

# North Pacific Fishery Management Council

## News and Notes



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## Crab Buyback Program and Co-op Development

The Council heard an update regarding the industry initiative to develop some type of co-op style management program for the crab fisheries, as well as an associated license buyback program. Numerous industry members testified to the Council regarding the need for some type of federally assisted buyback program, through a combination of loans and appropriations, followed by long-term rationalization for the remaining participants. It will likely be early next year before the exact number of license qualified vessels is fully resolved. For year 2000 there are many interim permits which have been issued, based on the original LLP qualification standards, which will not qualify under the Council's recency requirements adopted in the fall of 1998, and which are expected to be in place prior to 2001. It will likely be necessary to resolve these numbers before a buyback can be fully implemented. However, the Council agreed with the need to expedite this process as much as possible and will be drafting a letter in support of Congressional action regarding the buyback process, as well as stating its intent to follow up with a rationalization program for these fisheries.

Development of co-ops or other rights-based management is seen as a necessary second step to a buyback program, and would likely evolve through the Council process. Another industry meeting is scheduled for April 26 at the Leif Erickson Hall in Ballard to discuss both of these initiatives. See our Website for details. Council contact is Chris Oliver.

## Portland in June

The Council will be holding its June meeting at the Doubletree in downtown Portland. Being the summer tourist season, most rooms are full and people who would like to attend are urged to secure reservations immediately at neighboring hotels. The Days Inn @ (503) 221-1611 is the closest. The Portland Visitor's Bureau <http://www.pova.com/visitor/index.html> also is a helpful resource. The Doubletree does have a city bus stop directly in front of the hotel for those of you who wish to use public transportation from another hotel.

## Steller Sea Lions

The Council received a status report on litigations, the emergency rule to implement management measures, a status report on Russian sea lion research, and a discussion of interactions with Pacific cod fisheries. The Council requested that more details on Russian sea lion research, and information on herring stocks, be provided at the next meeting.

On January 25, 2000, NMFS issued an emergency interim rule implementing the revised final reasonable and prudent alternatives necessary to avoid the likelihood that the Alaska pollock fisheries will jeopardize the continued existence of the western population of Steller sea lions or adversely modify its critical habitat (65 FR 3892). Because this emergency interim rule is scheduled to expire on July 19, 2000, the Council recommended that the emergency rule be extended through December 31, 2000.

The 1999 biological opinion on TAC specifications for Alaskan groundfish fisheries suggested areas of concern about potential competition between Pacific cod fisheries and Steller sea lions. At the June meeting, NMFS staff will review the information regarding competition and provide some guidance on ways to reduce competition if required. If the analysis indicates that these cod fisheries may be competing for Steller sea lion prey, the Council may be requested to recommend appropriate measures to alleviate those concerns prior to the 2001 fisheries. A special September meeting may be required to review proposed reasonable and prudent alternatives, if necessary.

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# BSAI Pacific Cod License Limitation Program

The Council approved the following program for applying Pacific cod endorsements to vessels with appropriate levels of historic participation in the BSAI fixed gear cod fishery. This will be Amendment 67 to the BSAI Groundfish Plan. Required catch history to earn a Pacific cod endorsement was defined for the freezer longline, longline catcher vessel, pot catcher processor, and pot catcher vessel sectors. Historic participation requirements for each of those sectors is outlined below:

## Qualification Criteria

**Freezer Longline:** Vessels with a catcher processor endorsement on their BSAI license must have made 270 mt of landings in the directed commercial BSAI Pacific cod fishery (excluding discards) in any one of the years 1996, 1997, 1998, or 1999. *Note that the 270 mt level was arrived at using a base amount of 300 mt and allowing for a 10 percent variation in catch history (300 - 30 = 270).*

**Longline Catcher Vessels:** No action was taken for vessels less than 60' LOA at this time. Vessels less than 60' do not need a Pacific cod endorsement to fish cod in the BSAI, however they must meet the requirements of the LLP as passed by the Council or as currently in place. Vessels greater than or equal to 60' LOA must have made at least 7.5 mt of cod landings in the directed commercial BSAI Pacific cod fishery (excluding discards) in any one year 1995, 1996, 1997, 1998, or 1999. Landings of Pacific cod made with jig gear (by vessels of any length) would count towards qualification for the Pacific cod endorsement as if they had been made with longline gear.

**Pot Catcher Vessels:** No action was taken for vessels less than 60' LOA at this time. Vessels less than 60' do not need a Pacific cod endorsement to fish cod in the BSAI, however they must meet the requirements of the LLP as passed by the Council or as currently in place. Pot catcher vessels greater than or equal to 60' LOA must have made over 100,000 lbs. of landings in the directed commercial BSAI Pacific cod fishery (excluding discards) in each of any two of the years 1995, 1996, 1997, 1998, or 1999. Landings of Pacific cod made with jig gear (by vessels of any length) would count towards qualification for the Pacific cod endorsement as if they had been made with longline gear.

**Pot Catcher Processors:** Pot vessels with a catcher processor endorsement must have made at least 300,000 lbs. of landings in the directed commercial BSAI Pacific cod fishery (excluding discards) in each of any two of the years 1995, 1996, 1997, or 1998.

## Other Issues

**Grandfather provisions:** The Council voted *not* to include the grandfather provision for catcher processor vessels that were purchased between July 1, 1997 and December 31, 1998. The Council approved the Advisory Panel recommendation that vessels that sank after January 1, 1995 would be allowed to

combine the catch history of the vessel that sank with the history of the replacement vessel, as long as: (1) The sunken vessel was LLP qualified, (2) A sunken vessel is replaced with a qualified replacement vessel within the normal time allowed by the IRS, and (3) Owner of the replacement vessel after combining catch histories must meet the qualifying criteria for that gear sector.

No other combining of catch histories would be allowed in order to meet the Pacific cod endorsement requirements on a license. The Council also acknowledged that if a vessel met the requirements for a fixed gear BS or AI license and the Pacific cod endorsement requirements before sinking, that vessel would be allowed to transfer the general license and Pacific cod endorsement to any vessel within the regulations of the current LLP. The Pacific cod endorsement(s) will not be severable from a general license, just as area endorsements are currently non-severable.

**Hardship Provisions:** The Council also outlined the process for considering hardship provisions as adapted from 50 CFR Section 679.4(k)(8)(iv), which applies to eligibility determinations under the "original" LLP program. The clause that would apply to such determinations under the LLP BSAI Pacific cod endorsement amendment would contain the following provisions:

A qualified person who holds a BSAI groundfish license issued under the LLP, but whose vessel was unable to meet all the criteria required for a BSAI Pacific cod endorsement under this amendment because of an unavoidable circumstance (i.e., the vessel was lost, damaged, or otherwise unable to participate in the license limitation groundfish or crab fisheries) may receive an endorsement if the qualified person is able to demonstrate that:

- The owner of the vessel at the time of the unavoidable circumstance held a specific intent to use the vessel to conduct directed fishing for BSAI Pacific cod during the relevant time period(s) or to make harvests sufficient to meet the thresholds established by this amendment; and
- The specific intent was thwarted by a circumstance that was (1) unavoidable, and (2) unique to the owner of that vessel or unique to the vessel, and (3) unforeseen and reasonably unforeseeable to the owner; and (4) a general statement such as "generated a weather-related safety concern reflecting a significant impact to the crew and vessel."
- Under the circumstances, the owner of the vessel took all reasonable steps to overcome the circumstances; and
- Any amount of BSAI Pacific cod was harvested on the vessel in the BSAI during the recency period for that vessel type and that such harvest of Pacific cod occurred after the vessel was prevented from participating by the unavoidable circumstance but before April 16, 2000.

*(P.cod LLP continued)*

Harvest of CDQ Pacific Cod: CDQ Pacific cod may only be harvested by vessels which hold a valid LLP license and are endorsed to fish in that area for Pacific cod.

Vessels Earning Multiple Pacific Cod Endorsements: Vessels that qualify for a Pacific cod endorsement in more than one gear sector will be issued an endorsement for each sector for which they qualify. Endorsements that are earned by a vessel will be attached to that vessel's general license. The Pacific cod endorsement(s) will not be severable from a general license, just as area endorsements are currently non-severable.

Vessels Less than or equal to 32' LOA: Vessels less than or equal to 32' LOA are exempt from the BSAI license limitation program and Pacific cod endorsements.

Bait Landings: Properly documented commercial bait landings will count towards the landings requirements for a Pacific cod endorsement. A Pacific cod endorsement is required to fish Pacific cod in the commercial bait fishery. In the future, status quo should be maintained for "personal use" bait without a Pacific cod endorsement.

Gulf of Alaska Issues: The Council also noticed industry that they will be considering rationalization options for the GOA P.cod fisheries at the June 2000 Council meeting (*see below*). As part of that motion, the Council also noticed industry that landings that take place after **April 16, 2000** may not count in any GOA rationalization programs considered by the Council.

The new P.cod endorsement program developed above as Amendment 67 is not scheduled to be implemented until the 2002 fishing season. Staff contact is Darrell Brannan or Nicole Kimball.

## Observer Program

The Council received a report from the recent meeting of its Observer Committee, including recommendations on a draft analysis of several regulatory amendments to the current program. The Council voted to send the analysis out for public comment, with minor adjustments, with a final decision scheduled for the June meeting in Portland. Among the issues included in that regulatory amendment package are: (1) changing the threshold for observer requirements at shore plants; (2) housing and logistics for observers at shore plants; (3) assignment of observers to multiple shore plants; (4) requirements for groundfish pot fishery observer coverage; and, (5) confidentiality of observer personal information. That package will be available from the Council offices in early May.

Regarding long-term observer program issues, the Council's Observer Committee will likely be meeting in late May to address those further. Council staff contact for these issues is Chris Oliver.

## Crab Rebuilding Plans

Amendment 7 to the BSAI King and Tanner Crab FMP established minimum stock size thresholds (MSST) for individual crab stocks based on prevailing environmental conditions (1983-1997 period). Overfishing is now defined as a fishing mortality rate in excess of natural mortality ( $M=0.2$  for king crabs,  $M=0.3$  for Tanner and snow crabs) and overfished is defined as a biomass that falls below MSST.

The 1999 NMFS Bering Sea survey indicated that the snow crab (*C. opilio*) and St. Matthew blue king crab stocks were below the minimum stock size thresholds established for these stocks. The 1999 estimate of spawning biomass for snow crab (283.3 million pounds) was below the MSST (460.8 million pounds) and hence precipitated a severe curtailment of the fishery in the 2000 season. Similarly, the spawning biomass estimate for St. Matthew blue king crab (4.8 million pounds) was well below the MSST (11.0 million pounds), and the fishery was not opened. On September 24, 1999, NMFS informed the Council that these stocks were "overfished" pursuant to the Magnuson-Stevens Act guidelines, which require a rebuilding plan to be developed within one year.

In April, the Council reviewed the draft rebuilding plans and released them for public review once additional information is added on bycatch, habitat, and ecosystem processes. The rebuilding plans analysis includes three components: a revised harvest strategy, bycatch control measures, and habitat protection. Under the proposed plans, the stocks are projected (with a 50% probability) to rebuild to the BMSY level in 8 to 13 years for snow crab and 6 years for St. Matthew blue king crab. Final action is scheduled for June. The Council also requested that the crab plan team begin work to reevaluate the current overfishing definitions. Staff contact is Dave Witherell.

## Gulf of Alaska Co-op Committee

While the Council discussion this coming June (discussed in previous LLP article) may be specific to Gulf Pacific cod fisheries, the Gulf of Alaska Co-op Committee met on April 10 to review a draft proposal to rationalize the Gulf groundfish fisheries (including Pacific cod but not limited to it) in Regulatory Area 620, 630, and 640. The committee recommended distributing an industry draft proposal as a "strawman" to solicit comments and other proposals from the public by May 3, 2000. (Look for the proposal on our website). The committee may reconvene at the June meeting to review those comments and provide further recommendations to the Council. Staff contact for the committee is Jane DiCosimo.

# Habitat Areas of Particular Concern

Habitat areas of particular concern (HAPC) are those areas of special importance that may require additional protection from adverse effects. HAPC is defined on the basis of its ecological importance, sensitivity, exposure, and rarity of the habitat.

In February, the Council reviewed a draft analysis that considered additional HAPC, and two management measures to protect HAPC from fishing effects. The first measure examined the potential to prohibit directed fisheries for certain HAPC biota (corals, sponges, kelp, and mussels). The second measure would establish several marine protected areas where Gorgonian corals are found in abundance. The Council decided to split the initial draft into two parts. Part one would allow for control on the harvest of HAPC biota based on the following problem statement:

*The Council recognizes that some invertebrates (corals, sponges, mussels, rockweed, and kelp), which provide important habitat for fish have the potential to be developed into large-scale commercial fisheries. The Council currently has little or no controls on the harvesting of these invertebrates. Adopting management measures as a precautionary approach would allow the Council to control any commercial fishery that might develop.*

At this meeting, the Council took final action on Harvest Control measures of HAPC Part 1. The Council adopted alternative 2 of the analysis which will add corals and sponges to the prohibited species category. This action will essentially split prohibited species into two types: the first type will continue to allow no retention for halibut, salmon, and crab species, and the second type would include only corals and sponges as prohibited species whose management would be specified in the regulations. The HAPC prohibited species will allow retention, but will prohibit the sale, barter, trade or processing of corals and sponges. Kelp (including rockweed), and mussels would not be subject to any management actions at this time. This action will apply to both the Bering Sea and Gulf of Alaska groundfish fisheries in the EEZ; other fisheries may be considered for HAPC biota protection in the future. The Council will relay concerns to the Alaska Board of Fisheries regarding protection of HAPC biota in state waters.

Staff will continue to develop part two of the HAPC amendment. Part two will develop a more comprehensive and iterative process for HAPC identification and habitat protection involving researchers, stakeholders and management agencies. An initial discussion paper for possible management approaches for habitat protection objectives to begin stakeholder response will be available at the June, 2000 Council meeting. Staff contacts are Dave Witherell and Cathy Coon.

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## Council Action on Halibut

In February the Council approved a guideline harvest program (GHL) program for the halibut charter fishery and fast-tracked development of an **Individual Fishing Quota program** for that sector. The Council appointed a committee, which met twice to develop recommendations for the elements and options for inclusion in the halibut charter IFQ analysis. At the April meeting, the Council revised the committee's list of elements and options (see Attachment 1) and authorized staff to reorganize them for analysis. Staff will present an analytical outline to the SSC for its approval at the June Council meeting, but will not schedule action for the Advisory Panel or Council. Based on the SSC recommendations, staff will develop the analysis over the summer. The Council has scheduled preliminary review of the charter IFQ analysis for October 2000. Initial review and final action are scheduled for December 2000 and February 2001.

The Council also approved incorporation of a proposal to develop community-based charter IFQs by the Gulf Coastal Communities Coalition into its discussion paper of a commercial halibut IFQ proposal to allow non-profit community-based entities to hold QS. The paper should provide a discussion of problems and opportunities in the commercial and charter halibut fisheries and to Gulf communities. This joint discussion paper was requested by the Council to be presented by the Coalition at the June 2000 Council meeting.

In a separate action, the Council revised the options under Alternative 2 and approved the draft analysis for defining halibut for **subsistence use** for public review. The Council requested that the Halibut Subsistence Committee convene to review the draft public review document, probably in late summer. The analysis will be available to the public in early September. Final action has been scheduled for October 2000 in Sitka. Staff contact is Jane DiCosimo.

# American Fisheries Act (AFA)

The Council approved rollover of the emergency rule implementing the AFA to cover the second half of this fishing year, with two adjustments: (1) establishment of a final deadline to apply for an AFA vessel or processor permit (December 1, 2000) and, (2) establishment of an annual December 1 deadline for co-op permits. They also received a report from staff regarding development of the EIS for long-term implementation of the AFA, which would be completed this fall and forwarded as part of the package for Secretarial review of the AFA provisions. This document will include all Council actions taken thus far with regard to the AFA, including provisions for co-op allocations, sideboards, and exemptions. It will also include any AFA actions taken by the Council this June. On the agenda for Council action in June are the issues of inshore co-op structure (the Dooley-Hall proposal and other options) and the definition of qualified catcher vessel. A revised discussion paper on these issues is available from the Council offices.

The Council also requested information relative to the following issues, to be reviewed in June for possible action at that time, and for implementation in 2001:

Recalculation of sideboard amounts for Pacific cod: The Council received numerous requests to examine this issue, and to consider the use of 1995, 1996, and 1997 (instead of only 1997) in calculation of the Pacific cod sideboards for the catcher vessel fleet. This change, if adopted in June, would not alter the distribution of cod sideboard amounts between the catcher vessel and catcher/processor sectors.

Consideration of further exemptions from crab sideboards: The Council received a request to exempt certain vessels from the crab harvest sideboards which were adopted last June. Specifically, the request was for vessels which harvested crab in each major crab fishery from 1991 through 1997, and which harvested less than 5,000 mt of pollock from 1995-1997 (best two of three years), to be exempt from any crab harvest sideboards.

Recalculation of open access pollock amount: this would compare the current method used to distribute inshore co-op quotas with a formula that uses a denominator that is the aggregate inshore deliveries of the AFA-qualified vessels only. Under the current formula, any inshore catch history earned by non-AFA vessels, or by AFA vessels which do not qualify inshore, goes into the open access fishery. This would essentially reduce the amount of pollock which goes into the open access fishery and increase the amount available to the inshore co-ops.

Staff will compile relevant information on the above issues to assist the Council's consideration in June. The Council also requested information relative to the issue of crab processing sideboards, and how such sideboards affected the 2000 opilio crab fishery. It is apparent that these sideboards may have resulted in negative, unintended consequences to both the processing and harvesting sectors, and the Council intends to consider whether such sideboards are in fact necessary, or perhaps need to be altered to mitigate adverse impacts. Depending on the information available to the Council, such a decision could be made in June, or be made in October in conjunction with the Council's final action on groundfish processing sideboards and pollock processing excessive share caps. At the June meeting the Council is scheduled for an initial review of an analysis of groundfish processing sideboards and pollock processing excessive share caps. Council staff contacts for these issues are Chris Oliver or Darrell Brannan.

## North Pacific Fishery Management Council

### Tentative Meeting Dates for 2000-2002\*

	<b>February</b> Week of/ Location	<b>April</b> Week of/ Location	<b>June</b> Week of/ Location	<b>October</b> Week of/ Location	<b>December</b> Week of/ Location
<b>2000</b>			5/Portland Doubletree Downtown	2/Sitka Centennial Building	4/Anchorage Hilton
<b>2001</b>	5/Anchorage	9/Anchorage	4/Kodiak	1/Seattle	3/Anchorage
<b>2002</b>	4/Anchorage	8/Anchorage	3/Dutch Harbor	Sept 30/ Seattle	2/Anchorage

\*Meeting dates subject to change depending on availability of meeting space. Any changes will be published in the Council's newsletter.

## NPFMC Three Meeting Outlook

June 5, 2000 Portland	October 2, 2000 Sitka	December 6, 2000 Anchorage
Review MSA re-authorization issues		
Inshore Co-op structure: <b>Final Action</b>		
Groundfish Processor Sideboard Caps/Excess Share Analysis: <b>Initial Review</b>	Groundfish Processor Sideboard Caps/Excess Share Analysis: <b>Final Action</b>	
Review crab processing sideboards under AFA/		
Review adjustments to catcher vessel sideboards/exemptions/pollock calculations		
	AFA Proposed Rule/ EIS: <b>Review and comment</b>	
TAC setting process: <b>Initial Review</b>	TAC setting process: <b>Final Action</b>	
	Groundfish SEIS/FMP Updates	
	IFQ Program for Charter fleet: <b>Preliminary Review</b>	IFQ Program for Charter fleet: <b>Initial Review</b>
Observer Regulatory Amendments: <b>Final Action</b>		
Review MRAG and Observer Committee Report:		
St. Matthew Blue and Opilio Crab Rebuilding Plan: <b>Final Action</b>		
Review GOA P.cod measures/rationalizator		
Discussion Paper of GCCC proposal: <b>Review and comment (T)</b>		
Halibut Donation Program: <b>Review</b>		
Review Steller Sea Lion/P.cod interaction:	Final action on SSL/P.cod measures (T)	
Review Pollock RPA's effects on small vessels:		
Review Russian marine mammal research:		
	Groundfish specifications/SAFE: <b>Initial Review</b>	Groundfish specifications/SAFE: <b>Final Action</b>
	Halibut subsistence: <b>Final Action</b>	
CIAC Report on Opilio appea		
	Groundfish overfishing definitions (MSST): <b>Initial Review (T)</b>	
	Cook Inlet Non-Pelagic Trawl Ban: <b>Final Action (T)</b>	
	P. cod bycatch and PSC reg. Amendments: <b>Initial Review (T)</b>	P. cod bycatch and PSC reg. Amendments: <b>Final Action (T)</b>
Review Proposals and Staff Tasking	CDQ Program Reg Amendments: <b>Initial Review (T)</b>	CDQ Program Reg Amendments: <b>Final Action (T)</b>
	P. cod pot split CV/CP: <b>Initial Review (T)</b>	P. cod pot split CV/CP: <b>Final Action (T)</b>
	Separate sideboards for CV's: <b>Initial Review (T)</b>	Separate sideboards for CV's: <b>Final Action (T)</b>

\*NOTE: This tentative timeline will be updated periodically, particularly after each Council meeting, as the Council works through its decision process.

TAC - Total Allowable Catch  
 IFQ - Individual Fishing Quota  
 AFA - Amercian Fisheries Act  
 HAPC - Habitat Areas of Particular Concern  
 LLP - License Limitation Program  
 PSC - Prohibited Species Catch

SSL - Steller Sea Lion  
 GHl - Guideline Harvest Level  
 SEIS - Supplemental Environmental Impact Statement  
 CDQ - Community Development Quota  
 GCCC- Gulf Coastal Communities Coalition  
 MSA - Magnuson-Stevens Act

SAFE - Stock Assessment and Fishery Evaluation  
 (T)-Tentatively scheduled  
 CV - Catcher Vessel CP- Catcher Processor  
 SR/RE - Shortraker/Rougheye  
 MSST - Minimum Stock Size Threshold  
 FMP - Fishery Management Plan

**APRIL 2000 COUNCIL MOTION FOR HALIBUT CHARTER IFQ ANALYSIS**

**Problem statement:**

The Pacific halibut resource is fully utilized. The NPFMC recently adopted a GHL to resolve allocation issues between the guided sport sector and other users of the halibut resource. Upon adoption by the Secretary of Commerce, the GHL will stop the open-ended reallocation between commercial and guided sport fishermen, address a number of conservation concerns, and provide a measure of stability to the halibut fishery. Guided sport IFQs will address problems related to overcapitalization in the guided sport sector. Extending the existing halibut quota share program to include the guided sport sector, with provisions to recognize the unique nature of the guided sport sector, will resolve future allocation conflicts between the commercial and guided sport sectors, and provide access opportunities for halibut fishermen, processors and consumers.

**The Council identified the following provisions of the proposed halibut charter IFQ program:**

- It is the Council’s intent that the previously approved Guideline Harvest level (GHL) program be submitted for Secretarial review and implemented as soon as possible. The halibut charter IFQ program, when and if adopted by the Council and approved by the Secretary, would replace the GHL.
- The charter IFQ program would be limited to Areas 2C and 3A only and are not transferable across areas.
- The duration of charter IFQ would have no specific ending date.
- An appeals process would be based on
  - a) fact; and
  - b) hardship, similar to groundfish and crab license limitation program
- The charter IFQ program would be subject to cost recovery

**The following options are not exclusive choices, that is, multiple options may be chosen under some issues. They have been organized in a top-down fashion to reflect the discussions necessary to develop the program.**

<i>Issue 1.</i>	<i>Initial QS may be based on:</i> .....	<i>1</i>
<i>Issue 2.</i>	<i>Distribution of QS may be based on:</i> .....	<i>2</i>
<i>Issue 3.</i>	<i>Qualification Criteria</i> .....	<i>2</i>
<i>Issue 4.</i>	<i>Initial allocation of IFQs would be issued to U.S. citizens or to U.S. companies on the following basis:</i> .....	<i>2</i>
<i>Issue 5.</i>	<i>To receive halibut IFQ by transfer:</i> .....	<i>3</i>
<i>Issue 6.</i>	<i>Transferability of QS (permanent) and IFQs (on annual basis [leasing])</i> .....	<i>3</i>
<i>Issue 7.</i>	<i>Caps</i> .....	<i>4</i>
<i>Issue 8.</i>	<i>Miscellaneous provisions</i> .....	<i>4</i>
<i>Issue 9.</i>	<i>IFQs associated with the charter quota shares may be issued in:</i> .....	<i>4</i>
<i>Issue 10.</i>	<i>Reporting:</i> .....	<i>4</i>

**Issue 1. Initial QS may be based on:**

- Option 1. 3.91 Milb in Area 3A and 1.40 Milb in Area 2C (125 % of 1995-99 logbook landings)
- Option 2. 3.20 Milb in Area 3A and 1.41 Milb in Area 2C (100 % of 1998 and 1999 logbook landings)

**Issue 2. Distribution of QS may be based on:**

- Option 1. 70% of 125% of 1998 and 1999 logbook average with an additional 10% (of the 125%) added for each year of operation 1995-97 (longevity reward). The balance could then be re-issued to the whole group of participants (some individuals vessel's total could be over 125% of the 1998 and 1999 logbook average, new entrants may receive only 70% of their 1998 and 1999 logbook average), or this balance could be set aside for initial issue hardships.
- Option 2. Modified Kodiak proposal: 5-30% for A, 33% for B, 37-62% for C  
Part A: each individual gets an equal percentage of the qualified pool as identified by the Council's final action.  
Part B: each individual's average 98/99 logbook harvest as percentage of overall harvest is multiplied by 33% of the average 1995-99 GHL.  
Part C: one point for each year of participation during 1995-99.
- Option 3. 50% of an individual's QS initial issuance would be fixed and the remaining 50% would float with abundance.

**Issue 3. Qualification Criteria**

Initial allocations will be based on an individual's participation and not the vessel's activity. Anyone not meeting the qualification criteria would have to purchase QS or transfer (lease) IFQs to participate in the halibut charter fishery.

- Option 1. Halibut charter operators who carried clients in 1998 and 1999 and who submitted ADF&G logbooks (as received by ADF&G by February 12, 2000)
- Option 2. Halibut charter operators who carried clients in 1998 or 1999 and who submitted ADF&G logbooks (as received by ADF&G by February 12, 2000)
- Option 3. Halibut charter operators who carried clients prior to June 24, 1998 and who submitted at least one ADF&G logbook (as received by ADF&G by February 12, 2000)
- Option 4. Four out of five years between 1995-1999 as evidenced by IPHC and CFEC licenses for 1995-99 and submitted logbooks for 1998 and 1999
- Option 5. Four out of five years between 1995-1999 as evidenced by IPHC and CFEC licenses for 1995-99 and submitted logbooks for either 1998 or 1999

**Issue 4. Initial allocation of IFQs would be issued to U.S. citizens or to U.S. companies on the following basis:**

U.S. ownership based on: a) 51% ownership; b) 75% ownership

- Option 1. Charter vessel owner/operator - individual who owns and operates (captains) the charterboat and charterboat business
- Option 2. Bare vessel lessee - person that leases a vessel and controls its use as a charterboat for this fishery. May operate the vessel or may hire a captain/skipper. Lessee determines when the vessel sails and by whom captained



- Option 3. Owners of charterboats that hired licensed captains/skippers - persons that owned the vessel that they controlled as a charterboat but hired a captain/skipper to operate the vessel
- Option 4. Hired skipper - individual without financial interest in the vessel, hired for the labor only of operating a charterboat and paid a wage or commission as compensation

**Issue 5. To receive halibut IFQ by transfer:**

- Option 1. Must be an individual initial charter issuee
  - Option 2. Must be a qualified individual charter operator:
    - a) as defined by State of Alaska requirement\*
    - b) as defined by State of Alaska requirement\* and hold a USCG license.
- \*this would require a change in the commercial regulations to allow transfer of commercial QS/IFQ to charter operator
- Option 3. Must have transfer eligibility certificate

**Issue 6. Transferability of QS (permanent) and IFQs (on annual basis [leasing])**

- Option 1. Within the charter sector only
- Option 2. Two-way (between commercial and charter sectors).
  - a) 3-yr one way transfer from commercial to charter
  - b) 1-yr one way transfer from commercial to charter
- Option 3. Transferability of IFQs (leasing):
  - a) prohibit leasing within and/or between charter and commercial sectors
  - b) allow leasing within and/or between charter and commercial sectors
- Option 4. allow splitting of commercial blocks to transfer a smaller piece to the charter sector
- Option 5. allow splitting of commercial blocks once transferred to the charter sector
- Option 6. from A, B, C, and/or D commercial vessel category sizes to charter sector
- Option 7. from charter to commercial:
  - a) D category only
  - b) C and D category only
  - c) B, C, and D category
- Option 8. initial transfer from undesignated charter to a particular commercial vessel category locks in at that commercial category
- Option 9. Any charter QS transferred to commercial sector shall be:
  - a) blocked
  - b) blocked up to the limits of the commercial sweep-up and block limits
- Option 10. one transfer of QS/IFQ each year between sectors for each QS holder

Option 11. minimum size of transfer is range of 20-72 fish

Option 12. Designate QS pool into two classes for transfer from charter to commercial sector: transferable (25%) and non-transferable (75%) pools

**Issue 7. Caps**

Option 1. no caps - free transferability

Option 2. on percentage of annual IFQ transfers (de facto leasing) between sectors not to exceed 25% of total IFQ and 5% of annual IFQ transfers from charter to commercial; not to exceed the amount needed to meet the area GHL (1.4 M lb in Area 2C and 3.91 M lb in Area 3A) from commercial to charter

Option 3. on percentage of annual QS transfers between sectors not to exceed 25% of total QS and 5% of annual QS transfers from charter to commercial; not to exceed the amount needed to meet the area GHL (1.4 M lb in Area 2C and 3.91 M lb in Area 3A) from commercial to charter

Option 4. ownership cap of ¼, ½, and 1% of combined QS units in Area 2C and ¼, ½, and 1% of combined QS units in Area 3A and grandfather initial issues at their initial allocation

**Issue 8. Miscellaneous provisions**

Option 2. maximum line limit of 12 in Area 3A (remains at 6 lines for Area 2C), grandfather initial issues

Option 3. 10% rollover provision of total IFQs

Option 4. 10% overage provision of total IFQs to be deducted from next year's IFQs

**Issue 9. IFQs associated with the charter quota shares may be issued in:**

Option 1. Pounds

Option 2. Numbers of fish (based on average weight determined by ADF&G)

**Issue 10. Reporting:**

Option 1. Require operator to report landings at conclusion of trip

Option 2. ADF&G logbook

**April 2000 Council motion for Halibut Subsistence Alternatives for public review**

ALTERNATIVE 1. Status quo.

ALTERNATIVE 2. Allow the harvest of halibut for subsistence.

OPTION 1. Define subsistence.

Halibut subsistence regulations are needed to allow the continued practice of long-term customary and traditional practices of fishing halibut for food for families in a non-commercial manner for non-economic consumption. Subsistence is defined as 'long-term, customary and traditional use of halibut.'

OPTION 2. Define eligibility for halibut subsistence:

- Suboption A.
1. Members of Alaska Native Federally-recognized Tribes with customary and traditional use of halibut are eligible.
  2. Other permanent rural residents\* of communities with customary and traditional use of halibut are eligible.

Suboption B. Alaska rural residents\* as defined in ANILCA and identified in the table entitled 'Alaska Rural Places and Native Groups with Subsistence Halibut Uses,' and will also include other communities for which customary and traditional findings are developed in the future.

- Suboption C.
1. Members of Alaska Native Federally-recognized Tribes with customary and traditional use of halibut are eligible.
  2. Other permanent rural residents\* who have legitimate subsistence needs in communities with customary and traditional use of halibut are eligible. Need will be determined by:
    1. State of Alaska
    2. Tribes
    3. Co-management authority

Suboption D. Only people eligible for halibut subsistence would be Tribal members residing in communities with customary and traditional designations.

\*residency defined as one calendar year

OPTION 3. Define legal gear.

- Suboption A. define hand held gear as:
1. Rod and reel gear
  2. Spear
  3. Hand troll gear

- Suboption B. hook-and-line gear (including set and hand-held gear) with a range of:
1. 2 hooks;
  2. 10 hooks;
  3. 30 hooks;
  4. 60 hooks.
- Suboption C. Allow Tribal governments to contract with NMFS to allow proxies to be used by designated fishermen to fish for the community using:
1. 1 - 3 skates of gear, up to 60 hooks each;
  2. any gear type
- Suboption D. Allow retention of subsistence halibut using commercial gear while IFQ/CDQ fishing.
1. Statewide
  2. 4C, 4D, and 4E only
  3. Require subsistence fishermen to designate a particular trip as a subsistence trip outside of areas 4C, 4D, and 4E

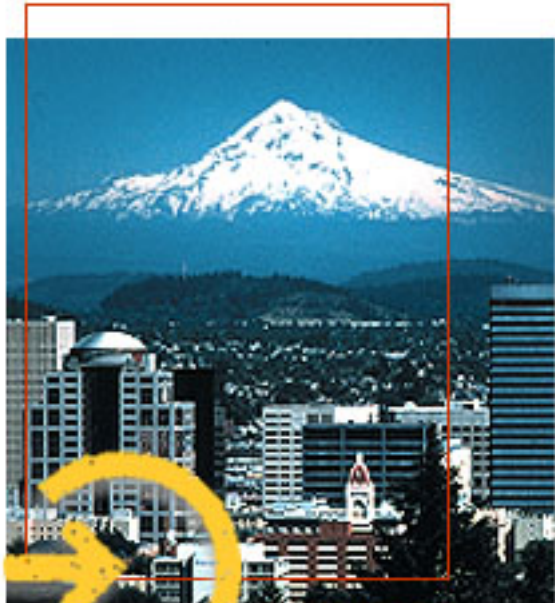
OPTION 4. Allow the customary and traditional trade of subsistence halibut.

- Suboption A. Customary and traditional trade through monetary exchange shall be limited to an annual maximum of:
1. \$0;
  2. \$200;
  3. \$400;
  4. \$600.
- Suboption B. Customary and traditional trade through non-monetary exchange is allowed with:
1. other Alaska Tribes;
  2. any Alaska rural resident;
  3. any Alaska resident;
  4. anyone.

OPTION 5. Define a daily bag limit of between 2-20 halibut.

- Suboption A. No bag limits for subsistence halibut.

OPTION 6. Develop co-management agreements with Tribal, State, and Federal governments and other entities to collect, monitor, and enforce subsistence harvests and develop local area halibut subsistence use plans in coastal communities.



**CALENDAR OF EVENTS**

more  nformation

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