7,075	4,500
TOTAL		**632,498**	**516,055**	**242,727**	**163,382**	**693,253**	**565,499**	**292,087**	**743,559**	**605,086**	**328,464**

North Pacific Fishery Management Council Recommendations for Bering Sea Aleutian Islands Groundfish OFLs, ABCs, and TACs for 2010-2011 Fisheries

Species	Area	2009				2010			2011		
		OFL	ABC	TAC	Catch*	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	EBS	977,000	815,000	815,000	810,052	918,000	813,000	813,000	1,220,000	1,110,000	1,110,000
	AI	34,000	28,200	19,000	1,282	40,000	33,100	19,000	39,100	32,200	19,000
	Bogoslof	58,400	7,970	10	9	22,000	156	50	22,000	156	50
Pacific cod	BSAI	212,000	182,000	176,540	163,587	205,000	174,000	168,780	251,000	214,000	207,580
Sablefish	BS	3,210	2,720	2,720	876	3,310	2,790	2,790	2,970	2,500	2,500
	AI	2,600	2,200	2,200	1,055	2,450	2,070	2,070	2,200	1,860	1,860
Atka mackerel	Total	99,400	83,800	76,400	72,274	88,200	74,000	74,000	76,200	65,000	65,000
	EAI/BS		27,000	27,000	26,433		23,800	23,800		20,900	20,900
	CAI		33,500	32,500	29,541		29,600	29,600		26,000	26,000
	WAI		23,300	16,900	16,300		20,600	20,600		18,100	18,100
Yellowfin sole	BSAI	224,000	210,000	210,000	103,808	234,000	219,000	219,000	227,000	213,000	213,000
Northern rock sole	BSAI	301,000	296,000	90,000	48,593	243,000	240,000	90,000	245,000	242,000	90,000
Greenland turbot	Total	14,900	7,380	7,380	4,284	7,460	6,120	6,120	6,860	5,370	5,370
	BS		5,090	5,090	2,074		4,220	4,220		3,700	3,700
	AI		2,290	2,290	2,210		1,900	1,900		1,670	1,670
Arrowtooth flounder	BSAI	190,000	156,000	75,000	28,931	191,000	156,000	75,000	191,000	157,000	75,000
Flathead sole	BSAI	83,800	71,400	60,000	19,424	83,100	69,200	60,000	81,800	68,100	60,000
Other flatfish	BSAI	23,100	17,400	17,400	2,155	23,000	17,300	17,300	23,000	17,300	17,300
Alaska plaice	BSAI	298,000	232,000	50,000	13,698	278,000	224,000	50,000	314,000	248,000	50,000
Pacific ocean perch	BSAI	22,300	18,800	18,800	14,780	22,400	18,860	18,860	22,200	18,680	18,680
	BS		3,820	3,820	623		3,830	3,830		3,790	3,790
	EAI		4,200	4,200	3,867		4,220	4,220		4,180	4,180
	CAI		4,260	4,260	3,879		4,270	4,270		4,230	4,230
	WAI		6,520	6,520	6,411		6,540	6,540		6,480	6,480
Northern rockfish	BSAI	8,540	7,160	7,160	3,087	8,640	7,240	7,240	8,700	7,290	7,290
Shortraker	BSAI	516	387	387	198	516	387	387	516	387	387
Blackspotted/Rougheye	BSAI	660	539	539	194	669	547	547	650	531	531
Other rockfish	BSAI	1,380	1,040	1,040	586	1,380	1,040	1,040	1,380	1,040	1,040
	BS		485	485	193		485	485		485	485
	AI		555	555	393		555	555		555	555
Squid	BSAI	2,620	1,970	1,970	353	2,620	1,970	1,970	2,620	1,970	1,970
Other species	BSAI	80,800	66,700	50,000	26,653	88,200	61,100	50,000	88,200	61,100	50,000
TOTAL	BSAI	2,638,226	2,208,666	1,681,546	1,315,879	2,462,945	2,121,880	1,677,154	2,826,396	2,467,484	1,996,558

*2009 catches through November 7 from AKR Catch Accounting including CDQ

APPENDIX 6

Ecosystem Committee Minutes

December 7, 2009 10am-3pm
Hilton Hotel, Aspen/Spruce Room, Anchorage, AK

Committee: Stephanie Madsen (chair), Jon Kurland, Dave Benton (teleconf), Doug DeMaster (teleconf), Caleb Pungawi (teleconf), Diana Evans (staff)

Others attending included: Dave Witherell (staff), Matt Eagleton, John Olson, Melanie Brown, Mike Levine

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The Committee noted that their next meeting will take place in late January, 2010, at the Alaska Fisheries Science Center, in Seattle, WA. The meeting will occur conjointly with the AI Ecosystem Team, and the primary agenda item will be to discuss the AI Fishery Ecosystem Plan.

MPA nomination process

David Witherell and John Olson presented a discussion paper addressing the Council's options for nominating Alaskan fishery closure areas to the National System of Marine Protected Areas (MPAs). In May 2009, NMFS wrote a letter to the Council to initiate consultation with the Council regarding 26 MPA eligible sites identified by the MPA Center. The Council tasked staff to prepare a discussion paper on the MPA process and potential sites for inclusion, including but not limited to the list suggested by the MPA Center. The discussion paper describes the background for the MPA nomination process, as well as potential issues of concern for the Council.

The Committee discussed a number of issues raised in the discussion paper, including the regulatory process involved in MPA nominations. It was clarified that there is no separate regulatory action to implement an area as an MPA under the national system, so nominating a site to the national system would be an administrative action by NMFS, and would not involve any rulemaking. The Committee also discussed whether the Secretary of Commerce has the ability to overrule the Council, under Section 304 of the MSA, if the Council chooses not to list sites on the national system. While doing so would be contrary to NMFS' consultation policy on the MPA national system, it appears to be unclear whether it is within NMFS or the Secretary's authority to do so.

It was noted by Mr Witherell that if the Council chooses to reject the proposed eligible MPA sites, a justification would need to be provided as to why these sites were not selected, or why different sites would need to be selected. Based on this and other discussion of the options included in the paper, **the Committee recommends that the Council ask staff to prepare a discussion paper that would analyze two options: Option 1 and Option 2 in the discussion paper, namely not to nominate any sites to the MPA list, or to nominate only sites that are quasi-marine reserves.** Under option 1, the rationale for not selecting the sites proposed by the MPA center would be explained. Under option 2, the Council would evaluate a subset of fishery closure areas in Alaskan waters, and the discussion paper could test how the 'avoid harm' provision would be applied to these sites. This discussion should evaluate different ways to interpret the 'avoid harm' provision, which has not yet been defined. The Committee recommends that the starting point for interpreting the provision should be to use existing standards that are already part of the MSA, such as the EFH standard, to minimize impacts to the extent practicable. The discussion paper should also consider the fact that other agencies are obliged to meet the 'avoid harm' provision for the protected resources that might be designated in the quasi-marine reserves under Option 2, and the implications of this requirement.

Other process issues with respect to the MPA national system should also be addressed in the discussion paper. These include the proposed mechanism whereby the Council would look at ways for nominating sites to the national framework, the kind of information that would be used to nominate such sites, the

provisions and a procedure for modifying existing management measures for those sites once they are on the national framework, and a procedure for how sites would be removed from the national framework. The Committee suggests that the Council consider developing a formal procedure for evaluating potential MPAs, similar to the procedure currently in the FMPs for identifying HAPCs.

The Committee also recommends that the Council ask staff to prepare a second discussion paper, that would look at the four MPAs that have already been designated in Alaska (Glacier Bay National Park, Alaska Maritime National Wildlife Refuge, Arctic National Wildlife Refuge, and Yukon Delta National Wildlife Refuge) and evaluate 'avoid harm' issues for these MPAs. The discussion paper should identify what resources are protected in these MPAs, overlay what fishing areas occur in the MPAs, and identify what obligations or conflicts the Council might have with these MPAs.

Update on the National Ocean Policy Task Force and Marine Spatial Planning

Mr Kurland provided background on the creation of the interagency ocean policy task force, which occurred in June 2009, and which is chaired by the Council of Environmental Quality. Two deadlines were established for the task force: the first was to produce a report delineating a national policy for oceans, coasts, and great lakes; a framework for coordination across jurisdictions; and an implementation plan. This report was released for public comment in September 2009. The second deadline is December 9, 2009, by which time the task force is expected to release a framework for coastal and marine spatial planning. There are no deadlines identified as yet for any implementation of marine spatial planning initiatives, only for the development of the framework.

Dr DeMaster also noted that NOAA is in the process of developing the next generation strategic plan for NOAA, for 2012-2016. Dr Lubchenko recently hosted a national stakeholders' meeting in Washington, DC, and within the goal of sustainable fisheries, there was considerable discussion of marine spatial planning and marine protected areas. The strategic plan is likely to get finalized over the next six months.

Update on the Northern Bering Sea Research Area (NBSRA) research plan

Ms Evans informed the committee of the ongoing development of a research plan for the NBSRA, which is currently being undertaken by the Alaska Fisheries Science Center (AFSC) under the project leadership of Dr Cynthia Yeung. The research plan will not come before the Council for action until 2011, however the AFSC is hosting a subsistence and stakeholder workshop in Anchorage, February 24-25, 2010, to gather information to be included in the research plan.

Essential Fish Habitat 5-year review and the HAPC process

Ms Evans and Mr Eagleton presented the preliminary report of the Essential Fish Habitat (EFH) 5-year review. Overall, the Committee commended the authors on the report, and provided some specific suggestions for clarification. With respect to the tables summarizing the GOA and BSAI individual species reviews, the Committee noted that the report should identify what the management implications may be of the suggested changes marked by shading. The Committee also commented that the review of changes to fishing distribution and intensity should describe both whether fisheries have moved into new areas, and areas that fisheries are no longer utilizing. For EFH research projects into the impacts of trawling in areas that have now been closed to trawling, these should look both at habitat recovery rates and changes in species diversity in these areas.

The Committee noted that in the last EFH process, nonfishing stakeholders were interested in the EFH conservation and enhancement recommendations that were adopted by the Council for nonfishing activities. It may be advisable to consider how to alert these stakeholders of the current review process. With respect to the review of EFH in the salmon FMP, the Committee recommends that State of Alaska researchers be involved in the review process in addition to researchers from the AFSC.

Eric A. Olson
Chairman
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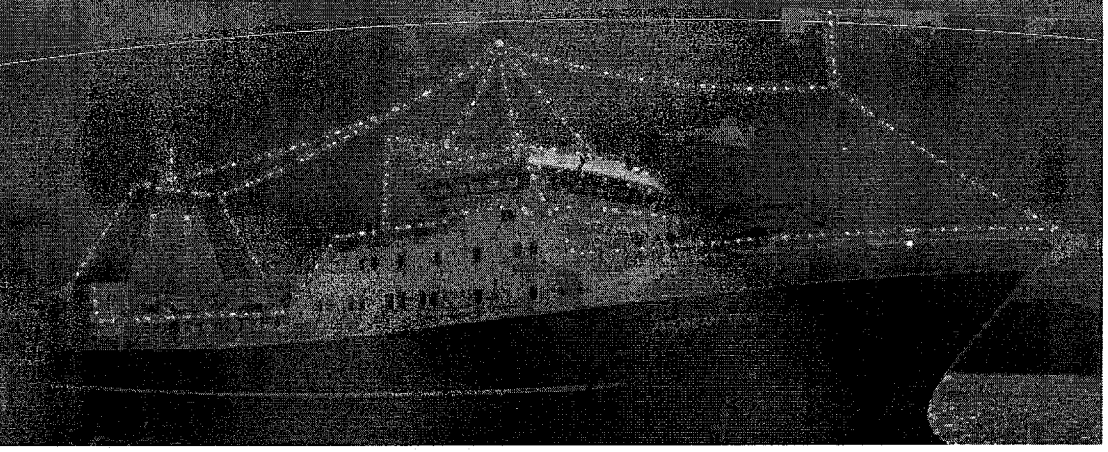
News & Notes
North Pacific Fishery Management Council
December 2009



AP and SSC Appointed

Appointments to the Council's Scientific and Statistical Committee and Advisory Panel were made at the December meeting. The Council announced the following reappointments for 3-year terms to the Advisory Panel: Craig Cross, Tim Evers, Becca Robbins Gisclair, Jan Jacobs, Bob Jacobson, and Matt Moir. Additionally, the AP welcomes a new member: Anne Vanderhoven who has been working for BBEDC on fishery issues. Thanks to Mike Martin and Rex Murphy for their participation on the Advisory Panel, and we look forward to working with them in different capacities in the future. The Council also reappointed all the SSC members to 1-year terms. We would also like to welcome Dr Tom Gelatt, of the National Marine Mammal Laboratories to the AI Ecosystem Plan Team. A full list of AP, SSC, and Council members and their contact information and terms is available on our website.

The Council also presented Bill Wilson, retiring Protected Resources Coordinator, with a plaque thanking him for his work in fishery management, and his dedicated service to preserving marine resources.

Chum Salmon Bycatch

The Council reviewed a discussion paper outlining data and information on chum (non-Chinook) salmon bycatch in the EBS pollock fishery and the draft suite of alternatives for analysis of bycatch management measures for chum salmon in this fishery. The Council also received a report from ADF&G staff on western Alaska chum stock status as well as the report and recommendations from its Salmon Bycatch Workgroup following their October meeting.

Modifications to the draft alternatives included lowering the overall cap threshold levels, modifying the year sets for calculations of sector-specific allocations, and the addition of new discrete area closure options to be developed with area-specific caps. The full motion is available on the Council website.

The Council requested that industry participants developing Incentive Program Agreements (IPA) in conjunction with the Amendment 91 Chinook Salmon Bycatch program provide staff written details of the proposed programs by mid-March. This request is to facilitate incorporation of this information into the forthcoming chum analyses.

A review of analytical methods for the impact analysis with a focus on considering data limitations for chum stock of origin information will occur at the February SSC meeting. Further discussion of available data for chum bycatch genetic sampling in conjunction with on-going Chinook bycatch sampling analyses will occur by an inter-agency workgroup with an update on scheduling provided to the Council in February. At that time draft closure configurations in response to the Council's new alternative will also be proposed. The Council will finalize their alternatives for analysis at the June 2010 meeting.

The Council considered multiple aspects in developing a timeline for the analysis of proposed changes to the management measures for chum salmon bycatch in the EBS pollock fishery. These considerations included the scope of the analysis (complexity of the Council's alternatives), staff availability due to analysts' respective workloads and timeframe for additional responsibilities, the determination of the appropriate NEPA document; outreach on the project, and the timing of implementation of any preferred action by the Council. Staff contact for the chum bycatch management measures analysis is Diana Stram.

Outreach Plan

The Council also reviewed a draft outreach plan developed to correspond with the review of the chum salmon bycatch alternatives and analytical schedule at the same meeting. The outreach plan was developed by Council staff, with input from NMFS, the Rural Community Outreach Committee, and affected stakeholders. It is intended to improve the Council's decision-making processes on the proposed action, as well as enable the Council to maintain ongoing and proactive relationships with Alaska Native and rural communities.

The Council generally approved the proposed outreach plan with three primary components: direct mailings to stakeholders; regional/community outreach meetings; and documentation of rural outreach meeting results. As part of the plan, the Council expressed its intent to target nine regional meetings in western and interior Alaska in fall 2010 and early 2011, as staff availability and meeting schedules allow. The plan has one to two Council members and appropriate staff analysts attending each meeting, along with primary NMFS staff as available. Comments provided during these regional meetings would be documented and provided to the Council in an outreach report prior to the Council's initial review of the chum analysis.

The Council expressed its preference for a schedule that would allow for review of a preliminary analysis at its February 2011 meeting; initial review and selection of a preliminary preferred alternative (PPA) at its June 2011 meeting in Nome; and potential final action in October or December 2011. Staff contact on chum outreach is Nicole Kimball.

changing the start date for the directed B season for jig gear to June 10, or after the State jig fishery closes, to provide a year-round Pacific cod fishery for jig vessels.

Other elements of the Council's action address rollovers and hook-and-line halibut PSC apportionments. Any unharvested sector allocations would roll to CV sectors first (Component 6). The hook-and-line halibut PSC allowance will be apportioned between CVs and CPs in proportion to the Pacific cod allocations to each sector (Component 7).

The Council's action includes extensive provisions addressing mothership and stationary floating processor activity in the GOA. The harvest sector allocations will supersede the current 90%/10% inshore/offshore processing allocations, and the Council's action is intended to protect historic processing and community delivery patterns established in the GOA groundfish fisheries. Motherships will be allowed to process up to 2% of the Western GOA Pacific cod TAC, but will be prohibited from processing groundfish in the Central GOA. There has been no mothership processing activity since 2000 in the Central GOA and limited mothership activity in the Western GOA in recent years. In addition, floating processors that do not harvest groundfish or act as a stationary floating processor in a given year may process up to 3% of the respective Western and Central GOA TACs, provided that they operate within the municipal boundaries of Community Quota Entity (CQE) communities. Vessels may continue to elect to operate as a stationary floating processor in the GOA, but are limited to processing groundfish at a single geographic location in Alaska State waters in a given year, and may not operate as a CP in the GOA or BSAI in the same calendar year. There is no cap on the amount of Pacific cod processed by stationary floating processors.

Finally, the Council's action addressed potential entry by Federally-permitted vessels into the parallel waters fishery. If GOA Pacific cod sector allocations are established, parallel waters activity by Federally-permitted vessel operators who do not hold LLPs could erode the catches of historic participants who contributed catch history to the sector allocations and depend on the GOA Pacific cod resource. Vessels fishing in Federal waters are required to hold an LLP license with the appropriate area, gear, and species endorsements, but vessels fishing in parallel State waters are not required to hold an LLP license. The Council's action precludes Federally-permitted vessels that do not have LLP licenses from participating in the GOA Pacific cod parallel fishery to prevent any such encroachment.

The Council's final motion on GOA Pacific cod sector allocations is available on the Council website. Staff contact is Jeannie Heltzel.

Crab Rebuilding Plans

The Council reviewed alternatives for the snow crab and Tanner crab rebuilding plans as well as the proposed outline for a combined ACL/rebuilding plan amendment analysis and a separate Pribilof Islands blue king crab rebuilding plan. The Council had previously reviewed and approved the Pribilof Islands blue king crab rebuilding plan alternatives in October.

The Council endorsed the comments and recommendations by the SSC regarding examinations to be included in upcoming assessment reviews as well as under the ACL and rebuilding plan analyses (to the extent possible under the current analytical timeframe for those analyses). Specific recommendations for the rebuilding plan alternatives include:

- an alternative for an 8-year time frame for snow crab rebuilding. This alternative would contain the harvest constraint (75%FOFL) extended out to a higher probability of rebuilding as afforded by the longer timeframe.
- a performance measure (for all rebuilding plans) to evaluate the probability that the stock does not rebuild by a certain year (for example after 10 years), similar to the $B_{20\%}$ threshold for some groundfish.

The ACL analysis and the rebuilding plans will be reviewed by the Crab Plan Team meeting at their March 2010 meeting, followed by preliminary review by the SSC, AP and Council in April. The Council and Board of Fisheries requested that a review of these analyses also be provided to the BOF at their March meeting in order to allow the opportunity to provide recommendations to the Council on preferred rebuilding alternatives. Initial review of these analyses is scheduled for June 2010. A presentation by NMFS and Bering Sea Fisheries Research Foundation on their joint survey study and the implications thereof for snow crab stock assessment plans will occur at the February meeting. Staff contact is Diana Stram.

Upcoming Meetings in 2010

Steller Sea Lion Mitigation Committee – January 26-28, AFSC, Traynor Room, Seattle

AI Ecosystem Team – January 27-28, AFSC, Seattle

Ecosystem Committee – January 28, AFSC, Seattle

Observer Advisory Committee – January 29, AFSC, Seattle

Alaska Marine Ecosystem Forum – January 2010 (date TBD), Anchorage

IFQ Implementation Team – mid-Jan or early Feb 2010 TBA

Rural Community Outreach Committee – February 23, Anchorage

Community and Subsistence Workshop for the Northern Bering Sea Research Plan – February 24-25, Anchorage

Scallop Plan Team – March 3-4, Juneau

Steller Sea Lion Mitigation Committee – week of March 8, to review BiOp, Juneau (location TBD)

Crab Plan Team – March 29-April 1 AFSC, Seattle

Non-Target Species Committee – April 2010 TBA

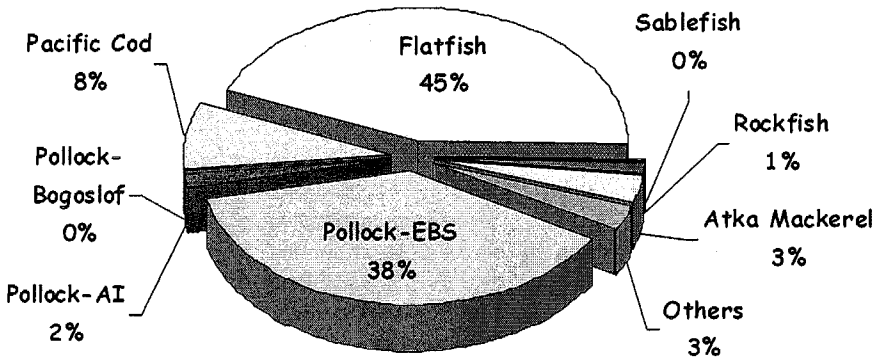
Groundfish Plan Teams – week of September 20, Seattle

Wakefield Symposium – November 8-11, Anchorage

Groundfish Plan Teams – week of November 15, Seattle

2010/11 BSAI Groundfish Specifications

The Council adopted ABCs for 2010 and 2011 of 2,120,000 t and 2,457,000 t, respectively. These are 89,000 t below and 248,000 t above the sum of the 2009 ABCs (2,209,000 t), indicating an anticipated rebound in stock status in 2011, after a slight drop in 2010. The sum of 2010 and 2011 TACs totaled 1,677,000 t and 1,997,000 t, compared to 1,682,000 t in 2009.



Total groundfish biomass for 2010 (15.9 million t) is the same as last year's estimate. Groundfish ABCs recently have trended down for gadoids, but generally up for flatfishes. No groundfish stocks are overfished or experiencing overfishing, as shown in lower right quadrant of the figure. The 2009 bottom trawl survey biomass estimate for pollock was 2.28 million t, down 25% from the 2008 estimate, and the lowest point in the 1982-2009 time series. The estimate from the EIT survey was 0.924 million t, down 7% from last year's survey, and the lowest point in the 1979-2009 time series. The 2006 year class is above-average, though not as strong as estimated previously. The 2010 pollock ABC recommendation of 813,000 t is about equal to the 2009 ABC (815,000 t); the 2011 ABC recommendation is 1,110,000 t, anticipating recruitment of the 2006 year class.

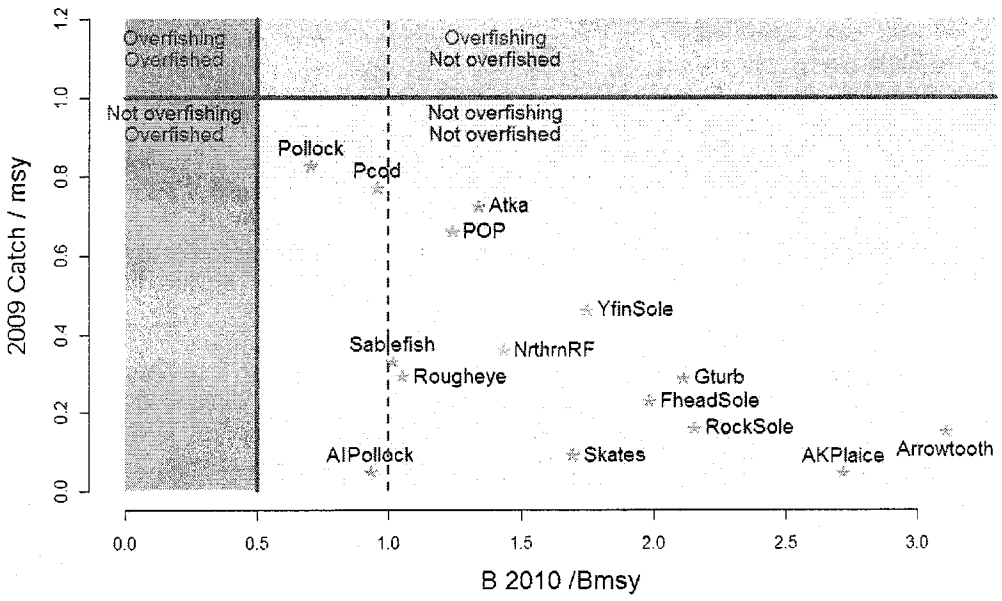
Following the highest observation in 1994, the Pacific cod bottom trawl survey biomass estimate declined steadily through 1998. While the estimates remained around 600,000 t from 2002 through 2005, the estimates dropped consistently from 2005 through 2008. The 2009 survey biomass estimate was 421,000 t, up 4% from 403,000 t in 2008. The numeric abundance estimate from the 2009 EBS shelf bottom trawl survey of 717 million fish was up about 50% from the 2008 estimate. The 2008 year class, which has been observed only once, appears to be extremely large, although this estimate is accompanied by a large confidence interval. The 2006 year class, which appeared exceptionally strong in the 2007 survey, still appears to be above average. However, the 2006 year class follows a string of five consecutive sub-par year classes spawned from 2001-2005. The Pacific cod ABC recommendation is down 4% in 2010 compared to 2009 and up 18% in 2011 compared to 2009.

The Council also adopted prohibited species catch limits Pacific halibut, crab, and herring for 2010 and 2011 and halibut discard mortality rates for CDQ and non-CDQ fisheries for 2010-2012. The final harvest specifications are posted on the Council website.

The Council noted concerns expressed by the BSAI Groundfish Plan Team and SSC that the Aleutian Island bottom trawl survey was last conducted in 2006. The Council urged NMFS to place a high priority for fully funding and conducting the AI bottom trawl survey in 2010 in order to provide biomass estimates to maintain Tier 5 and higher assessments for those stocks. Failing to conduct the survey in 2010 may jeopardize the current tier status of these stocks. Additionally, the bottom trawl survey is an important source of ecosystem information for this region.

Staff contact for BSAI groundfish issues is Jane DiCosimo.

Bering Sea and Aleutian Islands



Amendment 80 Co-op Formation

At the December meeting, the Council completed an initial review of the draft EA/RIR/IRFA for the proposed action to modify Amendment 80 cooperative formation regulations. The following are the alternatives addressed in the analysis:

- **Alternative 1**: (Status quo) – A minimum of 3 unique quota share holders holding at least 9 quota share permits are required to form a cooperative.
- **Alternative 2**: Reduce the number of unique quota share holders required to form a cooperative from 3 to 2 or 1 unique quota share holder.
- **Alternative 3**: Reduce the number of quota share permits required to form a cooperative from the existing 9 permits to some lower range. (e.g., 3 permits to the existing 9 permits)
- **Alternative 4**: Reduce both the number of unique quota share holders and the number of quota share permits required to form a cooperative (combination of Alternatives 2 and 3).
- **Alternative 5**: Allow a cooperative to form with a minimum of 3 unique QS holders holding at least 9 QS permits (status quo), or a single or collective group of entities that represent 20%, 25%, or 30% of the sector quota share.
- **Alternative 6**: Require that a cooperative accept all members of a cooperative who are otherwise eligible to join a cooperative subject to the same terms and conditions as all other members.
- **GRS Suboption** (Applicable to all Alternatives): The GRS shall be applied in aggregate to all cooperatives if this calculation meets or exceeds the GRS requirement.

At this meeting, the Council modified the purpose and need statement to incorporate new language from Alternative 6. The Council also added a new suboption under Alternative 4 that would require a minimum of 2 quota share holders and 7 quota share permits to form a cooperative. Also added was a new suboption that may be applied under all alternatives that would require a quota share holder to assign all quota share permits to either one or more cooperatives or the limited access fishery. Finally, the Council released the document for public review. The amendment package is scheduled for final action at the February 2010 Council meeting. Staff contact is Jon McCracken.

BSAI Crab

At its December meeting, the Council requested that NOAA Fisheries promulgate an emergency regulation to suspend the regional delivery requirement in the Western Aleutian Islands golden king crab fishery for the remainder of the 2009-2010 crab fishing year. During the summer, Adak Fisheries, the only operator of a crab processing shore plant in the West region, declared bankruptcy. Although efforts are underway to open the plant this winter, the status of its operation remains uncertain. In addition, Council members questioned the feasibility of other processing arrangements (such as the introduction of a floating processor). In deliberations, the Council stated that these circumstances justify emergency rulemaking, as the 50 percent of the TAC required to be delivered to a processor in the West region would likely remain unharvested in the absence of emergency rulemaking. Since the Council's recommendation passed by less than a unanimous vote, whether to pursue emergency rulemaking remains within the discretion of the Secretary of Commerce. In addition, NOAA Fisheries expressed concern that emergency rulemaking may not be feasible, as certain time consuming analytical and procedural requirements apply to emergency rulemaking.

As a follow up to the emergency rulemaking recommendation, the Council adopted alternatives for analysis to establish a provision for future exemptions for the West region landing requirements. Under one alternative, the exemption would apply if interested parties (identified as QS holders, PQS holders, communities, and possibly shore plant operators) all consent to the exemption. An option under consideration would prohibit any party from unreasonably withholding consent to the exemption. The Council also included an alternative that would remove the West region landing requirement altogether from all IFQ and IPQ in the fishery.

The Council also chose to postpone any further action on broader changes to the crab program (including alternatives that would increase the crew share pool or further limit the maximum annual allocation of IPQ) until after the 5-year review of the program scheduled for fall 2010.

Staff contact is Mark Fina.

MPA Nominations

The Council reviewed a discussion paper on the MPA nomination process, including a revised list of closure areas that appear to be eligible for inclusion into the national system of MPAs, and tasked staff to prepare two papers for review at a future meeting. The first is a discussion paper that would incorporate anticipated guidance on the NOAA interpretation of 'avoid harm to the extent practicable', and evaluate the council's existing quasi marine reserves relative to avoiding harm from the effects of fishing on these areas. The paper would also review the original list of eligible MPAs forwarded by the MPA Center and develop draft justification of why sites would or would not be recommended for inclusion into the national system of MPAs. Further, the paper would discuss how a MPA nomination process could potentially interface with the EFH/HAPC process specified in the FMPs. The second paper is a briefing report that would provide an initial evaluation of the avoid harm provision relative to fishing impacts on resources protected by the four MPAs off Alaska that are already part of the National System of MPAs (Arctic National Wildlife Refuge, Yukon Delta National Wildlife Refuge, Alaska Marine National Wildlife Refuge, and Glacier Bay National Park and Preserve). Staff contact is Dave Witherell.

Halibut Deck Sorting EFP

The Council received a final report on an exempted fishing permit (EFP) to investigate on-deck sorting of Pacific halibut as a means of reducing halibut bycatch mortalities on Amendment 80 vessels. Various field tests were conducted in May and June 2009. Overall, the project showed that halibut mortality rates on Amendment 80 trawlers can be reduced by sorting halibut out of the catch on deck, so as to return them to sea as quickly as possible. The average halibut mortality rate for halibut sorted on deck was 45%, compared to the average 75% mortality rate that is currently assigned to BSAI flatfish fisheries. Most of the modified handling procedures used for the EFP appeared to be feasible for use in the fisheries.

The next step will be to work on ways to make alternative halibut handling workable in some or all of the Amendment 80 target fisheries. This will involve additional design and field work to develop automated halibut length or weight accounting procedures, improvements to electronic monitoring protocols, and work to address integration of on deck halibut sorting into the existing catch accounting system for the Amendment 80 sector. Staff contact is Diana Evans.

Staff Tasking

During the staff tasking agenda item, the Council took action to initiate new analyses and discussion papers, and gave staff direction on a variety of issues. The Council requested staff draft letters on the NOAA catch share policy and the Marine Spatial Planning document for review in February. The Council also requested letters be sent to NMFS regarding (1) issues with the recent Steller sea lion survey and other issues that have implications for the forthcoming ESA Biological Opinion; (2) urging NMFS to conduct the 2010 Aleutian Island bottom trawl survey as originally planned; and (3) clarifying the Council's priorities relative to processing salmon bycatch samples. The Council directed staff to prepare discussion papers on (1) the process for changing regulations regarding the halibut PSC limits in the GOA and BSAI; and (2) causes and possible solutions to the stranding of Pacific cod TAC in the Bering Sea. The Council tasked staff to prepare an analysis for initial review to adjust the MRAs in the BSAI arrowtooth flounder fishery. Lastly, the Council provided direction regarding participation at the spring Board of Fisheries meeting, a request for a report from industry on foodbank donation programs, update on proposed national legislation, and information on state regulation of yelloweye rockfish fisheries. Staff contact is David Witherell.

EFH 5-year Review

The preliminary summary report of the essential fish habitat (EFH) 5-year review was presented to the Ecosystem Committee and the Council in December 2009. The report includes reviews of the individual species EFH information by the groundfish stock assessment authors, as well as the review of most of the non-fishing activities that impact EFH. Preliminary information on the review of fishing effects on EFH is included in the report, however this section will be expanded for the final report, at which time individual species reviews for crab, scallop, and salmon species will also be added.

The Council approved the Ecosystem Committee's recommendations with respect to the preliminary report, which include alerting nonfishing stakeholders to the current EFH review process, and working with the State of Alaska for review of the Salmon FMP. Additionally, the Council directed staff to include a discussion of what research has been done to address unknown impacts identified in the 2005 EFH EIS, and also the 2005 CIE review comments. Under the current timeline, the report will be finalized in March 2010, and distributed to the Council and the public. At the April 2010 meeting, the Council will decide whether any of the new information highlighted in the review warrants initiating FMP amendments to revise EFH descriptions and recommendations in the Council FMPs. Staff contact is Diana Evans.

HAPC Priorities

The Council decided in June 2009 to consider whether to set HAPC priorities, and initiate another HAPC proposal cycle, in conjunction with the EFH 5-year review. A discussion of the most recent HAPC proposal process, suggestions for HAPCs that have come before the Council since that time, and suggestions from the groundfish stock assessment authors for possible HAPC priorities, are included in the EFH 5-year review preliminary report. Recommendations from review of crab, scallop, and salmon EFH will be included in the final report, scheduled for March 2010. The Council will consider the schedule for a possible HAPC proposal cycle in conjunction with setting criteria for evaluating HAPC proposals, at the February 2010 meeting. Staff contact is Diana Evans.

North Pacific Fishery Management Council Recommendations for Bering Sea Aleutian Islands Groundfish OFLs, ABCs, and TACs for 2010-2011 Fisheries

Species	Area	2009				2010			2011		
		OFL	ABC	TAC	Catch*	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	EBS	977,000	815,000	815,000	810,052	918,000	813,000	813,000	1,220,000	1,110,000	1,110,000
	AI	34,000	28,200	19,000	1,282	40,000	33,100	19,000	39,100	32,200	19,000
	Bogoslof	58,400	7,970	10	9	22,000	156	50	22,000	156	50
Pacific cod	BSAI	212,000	182,000	176,540	163,587	205,000	174,000	168,780	251,000	214,000	207,580
Sablefish	BS	3,210	2,720	2,720	876	3,310	2,790	2,790	2,970	2,500	2,500
	AI	2,600	2,200	2,200	1,055	2,450	2,070	2,070	2,200	1,860	1,860
Atka mackerel	Total	99,400	83,800	76,400	72,274	88,200	74,000	74,000	76,200	65,000	65,000
	EAI/BS		27,000	27,000	26,433		23,800	23,800		20,900	20,900
	CAI		33,500	32,500	29,541		29,600	29,600		26,000	26,000
	WAI		23,300	16,900	16,300		20,600	20,600		18,100	18,100
Yellowfin sole	BSAI	224,000	210,000	210,000	103,808	234,000	219,000	219,000	227,000	213,000	213,000
Northern rock sole	BSAI	301,000	296,000	90,000	48,593	243,000	240,000	90,000	245,000	242,000	90,000
Greenland turbot	Total	14,900	7,380	7,380	4,284	7,460	6,120	6,120	6,860	5,370	5,370
	BS		5,090	5,090	2,074		4,220	4,220		3,700	3,700
	AI		2,290	2,290	2,210		1,900	1,900		1,670	1,670
Arrowtooth flounder	BSAI	190,000	156,000	75,000	28,931	191,000	156,000	75,000	191,000	157,000	75,000
Flathead sole	BSAI	83,800	71,400	60,000	19,424	83,100	69,200	60,000	81,800	68,100	60,000
Other flatfish	BSAI	23,100	17,400	17,400	2,155	23,000	17,300	17,300	23,000	17,300	17,300
Alaska plaice	BSAI	298,000	232,000	50,000	13,698	278,000	224,000	50,000	314,000	248,000	50,000
Pacific ocean perch	BSAI	22,300	18,800	18,800	14,780	22,400	18,860	18,860	22,200	18,680	18,680
	BS		3,820	3,820	623		3,830	3,830		3,790	3,790
	EAI		4,200	4,200	3,867		4,220	4,220		4,180	4,180
	CAI		4,260	4,260	3,879		4,270	4,270		4,230	4,230
	WAI		6,520	6,520	6,411		6,540	6,540		6,480	6,480
Northern rockfish	BSAI	8,540	7,160	7,160	3,087	8,640	7,240	7,240	8,700	7,290	7,290
Shortraker	BSAI	516	387	387	198	516	387	387	516	387	387
Blackspotted/Rougheye	BSAI	660	539	539	194	669	547	547	650	531	531
Other rockfish	BSAI	1,380	1,040	1,040	586	1,380	1,040	1,040	1,380	1,040	1,040
	BS		485	485	193		485	485		485	485
	AI		555	555	393		555	555		555	555
Squid	BSAI	2,620	1,970	1,970	353	2,620	1,970	1,970	2,620	1,970	1,970
Other species	BSAI	80,800	66,700	50,000	26,653	88,200	61,100	50,000	88,200	61,100	50,000
TOTAL	BSAI	2,638,226	2,208,666	1,681,546	1,315,879	2,462,945	2,121,880	1,677,154	2,826,396	2,467,484	1,996,558

*2009 catches through November 7 from AKR Catch Accounting including CDQ

Stock/ Assemblage	Area	2009				2010			2011		
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Other slope	W		357	357	401		212	212		212	212
	C		569	569	385		507	507		507	507
	WYAK		604	604	82		273	273		273	273
	EYAK/SEO		2,767	200	11		2,757	200		2,757	200
	Total	5,624	4,297	1,730	879	4,881	3,749	1,192	4,881	3,749	1,192
Pelagic shelf rockfish	W		819	819	716		650	650		607	607
	C		3,404	3,404	2,143		3,249	3,249		3,035	3,035
	WYAK		234	234	177		434	434		405	405
	EYAK/SEO		324	324	1		726	726		680	680
	Total	5,803	4,781	4,781	3,037	6,142	5,059	5,059	5,739	4,727	4,727
Demersal rockfish	Total	580	362	362	137	472	295	295	472	295	295
Thornyhead rockfish	W		267	267	230		425	425		425	425
	C		860	860	275		637	637		637	637
	E		783	783	152		708	708		708	708
	Total	2,540	1,910	1,910	657	2,360	1,770	1,770	2,360	1,770	1,770
Atka mackerel	Total	6,200	4,700	2,000	2,221	6,200	4,700	2,000	6,200	4,700	2,000
Big skate	W		632	632	68		598	598		598	598
	C		2,065	2,065	1,656		2,049	2,049		2,049	2,049
	E		633	633	87		681	681		681	681
	Total	4,439	3,330	3,330	1,811	4,438	3,328	3,328	4,438	3,328	3,328
Longnose skate	W		78	78	62		81	81		81	81
	C		2,041	2,041	880		2,009	2,009		2,009	2,009
	E		768	768	175		762	762		762	762
	Total	3,849	2,887	2,887	1,117	3,803	2,852	2,852	3,803	2,852	2,852
Other skates	Total	2,806	2,104	2,104	1,007	2,791	2,093	2,093	2,791	2,093	2,093
Other species	Total	8,720	6,540	4,500	2,327	9,432	7,075	4,500	9,432	7,075	4,500
TOTAL		**632,498**	**516,055**	**242,727**	**163,382**	**693,253**	**565,499**	**292,087**	**743,559**	**605,086**	**328,464**

NPFMC Transcription
December 12, 2009
8:34–8:52 am
C-1 GOA Pacific Cod Sector Splits

2009_12_12_840.MP3

Denby Lloyd: Thank you, Mr. Chairman. I'd like to present some final comments if I can since it appears we're done amending. With regard to agenda item C-1 Gulf of Alaska Pacific cod sector allocations. The allocation of Pacific cod harvest among sectors in the Western and Central Gulf of Alaska is intended to improve stability and add flexibility for historic participants while protecting entry level opportunities. Additionally, this action coupled with our recent actions on trawl recency and Gulf of Alaska fixed gear recency are expected to support coastal communities' continued dependence on participation in the Pacific cod fishery in the Gulf of Alaska. This action is not expected to duplicate nor complicate management of other fisheries in the Gulf of Alaska. Allocating a proportion of the Total Allowable Catch among sectors allows for interannual variation in TAC levels across years, while still meeting the purpose of this action. Furthermore, the components of the action are meant to maintain the prevention of overfishing while achieving optimum yield on a continuing basis. With respect to National Standard 1, though this action will change the available harvest for various types of fishing operations by allocating a percentage of the TAC among gear types, the process that determines the TAC in each year will remain the same. The harvest specifications process has historically maintained optimum yield in the fishery while preventing overfishing of Pacific cod stock in the Gulf of Alaska. Additionally, because the allocation percentages prescribed in this action are largely based on historical catch by each gear group, the Council does not anticipate any significant disruption to current distribution of the harvest of Pacific cod in the Gulf of Alaska. Apportionments by sector may actually promote better management within the TAC, and certainly by individual sector.

Consistent with National Standard 2, analyses supporting our amendment package have used the best and most recent data available from the National Marine Fisheries Service and the Alaska Department of Fish and Game. This has been a multi-year process and each analysis provided for decision making has incorporated updated information to reflect the best scientific information available. Using catch accounting blend data provided by NMFS combines weekly processing reports, fish tickets and observer data, to provide the most complete accounting of harvest available, including incidental harvest and discards. The official catch record and inseason fisheries management rely on these data.

Meeting National Standard 4, this action disperses the available catch of Pacific cod among fishing gear and types of operation. The sector allocations we have selected reflect historic participation in and dependence on the harvest of Pacific cod in the Gulf of Alaska by all members of each sector, collectively. We designed a preferred alternative on each sector's "best of" options based on information and analyses that were vetted through our Advisory Panel and over a long review process. Allocating harvest privileges in this manner ensures that fishing businesses that have invested in and rely on the resource continued opportunity to do so regardless of the residency of the participating fishermen.

Strength of the sector allocation approach to achieve conservation and management objectives of our action does so within the constraints of National Standard 5, prohibiting economic allocation as a sole purpose. The focus of this action is to allocate Pacific cod harvest to various sectors in a way that will allow participants to better plan and coordinate their harvest of Pacific cod. Considering timing of other fisheries, market conditions, weather, and distribution of the target species and of bycatch; while economic dependence and impact were considered, economic allocation is not at the center of this significant new management structure in the Gulf of Alaska. Our action, assuming we take it, retains seasonal allocation of harvest between A and B seasons to address steller sea lion mitigations though the

Council also recognizes that fishing effort in the A season has historically achieved higher [new audio file: 2009_12_12_903.MP3] CPUE and lower bycatch. Allocating proportion of the TAC among sectors rather than a fixed level, like pounds, allows for interannual variation in TAC levels across years while still meeting the purpose of this action.

With respect to National Standard 7, this action is not expected to duplicate nor complicate management of other fisheries in the Gulf of Alaska. Development of this action has taken into account management of prohibited species, maximum retainable amounts of other fish, and retention and utilization standards. And the components have evolved within the framework of these regulations. An allocation of Pacific cod harvest by sector will stabilize the harvest of each sector and allow for more informed operational decision making. Costs of harvesting will likely be reduced for sectors with participants able to work together through formal or informal cooperatives.

Consistent with National Standard 8, allocation of Pacific cod harvests in the Gulf of Alaska to sectors, coupled with LLP recency actions, are expected to support coastal communities' continued dependence on and participation in the Pacific cod fishery. Largely using historic catch to determine future apportionments and implementation of a meaningful limited license program based on recent participation, this action is expected to provide opportunity for sustained participation by those who choose to actively pursue the fishery. Restrictions on offshore processing further consider the economic impacts on local fishing communities by limiting the ability of vessels to process fish offshore. Inshore-offshore regulations for Gulf of Alaska Pacific cod are replaced under this action by allocations to the trawl and hook-and-line catcher processor sectors in each area and by capping mothership activity at a level that reflects status quo. These are expected to minimize negative impacts to communities that are dependent on shorebased processing and shorebased fleets.

National Standard 9 has been a consideration throughout this action. Allocating harvest to sectors, and halibut PSC by operation type in the hook-and-line sector will allow participants in each sector to better manage their bycatch and bycatch mortality collectively and cooperatively by choosing the timing and effort level that best achieves bycatch reductions without the threat of preemption by other gear types.

Finally, with respect to National Standard 10, the allocation of Pacific cod by sector will provide some flexibility for sectors to prosecute their fishery at times that provide greater safety at sea due to weather or fishing conditions. Apportioning the Gulf of Alaska TAC among vessels operating with the same gear type and, for the most part, the same operation type, may improve safety due to the more similar character of vessels making up each apportionment and similar ability to access the fishery and markets.

Mr. Chairman, we've made some difficult choices here but I believe in sum that our process has been firm, it's been deliberate, and while not everybody is getting the exact results that they might have individually desired, I believe that this is a good piece of work and it will benefit the management of Pacific cod fisheries in the Gulf of Alaska. Thank you.

Eric Olson: Mr. Cotten.

Sam Cotten: Well, I just want to add a couple here. I know that on National Standard 10, promote the safety of human life at sea....I think that one of the issues that we've addressed there that I felt reflected the requirements of the needs of National Standard 10 was the recognition that the small boats in the hook-and-line fleet in the Central Gulf were at risk if they had to compete with the larger vessels. I know that some of those vessels from Homer that have to travel over to Kodiak, they are 35 feet long, and if they got to get out and compete in that tough weather it is dangerous. I think this will allow for some better recognition of the need for safety at sea. On National Standard 8, which I spent a lot of time talking about, I think we did a reasonable job at protecting communities and ensuring the sustainability of

fishing communities. Not just in the Gulf of Alaska, but I think that we ended up recognizing that there are fishing communities in other parts of Alaska and perhaps other states as well; so I think we did a reasonable job in that regard. National Standard 1, I felt that certainly this council, long before I was ever here, had an outstanding record of preventing overfishing. I think this continues that legacy. Also, I think with some of the adjustments we made we recognized that there were ways to improve optimum yield, that I think was a positive result of again some of the adjustments we made to the allocations. Thank you.

Eric Olson: Mr. Hull

Dan Hull: Thank you, Mr. Chairman, just to add under National Standard 4 that I believe this action also reasonably promotes conservation. First, by maintaining the existing management provisions such as the catch accounting, observer monitoring, and a seasonal apportionment; and second, by allowing for a more refined application of those management provisions on a sector by sector basis. Under National Standard 9, I think everybody recognizes that in the current management system under a common TAC, some progress has been made in minimizing bycatch. For example the trawl CV fleet has worked on modifying their gear, the hook-and-line CP fleet has formed co-ops to try to act cooperatively to reduce bycatch, but we also know that much more progress could be made and this progress is constrained in the race for fish by all sectors under a common TAC—it's the class free-rider problem, where any sacrifices or efforts made by one sector could be captured by another.

Eric Olson: Alright, thank you very much. Mr. Dersham.

Ed Dersham: Thank you Mr. Chairman. I just want to say that I concur with Commissioner Lloyd's addressing of the National Standards. I have also read and would make reference to the discussion of National Standards in the analysis on pages 178-180 and I concur with that discussion, and I would just like to add a couple more things. I think the positive bycatch effects that have been mentioned by Commissioner Lloyd and Mr. Hull that address National Standard 9, those coupled with the potentially more cooperative harvest that may take place in a couple of the sectors because of this action and it goes back to National Standard 1 and actually increase the net benefits to the nation overall, and also regarding National Standard 8 the continued participation of the fishing communities in addition to the comments that have already been made, I think the action within this action with regard to the jig fishery has the potential for a positive effect on those communities to help us with their continued participation, Mr. Chairman.

Eric Olson: Alright, thank you further comments. Mr. Tweit...oh, Mr. Mecum did you have a comment...ok, Mr. TWe

Bill Tweit: Thank you, Mr. Chair. This is final action and a final action on Council actions that are then transferred to the agency to develop proposed regulations for that, the Council needs to make a choice about how it wants to oversee the development of those proposed regulations; and at this time I would propose a motion that the Council deem proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with Section 303(c) and therefore, the Council authorizes the Executive Director and the Chairman to review the draft proposed regulations when provided by NMFS to ensure that the proposed regulations to be submitted to the Secretary under Section 303(c) are consistent with the instructions; and with a second I can briefly address that.

?: Second.

Eric Olson: Moved and seconded.

Bill Tweit: Thank you, Mr. Chair. As I mentioned the Council does need to make a determination on how to handle the draft proposed regulations; there are a couple of alternative approaches. In this case, particularly given our tidying up overnight of the draft as well as our ability to clarify the basis for all the numbers in the tables; this morning, I think the Council does indeed fully understand the likely proposed regulations that will flow from this in the event that those complications do arise, I'm confident that the Executive Director and the Chair can work with the agency and if they believe that for any reasons there's enough of a deviation, that they can bring that back to the Council, but otherwise I believe the Council's action on this matter is finished.

Eric Olson: Alright, thank you very much. Questions on the amendment? Seeing none, is there objection? No objection, the amendment passes. Anything else on the motion before us? Alright, this is final action on the amended main motion, it will require a roll call vote. Are we read to vote? Mr. Oliver.

Chris Oliver: roll call...

Hyder	No
Lloyd	Yes
Mecum	Yes
Tweit	Yes
Benson	No
Cotten	Yes
Dersham	Yes
Fields	Yes
Henderschedt	Yes
Hull	Yes
Olson	Yes

It passes 9 to 2.

NPFMC Transcription
December 14, 2009
C-6(b) BSAI Crab Western Aleutians Golden Emergency Rule

TIME LOG INFO
10:09:16 Start Recording [10:09:16 AM]
10:14:40 Discussion Motion Lloyd
10:31:26 begin C-6 C
2009_12_14_1020.MP3

Denby Lloyd: Thank you Mr. Chairman. For this agenda item, I think it might be reasonable to split it into separate actions. So I have a motion for C-6(b) BSAI Crab Western Aleutians Golden Emergency Rule. I move the joint petition for emergency regulation as promoted by the Advisory Panel. So this is simply dealing with the emergency regulations first. I move the AP motion.

Eric Olson: Is there a second?

?: Second

Eric Olson: Moved and seconded, Mr. Lloyd.

Denby Lloyd: Thank you Mr. Chairman. I imagine we may have a spirited discussion about what constitutes an emergency. But I think we have ample public testimony, we have been alerted by our staff, and we have corroboration by the Advisory Panel that there are various...varied circumstances out in the Western Aleutians that constitute, what I believe also, is an emergency. And in this regard we're finding ourselves in a situation where it's very likely, if not predetermined, that we are not going to be making OY out of this fishery. And although there's not absolute certitude with regard to the potential opening of the shore plant, there have been a number of circumstances leading up even just to a very recent action and ongoing action that I think can lead us to a reasonable conclusion that opportunity for harvest of this West designated crab will not occur and I believe that it's incumbent on us to provide for emergency relief in order to assure at least the opportunity to harvest that crab. Thank you Mr. Chairman.

Eric Olson: Alright, I'm going to go to the counselor.

John Lepore: Thank you, Mr. Chair. Dr. Fina did an excellent job describing the emergency rule process and what's needed for developing emergency rule. So, given the Council's schedule, I'm not going to reiterate all those points. But one thing I did want to point out is that if you look at the guidance, it contains strong, descriptive words that I think requires building a strong record to justify action. If there are questions as we go along, as the Council goes along in this action, I would be glad to answer those.

Eric Olson: Alright, thank you very much Counselor. Alright, comments or questions on the motion? Mr. Mecum.

Doug Mecum: Well I guess, along those lines, as you've listened to the testimony and deal with issues surrounding this for some time now; there's been a whole host of issues raised. Talked about arbitration, why haven't you arbitrated? And the response is the high cost of operating a floating processor in the area. Now we've got a bankruptcy and litigation. So there's been a whole bunch of stuff that's talked about. I guess the question is, is an emergency defined in this particular case the simple fact that there's a bankruptcy proceeding and a potential or possible plant closure. I guess, perhaps you could amplify on that for me, Commissioner.

Denby Lloyd: Well Mr. Chairman, it is my understanding that the plant is closed and that given the information that we have before us, there is no reason for us to believe that it will reopen. There may be some reason for us to believe that it might reopen. But given that the season is progressing, that it takes some time to harvest this crab, and we don't have good reason to believe the plant will open, and we've also been given some testimony that it's not just the high cost of bringing a floater out there but it is cost prohibitive to bring an alternative processing platform out there, that we probably have as much information in front of us, as an assurance that this crab isn't going to be harvested, as possible. And I think that that does constitute an emergency, that we as a council and NMFS as the management agency has a responsibility to act when there's a preponderance of the evidence that either the natural circumstances or the regulatory environment prohibits or looks like its severely precluding...likely to preclude the harvest of the fishery that we're talking about, and I think that we are in that circumstance. It wasn't something that we could preplan for, the coup de grâce I guess right now is the plant is closed.

Eric Olson: Further comments or questions. Mr. Mecum.

Doug Mecum: This is a concern or comment I guess, you know, the process that we go through here has to be approved obviously; we've got timing issues as well. Getting something like this through at this time of the year, I'm not sure how successful we're going to be. I think we've talked to the folks that have put this forward as the February timeframe but I obviously can't guarantee the final approval of this, nor can we specify for sure what the timeline ought to be, and I guess along those lines, it's sort of a message to the public that despite what the Council may or may not do on this, there may be some difficulties that we face.

Eric Olson: Commissioner.

Denby Lloyd: Mr. Chairman, I appreciate those comments. I think any bureaucracy needs to acknowledge that processes take some time. On the other hand, I guess...here's another conundrum; it almost sounds as if when there is reason for an emergency, we have to caution people that it's going to take time to deal with, and yet it's the very nature of an emergency that requires quick action. If we could have preplanned this and suggested to you last August that there was an emergency, perhaps agency action could have been taken in time to deal with that emergency. But I suggest better to start now than to put it off any further.

Eric Olson: Alright, I don't know if I'm necessarily opposed to this, but taking the Counselor's heed a little bit that we have to build a strong record, I see in the document before us that NMFS has not previously approved emergency rules prior to this on unharvested allocation or

operational difficulties. I'm not saying that I disapprove of it in this circumstance, but there are definitely a lot of areas around this state where we see this and I'm not suggesting that this is precedent setting, that we have to take this sort of action down the road, but Commissioner, I know you've built some rationale as to why you feel this is necessary; can you hit on that and explain that a little more?

Denby Lloyd: Mr. Chairman, pardon me I may have blinked while you were going through your question, are you asking me to pass through the three criteria here a little more and…

Eric Olson: I guess my question is what are the characteristics of this instances that merit emergency rule where we might not have dealt with that in the past?

Denby Lloyd: I see, thank you Mr. Chairman. I think we noted over the course of the past few years a number of difficulties with the management regime in the western Aleutians, but what we have now is almost a harmonic convergence or a syzygy, where a number of these elements have come together very recently. And as I tried to suggest earlier, that's captor the coup de grâce right now is that the plant is closed. Prior to this year, the plant has been open and available to take some deliveries even though arrangements have been difficult. But here we find ourselves in a situation where the plant is closed, it's not necessarily very likely that it will reopen and we've been given testimony that getting a floating processor out there, particularly this season, is unlikely. So I think we're faced directly right now with the prospect that a substantial portion of the crab in the Western Aleutians will not be harvested. And I think that that right now is an accumulation of various variables that we have not had before us before.

Eric Olson: Alright, further comments or questions. Mr. Fields.

Duncan Fields: Thank you Mr. Chair. On the second point regarding the criteria, a conservation and management concern, I do think that the situation where you have an allowable harvest that is precluded specifically by regulation does constitute a management concern, Mr. Chairman. So on that basis I think that this does meet the second criteria for emergency reflief.

Alright, further comments or questions on the motion? Are we ready to vote? Alright, lets go to the roll.

Chris Oliver: roll call…

Fields	Yes
Henderschedt	Yes
Hull	Yes
Hyder	Yes
Lloyd	Yes
Tweit	Yes
Benson	Yes
Cotten	Yes
Dersham	Yes
Olson	Yes
Mecum	No

That passes 10 to 1.

Eric Olson: Alright, Commissioner.

Denby Lloyd: Thank you, Mr. Chairman. I will make a subsequent motion and I will move the AP's motion on the second part of C-6(b). This is their illustration of the Purpose and Need Statement and a couple alternatives to deal with this same issue, but in a more permanent fashion, so I am moving the AP motion in this regard.
Eric Olson: Is there a second?

?: Second.

Eric Olson: Moved and seconded. Commissioner.

Denby Lloyd: Mr. Chairman, we've been told by virtue of some requirements under federal law that the type of emergency action that we're recommending by our previous action can only extend so far, and that to provide for an extension of that action plus to proceed, that we need to consider an amendment package that deals with the longer term aspects of this. I believe the AP has done a reasonable job of putting together a purpose and need statement and a proposed set of alternatives for analysis that would carry forward the necessary discussion and analyses of these issues for potential future Council action. Thank you.

Eric Olson: Alright thank you very much. Questions for the maker of the motion. Mr. Henderschedt.

John Henderschedt: Thank you Mr. Chairman. If there are no ...2009_12_14_1035.MP3 ...

NPFMC Transcription
December 14, 2009
3:50–4:03 pm
D-2 Other Mgt Issues: MPA Process "avoid harm"

2009_12_14_402.MP3

Eric Olson: We are ready for action, Mr. Tweit.

Bill Tweit: Thank you Mr. Chair. I've got a pair of motions and I'll just do one at a time. Both motions key off of the recommendations coming to us from the ecosystem committee. First I would move that Council asks staff to prepare a discussion paper to analyze two options: 1 and 2 in this discussion paper and that the analysis incorporate anticipated agency guidance concerning the "avoid harm" provision, as well the analysis provide analysis of areas listed in the May 28 letter from NMFS relative to the option 2 criterion for inclusion; and third, the discussion paper suggest options for interfacing with the EFH process. And with a second I can speak to that.

Eric Olson: Is there a second.

Dave Benson: Second

Eric Olson: Moved and seconded, Mr. Tweit.

Bill Tweit: Thank you Mr. Chair. I have basically incorporated the Ecosystem Committee recommendation and just highlighted a couple of the points that came up, both during Mr. Witherell's presentation as well as Ecosystem Committee presentation, and finally what I though was a very worthwhile suggestion that Mr. Benton just made. Narrowing down the discussion paper to options 1 and 2 I think just allows us to focus more clearly on some of the basic issues, and as Ms. Madsen pointed out, it doesn't forestall options 3 or 4, it just keeps us a little more tightly focused on addressing some of the most major issues for an initial step and I think she characterized this as a step-wise process and I think it would be wise for the Council to engage in this in a step-wise fashion. Before we make any recommendations, I think it's important that our analysis incorporate the guidance that we anticipate form the agency on the "avoid harm" provisions and so I'm highlighting that in a way that the Ecosystem Committee notes didn't and they certainly supported that. Secondly, it's incumbent on us...we have a list of proposed areas from the May 28 letter from the Agency and I think it's incumbent on us when we're ready to respond to that letter to provide some rationale for why we may or may not be including any of those. And so I suggested that using the criteria that staff have suggested for option 2 is sort of the first filter for those 28 areas that would be informative to us. And then finally, Mr. Benton noted that we've also got EFH coming at us and we might start to think about some of the MPA issues relative to the EFH process and his thoughts about interlinking that and I thought that this would be a good opportunity in the discussion paper just to begin to explore some of those options. I'm available for any questions or if folks need me to walk through the motion one more time I'd be happy to do that as well.

Eric Olson: Alright, questions or comments for the maker of the motion?

?: Could you repeat it?

Bill Tweit: Sure, I move that the Council ask staff to prepare a discussion paper to analyze two options (1 and 2) in the current discussion paper, incorporating anticipated agency guidance concerning the "avoid harm" provision, providing analysis of areas listed in the May 28 letter relative to the option 2 criteria for

inclusion; and suggesting options for interfacing with the EFH process.

Eric Olson: Comments on the motion? Are we ready to vote? Mr. Mecum.

Doug Mecum: Not to slow things down here, but I'm not sure I understand what incorporating anticipated guidance is.
What I meant to reflect was that it would be extremely difficult for staff to give us much more than they currently have given us if we don't get additional guidance from the agency on the avoid harm provision and that's a key....[inaudible: Mr. Mecum speaking to Mr. Tweit]...yes, yes... once that guidance arrives, then it's incorporated into this discussion paper.
Alright and then I guess on the guidance of avoid harm, I think it will already be done, but maybe there could be some level of discussion on what happens if you have two different definitions of avoid harm in the side are

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The recommendations from the Ecosystem Committee were discussed, as well as the "anticipated guidelines" and how to incorporate. Motion passed without objection.
Mr. Tweit moved, which was seconded, to prepare a briefing on all 4 MPAs currently designated in Alaska. Identify what resources are protected, what fishing activities occur in the MPA, and what obligations or conflicts the Council might have with these MPAs. Motion passes without objection