

**ADVISORY PANEL MINUTES
North Pacific Fishery Management Council
October 1-6, 2007 Hilton Hotel, Anchorage, Alaska**

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

Lisa Butzner	John Henderschedt	Mike Martin
Joe Childers	Jan Jacobs	Matt Moir
Craig Cross	Bob Jacobson	John Moller
Julianne Curry	Simon Kinneen	Ed Poulsen
Tom Enlow	Kent Leslie	Michelle Ridgway
Bob Gunderson	Tina McNamee	Lori Swanson

C-1 (a) 3A GHL Measures

The AP recommends the Council:

1. Table action on 3A GHL measures and request that ADF&G report on final 2007 charter halibut harvests in October 2008 and schedule final action for October or December, 2008.
2. Request the Council ask the State of Alaska to keep their current restrictions on skipper and crew and line limits in place during the 2008 season in area 3A.

The above recommendations will preserve the ability of the Council to recommend management restrictions for the 2009 season if needed, based on a updated analysis. With this delay, the Council will also be able to see the benefit of the crew and skipper restrictions put into place during the 2007 season by the State of Alaska.
Motion passed 16/1.

C-1 (c) ALLOCATION - Action 1

The AP recommends the following changes to Action 1 - Allocation
(bold and underlined) = new language added to existing list of alternatives)

Action 1. Establish an allocation to the halibut charter sector that includes sector accountability.

Element 1. Allocation

Option 1: Fixed percentage of combined charter harvest and commercial catch limit for reference period. **The initial allocation would be defined as the percentage that will be a portion of the fishery CEY rounded to two decimal places.**

	Area 2C	Area 3A
a. 125% of the 1995-1999 avg charter harvest (current GHl formula)	13%	14%
b. 125% OF THE 2000-2004 AVG CHARTER HARVEST (GHL FORMULA UPDATED THRU 2004)	16%	15%
c. 125% of the 2001-2005 avg charter harvest (GHL formula updated thru 2005)	17%	15%
d. Current GHl as percent of 2004	12%	13%
e. 2004 CHARTER HARVEST	14%	13%
f. 2005 charter harvest	15%	13%

Option 2: FIXED POUNDS, **WITH STAIR STEP UP AND STEP DOWN LINKED TO TOTAL HALIBUT BIOMASS fishery CEY. CEY determined BY IPHC.**

	Area 2C	Area 3A
a. 125% of the 1995-1999 avg charter harvest (current GHl)	1.4 Milb	3.7 Milb
b. 125% of the 2000-2004 avg charter harvest (GHL updated thru 2004)	1.7 Milb	4.0 Milb
c. 125% of the 2001-2005 avg charter harvest (GHL updated thru 2005)	1.9 Milb	4.1Milb

Element 2. Management of “hard” allocation

Option 1: In-season management by NMFS (close season when cap is reached)

Option 2. Catch Sharing Plan (WA & OR example) with IPHC publishing management measures annually

Option 3. State Delegation (inseason management or preseason management as in King Salmon Management Plan)

Suboption: Divide the charter allocation into 3 or 4 separate sub-seasons

Motion passed 16/1.

Action 2 - Compensated Reallocation between Commercial and Charter Sectors in Areas 2C and 3A
(bold and underlined = new language)

Problem Statement

The absence of a hard allocation between the longline and the charter halibut sectors has resulted in conflicts between sectors and tensions in coastal communities dependent on the halibut resource. Unless a mechanism for transfer between sectors is established, the existing environment of instability and conflict will continue. The Council seeks to address this instability while balancing the needs of all who depend on the halibut resource for food, sport, or livelihood.

Action 2. Compensated Reallocation between Commercial and Charter Sectors in Areas 2C and 3A

Alternative 1. **Common Pool Management**

Alternative 1 implements measures to allow compensated reallocation between the commercial sector and the charter sector using a common pool management regime.

Element 1: Holder of Quota Share, Method of Funding and Revenue Stream

~~Element 1.1: METHOD OF FUNDING~~

~~.A. FEDERAL COMMON POOL~~

~~option 1. LOAN~~

~~option 2. BUYOUT PROGRAM~~

B. State of Alaska Common Pool

~~option 1. LOAN~~

~~option 2 bonding (funding source) Charter sportfishing license surcharge~~
~~(revenue source)~~

Option 3. business license fee/surcharge or limited entry permit holder

suboption 1. fee is based on number of clients

suboption 2. fee is based on number of fish

C. Regional Non-Profit Association Common Pool

~~option 1. loan (funding source)~~

~~Self assessment fee (revenue source)~~

Element 1.2: Revenue Stream

~~A. Federal Common Pool~~

~~option 1. halibut charter stamp~~

~~option 2. moratorium permit fee~~

~~option 3. self-assessment fee~~

~~suboption 1. fee is based on number of clients~~

~~suboption 2. fee is based on number of fish~~

~~B. State of Alaska Common Pool~~

~~option 1. charter stamp~~

~~option 2. sportfishing license surcharge~~

~~option 3. business license fee/surcharge or limited entry permit holder~~

~~suboption 1. fee is based on number of clients~~

~~suboption 2. fee is based on number of fish~~

C. Regional Non-Profit Association Common Pool

~~option 1. self-assessment~~

~~Suboption 1. fee is based on number of clients~~

~~Suboption 2. fee is based on number of fish~~

Revenue streams will be for a defined period and end after the loan or bond is paid off, i.e. continuous open-ended revenue streams are to be avoided.

Element 2: Restrictions on transferability of commercial quota share by charter sector, with grandfather clause to exempt current participants in excess of proposed limits

Element 2.1: Limits on transferability

The percentages are based on the combined commercial and charter catch limit. A percentage of the combined commercial and charter catch limit will be available for transfer between sectors.

Option 1: 10 percent

Option 2: 15 percent

Option 3: 20 percent

Option 4: 25 percent

Element 2.2: Limits on **QS** purchase

A. entities purchasing for a common pool:

Option 1. limited annually to a percentage (30-50%) of the average amount of QS transferred during the previous five years.

Option 2. Restrictions on vessel class sizes/blocked and unblocked/ blocks above and below sweep-up levels to leave entry size blocks available for the commercial market and to leave some larger blocks available for an individual trying to increase their poundage.

Option 3. No limits

(These options are not intended to be mutually exclusive.)

Element 2.3: Limits on **IFQ** leasing

A. The common pool may only lease 0-15% of holdings back to the commercial sector.

Alternative 2. **Individual Ownership Management**

Alternative 2 implements measures to allow compensated reallocation between the commercial sector and the charter sector using an individual ownership management regime. A moratorium permit would be required unless the moratorium is not in place, in which case a Guided Sportfish Business License would be required instead.

Element 1: Holder of Quota Share, Method of Funding and Revenue Stream

Element 1.1: Method of Funding

option 1. loan programs

option 2. private funding

Element 1.2: Revenue Stream

Revenue streams will come from private sources.

Element 2: Restrictions on transferability of commercial quota share by charter sector, with grandfather clause to exempt current participants in excess of proposed limits

Element 2.1: Limits on transferability

The percentages are based on the combined commercial and charter catch limit. A percentage of the combined commercial and charter catch limit will be available for transfer between sectors.

- Option 1: 10 percent
- Option 2: 15 percent
- Option 3: 20 percent
- Option 4: 25 percent

Element 2.2: Limits on **QS** purchase

A. Individuals are subject to the current ownership cap and block restrictions associated with commercial quota share

Element 2.3: Limits on **IFQ** leasing

A. Individual charter operators:

Option 1. an individual may not hold or control more than the amount equal to the current setline ownership cap converted to the number of fish in each area (currently 1% of the setline catch limit in 2C or ½% in 3A)

Option 2. an individual may not hold or control more than 2,000, 5,000, or 7,500 10,000 fish. (Note: examine this as a percentage of the catch limit once allocations are established.)

Option 3. charter operators may lease up to 10% of their QS back to commercial sector

B. Individual commercial fishermen:

i. Commercial fishermen ~~who do not hold a sport fishing guide business license and/or moratorium permit~~ may lease up to 10% of their annual IFQs for use as GAF¹ on an individual basis, or to a common pool.

ii. Commercial fishermen who hold QS and a sport fishing guide business license and a halibut moratorium license may convert all or a portion of their commercial QS to GAF on a yearly basis if they own and fish it themselves on their own vessel. Commercial and charter fishing may not be conducted from the same vessel during the same day.

Implementation Issues

AP agrees that the implementation issues should be in the analytical portion of the analysis. It is also helpful to have this list of implementation issues as part of the motion elements to let the public who just looks at the motion to understand some of the basis and assumptions that form the backbone of the programs.

1. These qualifying entities may purchase commercial QS and request NMFS to issue annual IFQs generated by these shares as Guided Angler Fish (GAF*). *Affects the Private Pool ~~Only~~ and common pool.*
2. Qualified entities harvesting GAF while participating in the guided sport halibut fishery are exempt from landing and use restrictions associated with commercial IFQ fishery, but subject to the landing and use provisions detailed below. *Affects both the Private Pool and Common Pool.*
3. GAF would be issued in numbers of fish. The conversion between annual IFQ and GAF would be based on average weight of halibut landed in each region's charter halibut fishery (2C or 3A) during the previous

¹ * GAF = Guided Angler Fish (This is used only as a charter unit of measurement for commercial quota share converted to charter use and is not indicative) of a particular long term solution.)

** indicates changes made by the AP to the Halibut Stakeholder recommendations

year as determined by ADF&G. The long-term plan may require further conversion to some other form (e.g., angler days). *Affects both the Private Pool and Common Pool.*

4. Subleasing of GAF would be prohibited. *Affects the Private Pool Only.*
5. GAF holders may request NMFS convert unused GAF into IFQ pounds for harvest in compliance with commercial fishing regulations provided the GAF holder qualifies under the commercial IFQ regulations. *Affects the Private Pool Only*
6. Unused GAF may revert back to pounds of IFQ at the end of the year and be subject to the underage provisions applicable to their underlying commercial QS. *Affects both the Private Pool and Common Pool.*
7. All compensated reallocation would be voluntary based using willing seller and willing buyer.
~~{Option: A pro-rata reduction with compensation. A pro-rata reduction would not decrease the number of QS held by an individual; rather, it would decrease the size of the total commercial pool from which IFQs are annually calculated. The effect would be similar to how a decrease in abundance affects annual calculation of IFQs, except that quota share holders would be compensated for the resultant poundage reduction of their IFQs. Option: exempt category D QS from voluntary and involuntary pro-rata reduction with compensation~~
Affects both the Private Pool and Common Pool.}
8. Guided angler fish derived from commercial QS may not be sold into commerce, i.e., all sport regulations remain in effect. *Affects both the Private Pool and Common Pool.*
9. Guided angler fish derived from commercial QS may not be used to harvest fish in excess of the non-guided sport bag limit on any given day. *Affects both the Private Pool and Common Pool.*
10. There needs to be a link between the charter business operators and the cost of increasing the charter pool. If the charter business operators do not experience the cost of increasing the charter pool, there will not be a feedback loop to balance the market system. *Affects both Common Pool Only.*

Motion passed 15/2

The AP recommends keeping actions 1 and 2 of agenda item C1 linked. Without a mechanism for charter operators to obtain additional QS or IFQ through a compensated reallocation mechanism, significant adverse impacts would occur in the charter segment of the industry. These actions should be taken concurrently.

Motion passed 17/0.

Additionally, the AP makes the following recommendations/clarifications in response to staff questions on Compensated Reallocation Analysis:

Overarching Issues

1. Recommend restructuring alternatives as follows (see Kathy Hansen's document)
2. Recommend using existing date ranges and note that 2006 data fall within the percentages derived from the existing date ranges.
3. Recommend continuing to use GHF as baseline for analysis of Action 2 alternatives. Additional options will complicate the analysis.
4. Recommend eliminating options as listed above in restructured alternatives.
5. Recommend assembling a task force of agency personnel to identify details of key record keeping, implementation and enforcement issues.
6. Recommend making management approach to allocation an explicit decision point as included in restructured alternatives above.

Allocation Issues:

1. Recommend initial allocations be presented as a range of percentages with the formulas used to provide reference and context for specific points within that range.
2. Recommend using percentages with 2 decimal places
3. see above
4. See 1 above. Formulas should not be hind-cast based on different IPHC models. The decisions that have lead to this point were based on the numbers in effect in each year. Different decisions could have been made if different numbers were in effect. It is inequitable to use hind-cast numbers to govern present allocation decisions. The stairstep up and down provisions would use CEY at time of action.
5. Clarify that step function on a fix poundage option do make it more like a floating percentage.
6. Recommend using 2007 CEY's for analysis. Staff recommendation were not accepted.
7. Recommend that NO uncompensated roll over provision between sectors be developed. This is consistent with how the King Salmon, DSR, and ling cod allocation are managed.
8. Recommend the agency task force should make recommendations on the responsible agency for each of the method of managing the allocation identified above.

Reallocation Issues:

1. Clarify that the under all options in Action 2, the initial allocation for the common pool would NOT be further subdivided to individual limited entry permit holders. The issue of the race for fish and the disposition of the common pool are addressed under the alternatives considered in the long-term solution package.
2. Recommend agency task force determine necessary record keeping and reporting requirements
3. Recommend clarifying that in all options under Action QS remains the same whether it is held in a common pool or by individual charter businesses. The IFQ resulting from that QS can be converted into GAF or commercial Lbs, and would be governed by the use rules appropriate for each form.
4. Recommend Issue 7, pro-rata reallocation be deleted or the State of Alaska needs to provide the necessary details in a time frame that does not delay further action on this program.

Motion passed 17/0.

Given comments received in public comment, the AP strongly supports the Stakeholder Committee's development of individual quotas as an option for a permanent solution. *Motion passed 13/4.*

The minority preferred to remain silent on recommending an individual quota as an option for permanent solution. We believe this is already being addressed in the stakeholder committee and is unnecessary to make a statement at this time. Signed: Tina McNamee, John Henderschedt, Michelle Ridgway, and Lisa Butzner.

C-2 Halibut Subsistence

The AP recommends the alternatives identified in the action memo be adopted for analysis with initial review in 2008. *Motion passed 17/0.*

C-3 (b) BSAI Crab B Shares

The AP recommends the Council endorse and support the Crab Advisory Committee's recommendation on future action, and wishes to emphasize that communities are an important part of the crab discussion and should be included on the advisory committee. *Motion passed 16/2.*

The AP recommends the Council move forward for analysis the regulatory recommendations including the purpose and needs statements as drafted in the Crab Advisory Committee report. Those regulations address

- Market reports and non-binding formulas for fisheries unlikely to open
- Timeline for the golden king crab market report and formula does not allow for data from most recent fishery to be used
- Staleness of the market reports
- Immunity for arbitration organizations, arbitrators, market analysts, and the third party data provider.

Motion passed 18/0.

Additionally, the AP recommends the Council direct the Crab Advisory Committee to address the perceived problems with the A/B share split and the potential effects of changing the A/B share formula. *Motion passed 15/3.*

The minority supports Council staff generating a quantitative assessment of the effects of these A/B share ratios: 80/20, 70/30, 50/50. We feel that an objective evaluation of the effects of these ratios will augment existing qualitative information and provide the public, affected parties and the Council's Crab Committee the opportunity to compare and contrast alternate A/B share scenarios. Signed: Michelle Ridgway, John Moller, and Tina McNamee.

C-3 (c) C share 90/10 exemptions

The AP recommends the Council release the EA/RIR/IRFA for public review and final action in December 2007. *Motion passed 15/0.*

The AP continues to support a federal loan program for purchasing crew shares. The AP recommends the Council take steps necessary to advance development of this loan program as soon as possible. *Motion passed 16/0.*

C-3 (d) Processing Use Cap Exemptions

The AP recommends releasing the EA/RIR/IRFA on processing share use cap exemptions for public review and final action with the following changes:

- Remove or revise the “value at time of landing” tables
- Revise the problem statement so that the last sentence reads “exempting shares in the community of origin from...”
- Add “home rule cities” to option 2 under locations qualified for the exemption
- For Western Aleutians, create 2 suboptions:
 - Exempt western shares only
 - Exempt western shares and undesignated shares harvested in the west

Motion passed 18/0

The AP believes that the Council should consider sideboards in the cod fishery on both the PQS holders and the floating processing vessels that previously processed northern region opilio if they consolidate their IPQ use through custom processing or otherwise. The AP considers the issue important and advises the Council to take any necessary action in time to implement sideboards at the time of implementation or as close to the time of implementation of custom processing share use caps exemption as possible. *Motion passed 18/0.*

Additionally, the AP requests the Council task staff to prepare a discussion paper to examine the issuance of B shares for any IPQ that a PQS holder does not apply for. *Motion passed 17/1.*

C-3 (e) BSAI Crab post delivery transfers

The AP recommends releasing the EA/RIR/IRFA for public review with the following changes:

1. Include “No person shall be permitted to begin a fishing trip, unless the person holds unused IFQ” in both Alternative 2 and Alternative 3.
2. Change language in Alternative 3 from “species” to “allocations.”

Further, the AP recommends the Council adopt Alternative 2 as a preliminary preferred alternative, including the suboption that all post-delivery transfers must be completed by the end of the crab fishing year, and all harvesters would be eligible for post-delivery transfers.

Motion passed 18/0.

C-4 (a) Gulf of Alaska Pcod split

The AP recommends that the Council advance the Gulf of Alaska Pacific Cod Sector Split Purpose and Need Statement. *Motion passed 15/1/1*

Additionally, the AP recommends that the Council advance the elements and options with the changes noted in the subsequent motions. *Motion passed 16/0*

The AP recommends that Component 3, Option 2 (All retained catch excluding meal) be deleted. *Motion passed 16/1*

Further, the AP recommends Component 5 read as follows:

Options include 1%, 3%, 5% or 7% of the Western and Central GOA Pacific cod allocations for the jig catcher vessel sector, with a stairstep provision to increase the allocations by

- 1%
- 2%
- 3%

if 100% of the Federal jig allocation and 90% of one of the Central Gulf state waters district GHGs or the Western Gulf state waters GHG is harvested. Subsequent to the jig allocation increasing by a stairstep up, if the harvest threshold criteria described above are not met, the jig allocation will be stepped down by 1% in the following year.

The jig allocation could be set aside from the A season TAC, the B season TAC, or divided between the A and B season TACs. *Motion passed 16/0.*

C-4 (b) GOA LLP recency

The AP requests that the Council task staff to begin the analytical process and to include the following components and define issues of concern:

Draft Statement of Purpose and Need

Western Gulf and Central Gulf groundfish fisheries are subject to intense competition, particularly in the A season, when fish are aggregated and of highest value. Competition among fixed gear participants in the Western Gulf and Central Gulf fisheries has increased for a variety of reasons, including increased market value of Pacific cod products and a declining ABC/TAC. The possible future entry of latent effort would have detrimental effects on LLP holders that have exhibited participation in, and dependence on, the fixed gear groundfish fisheries. Many fixed gear vessel owners have made significant investments, have long catch histories, and are dependant on WGOA and CGOA groundfish resources. These long-term participants need protection from those who have little or no recent history and who have the ability to increase their participation in the fisheries. The intent of the proposed amendment is to prevent latent fixed gear groundfish

fishing capacity that has not been utilized in recent years, from future entry or re-entry into the fisheries. This requires prompt action to promote stability in the fixed gear sectors of the GOA groundfish fisheries, and is expected to be implemented concurrently with the division of GOA Pacific cod among sectors that is currently under consideration.

Component 1- Area

Western Gulf

Central Gulf (current endorsement includes West Yakutat)

Component 2 - Identify and define Sectors

H&L CP

Option: H&L CP =>125

H&L CP <125

H&L CV

Pot CP

Pot CV

Jig

Component 3 – Qualifying years

00-05

00-06

02-05

02-06

Component 4 – Catch thresholds

Thresholds shall be based on legally retained catch in the aggregate during all of the qualifying years in the Federal and Parallel fisheries (excluding IFQ catches).

Option 1 – All groundfish 1,3,5 landings

Option 2 – All directed Pacific Cod 1,3,5 landings (resulting in a Pcod endorsement)

Option 3 – All groundfish 5,10,25,100 mt

Option 4 – All directed Pacific Cod 5,10,25,100 mt (resulting in a Pcod endorsement)

Component 5 – Multiple endorsement provisions

Where there are multiple LLPs registered to a single vessel, also known as ‘stacking’ of LLPs, groundfish harvest history will be fully credited to all stacked licenses, each carrying it’s own qualifying endorsements and designations.

Option 1 – CV’s operating with a qualifying catch history in both the “trawl” and the “fixed gear” sectors shall elect annually sector participation.

Option 2 – CV’s operating with a qualifying catch history in both the “trawl” and the “fixed gear” sectors shall have a one time election of sector participation.

Option 3 – CV’s operating with a qualifying catch history in both the “trawl” and “fixed gear” sectors shall be able to elect to participate in both sectors in a single season.

Motion passed 16/0.

C-4 (c) GOA sideboards

The AP recommends that the Council initiate an analysis for a regulatory amendment to exempt CP trawl vessels that participate in the CGOA Rockfish pilot program coop or limited access sectors and also belong to a cooperative in the BSAI fisheries under Amendment 80 from the July stand-down period. *Motion passed 17/0*

The AP recommends that the Council initiate an analysis for a regulatory amendment to add an amount of halibut PSC to the Amendment 80 3rd quarter deep-water halibut PSC sideboard proportionate to the halibut available to the rockfish catcher-processor limited access and opt-out fisheries. *Motion passed 17/0*

The AP recommends the Council initiate an analysis for a regulatory amendment to address crab rationalization sideboards with the following revisions to the options provided in the discussion paper:

Option 2 – Replace “allocation” with “catch history”;

Add – Option 3 – Exempt non-AFA crab vessels from GOA Pacific cod sideboards if the vessel’s Bering Sea opilio catch history is less than 500,000 lbs and the vessel landed more than 2,500 mt of GOA Pacific cod from 1996-2000.

Motion passed 18/0

The AP wishes to re-affirm that this exemption would apply only to those non-AFA crab vessels/licenses that are eligible to participate in the GOA Pacific cod fishery. *Motion passed 18/0*

The AP recommends the Council task staff with further developing the discussion addressing the Council’s policy that requires vessels to fish their BSAI pollock allocation to maintain their exempted status.

Motion passed 18/0

C-4 (d) Post delivery transfers in the rockfish pilot program

The AP recommends the Council send out the analysis for public review and final action as modified. *Motion passed 16/0*

Revise alternatives 2 and 3 so that all transfers must be completed by December 31. *Motion passed 16/0.*

Revise alternative 2 so that a vessel must have IQ for all allocated species before initiating a trip. *Motion passed 16/0.*

C-5 BSAI and GOA Trawl LLP Recency Analysis

The AP recommends that the Council task staff to continue work on the analysis and bring it back for initial review in December with several revisions to be addressed in a subsequent motion. *Motion passed 16/1.*

The AP recommends the Council make the following revisions to the analysis:

1. Make AFA exemption a “statement” and not an “option” in the document and address the Council’s concern that it not take an action that would result in an AFA vessel losing access to its AFA pollock allocation.
2. Make a statement excluding Central Gulf of Alaska area endorsements of the LLPs qualified for the rockfish demonstration program from LLP qualification and address the Council’s concern that it not take an action that would result in a CGOA rockfish pilot program vessel losing access to its CGOA RPP allocation.

3. More fully discuss in Section 3.4.2.10 the range of factors that have resulted in AFA vessels not fully harvesting their GOA sideboards.
4. In Component 1, Option 3, modify to extend the qualification period to 2006 for the BSAI only.
5. More fully contrast the effects of Alternative 2 (area-wide) and Alternative 3 (sub-area) application of the threshold.
6. In Table 3, the Alternatives/element cell that describes Component 1, Option 4 needs to be modified to reference the landing requirements described in Alternatives 2 and 3.
7. The AP concurs with most of the SSC comments regarding this analysis, however the AP recognizes that analyzing net benefits of the amendment to entities that neither previously participated nor qualified may be untenable. For this reason, the AP recommends that no further development of the net benefits section be pursued.

Motion passed 17/0

The AP acknowledges that further delays in implementing the LLP analysis may lead to increased pressure (through latent license participation) on the fully utilized BSAI Pcod stock. Although refinements to the package have been requested for the purpose of developing a solid analysis have been requested, the AP recommends that the Council encourage advancement of this package as soon as possible. *Motion passed 17/0.*

C-6 AM 80 Post delivery transfers

The AP recommends the council task staff to develop an analysis of post –harvest transfers. This analysis should examine the three alternatives included in the action memo with the following revisions as recommended by staff:

1. Change language from “transfer of species” to “transfer of allocation”;
 2. Apply a requirement that a harvester must hold CQ at the start of a trip to both Alternative 2 and Alternative
- Motion passed 17/0*

Amendment 80 allocates six target species and five PSC categories to vessels fishing in the non-AFA trawl catcher-processor sector. Vessels may choose to form cooperatives and combine their allocations, or they may choose to fish in a ‘limited access’ fishery that continues to operate under a ‘race for fish’ within the combined allocations. Given that each allocation represents a cap, it is likely that the limited access fishery will be closed on one species or PSC while leaving significant amount(s) of the other species unharvested. Amendment 80 does not provide a mechanism for this unharvested fish to roll from the limited access fishery to the Amendment 80 cooperatives for harvest. Without this provision, some amount of allocated species may be stranded in the limited access sector. Creating a mechanism to roll this unharvested amount to the Amendment 80 cooperatives prior to the end of the year will facilitate more complete harvest and utilization of these allocations.

The AP recommends that the Council request staff to develop an analysis of a mechanism to allow allocations of target species and PSC that may be unharvested in the Amendment 80 limited access fishery to roll over to the Amendment 80 cooperatives. This rollover is not intended as a means to cover overages within the Amendment 80 co-op sector.

Motion passed 17/0

C-7 Comprehensive economic data collection

The AP recommends the comprehensive socio-economic data collection effort proceed once clear objectives are articulated. Specific data should be collected that address those objectives. Further, the AP recommends the AFSC workgroup being convened include crewmember, community, and industry representation to inform that process. *Motion passed 17/0.*

D-1 (a) GOA Arrowtooth MRA

The AP recommends the Council select as its preferred alternative Alternative 2 that would set the MRAs for incidental catch species relative to arrowtooth flounder as a basis species as per the industry proposal. *Motion passed 12/1/1.*

D-1 (b) Western GOA Pollock Trip Limit

The AP recommends the Council release the EA/RIR/IRFA for public review with the following changes:

Eliminate “Western” in the title and adopt the clarifying language recommended by the enforcement committee:

- A. Limit trawl CV in the GOA pollock fishery to landing no more than 136 MT, through any delivery means, in a calendar day - more 12am -12am [0100-2400]

AND

- B. The cumulative amount of pollock harvested from the GOA and landed by a trawl catcher vessel cannot exceed the daily trip limit of 136 mt times the numbers of calendar days the fishery is open for the respective sub-management areas, i.e. 610, 620, and 630.

Motion passed 14/0.

D-1 (c, d) GOA and BSAI Groundfish Specifications

BSAI

The AP recommends the Council adopt the preliminary BSAI 2008/2009 groundfish harvest specifications, which are the OFLs, and ABCs as recommended by the Plan Teams and SSC and with TACs as noted in the attached table. *Motion passed 13/0*

The AP recommends the Council adopt the preliminary PSC bycatch allowances and seasonal apportionments of halibut and crab for 2008/2009 for the BSAI Trawl limited access sector as noted in the attached table, and herring and red king crab in the RKCSS as noted in Table 7a in the action memo. *Motion passed 13/0*

The AP recommends the Council adopt the 2008 halibut DMR for the CDQ fisheries as noted in the table in the action memo. *Motion passed 13/0.*

The AP recommends the percentage for the jig gear allocation of Atka mackerel be set at 0.5%. *Motion passed 13/0.*

GOA

The AP recommends the Council adopt the proposed specs for 2008-2009 OFLs and ABCs as recommended by the SSC.

The proposed TACs would be set as follows:

Set the 2008 and 2009 GOA proposed specifications where TAC is equal to ABC for stocks with the following exceptions:

1. The Pcod TAC is reduced according to the table in the action memo to account for the apportionment to the State waters fishery in 2008 and 2009.
2. Roll over the 2007 TAC for 2008 and 2009 for:
 - a. Shallow water flatfish and flathead sole in the Central and Western GOA
 - b. Arrowtooth flounder for all areas
 - c. Other slope rockfish in the EYAK/SEO
 - d. GOA Atka mackerel
 - e. GOA other species.

Motion passed 13/0

Additionally, the AP recommends the Council adopt the GOA halibut PSC apportionments, annually and seasonally, for 2006 as indicated in D-1(c, d) should be rolled over for 2008-2009 and that the trawl halibut PSC apportionment be further subdivided between the deep and shallow complex halibut both annually and seasonally as noted in the attached table. *Motion passed 13/0.*

D-1 (e) Seabird Avoidance Measures

The AP recommends the Council direct staff to prepare an analysis based on the discussion paper's draft alternatives including the addition of maps, which clarify the geographic boundaries of the suboptions.

Motion passed 13/0

D-1 (f) Other Species

The AP requests the Council to bifurcate the other species breakout initiative into two separate proposed actions. The first proposed action would amend the GOA groundfish FMP to allow the Council to recommend and overfishing level and allowable biological catch for the GOA and other species assemblage.

Motion passed 13/0

Further, the AP recommends the Council task staff to proceed with the staff-proposed methodology and the "next steps" as recommended by the SSC. *Motion passed 13/0.*

D-2 Bering Sea Salmon bycatch

The AP recommends the Council forward the alternatives for analysis incorporating the recommendations of the Salmon Bycatch Workgroup in its August 29, 2007 minutes. This includes recommendations to:

- Modify descriptions of cap formation alternatives
- Explicitly add the alternatives for new closures that would allow for an exemption for the fleet to these new closures.
- Consider additional rate-based breaks in formulating criteria for identifying closures such that a more defined and consistent range of rate breaks are considered. (e.g. 0.1, 0.2, 0.3, etc.)

Motion passed 12/0

Additionally, the AP recommends striking the last sentence of the draft problem statement and adding the following:

In order to address the possibility that a coop could opt out of the VRHS program or that the Council could determine that the VRHS program does not adequately reduce salmon bycatch, alternatives to the VRHS system and/or the regulatory salmon bycatch program should be analyzed to assess whether they would be more effective in reducing salmon bycatch. *Motion passed 12/0.*

The AP recommends the Council encourage the Salmon bycatch workgroup to continue their efforts as analysis progresses. *Motion passed 12/0.*

D-3 BSAI Crab Management

(a) BSAI Crab SAFE

The AP recommends the Council approve the BSAI Crab SAFE. *Motion passed 16/0.*

(b) Crab Overfishing analysis

The AP recommends the Council release the Crab Overfishing analysis for public review and further recommends that the Council request that NMFS and ADF&G staff work together on implementation issues. *Motion passed 17/0.*

D-4 (a, b) Arctic FMP

The AP recommends the Council support development of a comprehensive fishery management plan and environmental assessment for the Arctic Management region defined in the staff discussion paper (North of Bering Strait at Point Hope). This FMP should accommodate existing fisheries in that region. The AP also supports the proposed outreach plan and recommends that staff consider specific outreach during AFN and other seasonal gatherings of northern region community members. *Motion passed 15/0.*

D-5 Staff Tasking

The AP recommends that the Council request staff to extract and update the tanner crab section of the GOA groundfish rationalization bycatch discussion paper from October 2005. *Motion passed 11/0.*

Throughout coastal Alaska, people have wide-ranging perceptions regarding halibut abundance, particularly in waters adjacent to communities. Whereas we continue to hear about concerns such as “localized depletion”, “excessive harvest intensity”, and other abundance-related issues, the Council has not addressed these relatively fine scaled, or “local” issues. This is due to the fact that the IPHC and therefore the NPFMC manage halibut using very large IPHC areas.

In order to inform future discussions on halibut issues, the AP recommends that the Council request from ADF&G and IPHC any information they may have regarding localized depletion in IPHC areas 2C and 3A. *Motion passed 11/0.*

Approval of Minutes

The AP unanimously approved its June, 2007 minutes.

September GOA Advisory Panel OFL and ABC Recommendations for 2008-'09 (Page 1)

Species	Area	2007	2008			2009		
		TAC	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	W(61)	25,012		30,308	30,308		30,308	30,308
	C(62)	20,890		25,313	25,313		25,313	25,313
	C(63)	14,850		17,995	17,995		17,995	17,995
	WYAK	1,398		1,694	1,694		1,694	1,694
	Subtotal	62,150	105,490	75,310	75,310	105,490	75,310	75,310
	EYAK/SEO	6,157	8,209	6,157	6,157	8,209	6,157	6,157
	Total	68,307	113,699	81,467	81,467	113,699	81,467	81,467
Pacific cod	W	20,141		27,846	20,885		27,846	20,885
	C	28,405		39,270	29,453		39,270	29,453
	EYAK/SEO	3,718		4,284	3,856		4,284	3,856
	Total	52,264	86,000	71,400	54,194	86,000	71,400	54,194
Sablefish	W	2,470		2,458	2,458		2,458	2,458
	C	6,190		6,159	6,159		6,159	6,159
	WYAK	2,280		2,269	2,269		2,269	2,269
	SEO	3,370		3,353	3,353		3,353	3,353
	Total	14,310	15,803	14,239	14,239	15,803	14,239	14,239
Deep water flatfish	W	420		430	430		430	430
	C	4,163		4,296	4,296		4,296	4,296
	WYAK	2,677		2,763	2,763		2,763	2,763
	EYAK/SEO	1,447		1,494	1,494		1,494	1,494
	Total	8,707	11,412	8,983	8,983	11,412	8,983	8,983
Rex sole	W	1,147		1,122	1,122		1,122	1,122
	C	5,446		5,327	5,327		5,327	5,327
	WYAK	1,037		1,014	1,014		1,014	1,014
	EYAK/SEO	1,470		1,437	1,437		1,437	1,437
	Total	9,100	11,600	8,900	8,900	11,600	8,900	8,900
Shallow water flatfish	W	4,500		24,720	4,500		24,720	4,500
	C	13,000		24,258	13,000		24,258	13,000
	WYAK	628		628	628		628	628
	EYAK/SEO	1,844		1,844	1,844		1,844	1,844
	Total	19,972	62,418	51,450	19,972	62,418	51,450	19,972
Flathead sole	W	2,000		11,464	2,000		11,464	2,000
	C	5,000		27,382	5,000		27,382	5,000
	WYAK	2,091		2,198	2,198		2,198	2,198
	EYAK/SEO	57		60	60		60	60
	Total	9,148	51,146	41,104	9,258	51,146	41,104	9,258
Arrowtooth flounder	W	8,000		21,164	8,000		21,164	8,000
	C	30,000		141,673	30,000		141,673	30,000
	WYAK	2,500		16,754	2,500		16,754	2,500
	EYAK/SEO	2,500		7,172	2,500		7,172	2,500
	Total	43,000	218,020	186,763	43,000	218,020	186,763	43,000

Sources: 2007 and 2008 OFLs, ABCs, and TACs from the specifications adopted by the Council in 12-07; 2009 OFLs and ABCs equal to 2008; 2007 catches through 9-8-07 from AKR Catch Accounting .

September GOA Advisory Panel OFL and ABC Recommendations for 2008-'09 (Page 2)

Species	Area	2007	2008			2009		
		TAC	OFL	ABC	TAC	OFL	ABC	TAC
Other slope rockfish	W	577		577	577		577	577
	C	386		386	386		386	386
	WYAK	319		319	319		319	319
	EYAK/SEO	200		2,872	200		2,872	200
	Total	1,482	5,394	4,154	1,482	5,394	4,154	1,482
Northern rockfish	W	1,439		1,383	1,383		1,383	1,383
	C	3,499		3,365	3,365		3,365	3,365
	E	0		0	0		0	0
	Total	4,938	5,660	4,748	4,748	5,660	4,748	4,748
Pacific ocean perch	W	4,244	5,030	4,291	4,291	5,030	4,291	4,291
	C	7,612	9,019	7,694	7,694	9,019	7,694	7,694
	WYAK	1,140		1,153	1,153		1,153	1,153
	EYAK/SEO	1,640		1,659	1,659		1,659	1,659
	E (subtotal)	2,780	3,296	2,812	2,812	3,296	2,812	2,812
	Total	14,636	17,345	14,797	14,797	17,345	14,797	14,797
Shortraker	W	153		153	153		153	153
	C	353		353	353		353	353
	E	337		337	337		337	337
	Total	843	1,124	843	843	1,124	843	843
Rougheye	W	136		137	137		137	137
	C	611		614	614		614	614
	E	241		242	242		242	242
	Total	988	1,197	993	993	1,197	993	993
Pelagic shelf rockfish	W	1,466		1,752	1,752		1,752	1,752
	C	3,325		3,973	3,973		3,973	3,973
	WYAK	307		366	366		366	366
	EYAK/SEO	444		531	531		531	531
	Total	5,542	8,186	6,622	6,622	8,186	6,622	6,622
Demersal shelf rockfish	SEO	410	650	410	410	650	410	410
Thornyhead rockfish	W	513		513	513		513	513
	C	989		989	989		989	989
	E	707		707	707		707	707
	Total	2,209	2,945	2,209	2,209	2,945	2,209	2,209
Atka mackerel	Total	1,500	6,200	4,700	1,500	6,200	4,700	1,500
Big skate	W	695		695	695		695	695
	C	2,250		2,250	2,250		2,250	2,250
	E	599		599	599		599	599
	Total	3,544	4,726	3,544	3,544	4,726	3,544	3,544
Longnose skate	W	65		65	65		65	65
	C	1,969		1,969	1,969		1,969	1,969
	E	861		861	861		861	861
	Total	2,895	3,860	2,895	2,895	3,860	2,895	2,895
Other skates	Total	1,617	2,156	1,617	1,617	2,156	1,617	1,617
Other species	Total	4,500	NA	NA	4,500	NA	NA	4,500
Total	GOA	269,912	629,541	511,838	286,173	629,541	511,838	286,173

Sources: 2007 and 2008 OFLs, ABCs, and TACs from the specifications adopted by the Council in 12-07; 2009 OFLs and ABCs equal to 2008; 2007 catches through 9-8-07 from AKR Catch Accounting .

Advisory Panel BSAI Specifications

Rollover of 2008 TACs for 2009

Species	Area	2007				2008			2009		
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	EBS	1,640,000	1,394,000	1,394,000	1,168,092	1,431,000	1,318,000	1,318,000	1,431,000	1,318,000	1,318,000
	AI	54,500	44,500	19,000	2,394	50,300	41,000	19,000	50,300	41,000	19,000
	Bogoslof	48,000	5,220	10	0	48,000	5,220	10	48,000	5,220	10
Pacific cod	BSAI	207,000	176,000	170,720	148,349	154,000	131,000	127,070	154,000	131,000	127,070
Sablefish	BS	3,520	2,980	2,980	793	3,290	2,970	2,970	3,290	2,970	2,970
	AI	3,320	2,810	2,810	915	3,100	2,800	2,800	3,100	2,800	2,800
Yellowfin sole	BSAI	240,000	225,000	136,000	116,103	261,000	245,000	150,000	261,000	245,000	150,000
Greenland turbot	Total	15,600	2,440	2,440	1,716	16,000	2,490	2,490	16,000	2,490	2,490
	BS		1,680	1,680	1,307		1,720	1,720		1,720	1,720
	AI		760	760	409		770	770		770	770
Arrowtooth flounder	BSAI	193,000	158,000	20,000	9,441	208,000	171,000	30,000	208,000	171,000	30,000
Northern rock sole	BSAI	200,000	198,000	55,000	36,648	271,000	268,000	75,000	271,000	268,000	75,000
Flathead sole	BSAI	95,300	79,200	30,000	17,685	92,800	77,200	45,000	92,800	77,200	45,000
Alaska plaice	BSAI	241,000	190,000	25,000	19,176	252,000	199,000	60,000	252,000	199,000	60,000
Other flatfish	BSAI	28,500	21,400	10,000	5,470	28,500	21,400	21,400	28,500	21,400	21,400
Pacific Ocean perch	BSAI	26,100	21,900	19,900	16,166	25,600	21,600	21,600	25,600	21,600	21,600
	BS		4,160	2,160	596		4,080	4,080		4,080	4,080
	AI total		17,740	17,740	15,570		17,520	17,520		17,520	17,520
	WAI		7,720	7,720	7,063		7,620	7,620		7,620	7,620
	CAI		5,050	5,050	3,640		5,000	5,000		5,000	5,000
	EAI		4,970	4,970	4,867		4,900	4,900		4,900	4,900
Northern rockfish	BSAI	9,750	8,190	8,190	1,335	9,700	8,150	8,150	9,700	8,150	8,150
Shorthead	BSAI	564	424	424	324	564	424	424	564	424	424
Rougeye	BSAI	269	202	202	151	269	202	202	269	202	202
Other rockfish	BSAI	1,330	999	999	480	1,330	999	999	1,330	999	999
	BS		414	414	157		414	414		414	414
	AI		585	585	323		585	585		585	585
Atka mackerel	Total	86,900	74,000	63,000	27,904	64,200	54,900	54,900	64,200	54,900	54,900
	WAI		20,600	9,600	484		15,300	15,300		15,300	15,300
	CAI		29,600	29,600	8,030		22,000	22,000		22,000	22,000
	EAI/BS		23,800	23,800	19,390		17,600	17,600		17,600	17,600
Squid	BSAI	2,620	1,970	1,970	921	2,620	1,970	1,970	2,620	1,970	1,970
Other species	BSAI	91,700	68,800	37,355	22,582	91,700	68,800	58,015	91,700	68,800	58,015
Total	BSAI	3,188,973	2,676,035	2,000,000	1,596,645	3,014,973	2,642,125	2,000,000	3,014,973	2,642,125	2,000,000

Sources: 2007 and 2008 OFLs, ABCs, and TACs from the specifications adopted by the Council in 12-07; 2009 OFLs and ABCs equal to 2008; 2007 catches through 9-8-07 from AKR Catch Accounting .

Advisory Panel

Trawl-Fishery PSC Bycatch Allowance Adjustments for Proposed Specifications for 2008 and 2009

BSAI Trawl Limited Access Fisheries	Halibut Mortality Metric Tons BSAI	RKC Numbers Zone 1	C. opilio Numbers COBLZ	C.Bairdi Numbers Zone 1	C.Bairdi Numbers Zone 2
Yellowfin Sole	145	29,938	1,170,367	259,003	1,036,505
Rocksole/Other Flatfish/Flathead sole	0	0	0	0	0
Torbot/Arrowtooth/Sablefish	0	0	0	0	0
Rockfish					
June 1 - December 31	3	n/a	2,000	n/a	1,000
Pacific Cod	577	23,499	45,677	139,138	188,058
Pollock/Atka mackerel/Other	150	360	30,451	13,087	15,937
<u>Total BSAI Trawl Limited Access PSC</u>	<u>875</u>	<u>53,797</u>	<u>1,248,495</u>	<u>411,228</u>	<u>1,241,500</u>
Non-Trawl Fisheries					
Pacific Cod -- Total	775				
January 1 - June 10	320				
June 10 - August 15	0				
August 15 - December 31	455				
Other Non-Trawl -- Total	58				
May 1 - December 31	58				
Groundfish Pot and Jig Sablefish Hook and Line	exempt exempt				
<u>Total Non-Trawl PSC</u>	<u>833</u>				
PSQ Reserve	342	21,079	465,450	104,860	317,790
PSC Grand Total	4,575	197,000	4,350,000	980,000	2,970,000

TABLE 10 – FINAL 2007 AND 2008 APPORTIONMENT OF PACIFIC HALIBUT PSC TRAWL LIMITS BETWEEN THE TRAWL GEAR DEEP-WATER SPECIES COMPLEX AND THE SHALLOW-WATER SPECIES COMPLEX (VALUES ARE IN METRIC TONS)

Season	Shallow-water	Deep-water	Total
January 20–April 1	450	100	550
April 1–July 1	100	300	400
July 1–September 1	200	400	600
September 1–October 1	150	Any remainder	150
Subtotal January 20–October 1	900	800	1,700
October 1–December 31 ¹	n/a	n/a	300
Total	n/a	n/a	2,000

¹No apportionment between shallow-water and deep-water fishery complexes during the 5th season (October 1 – December 31).