

**Last Updated May 17, 1996**



# North Pacific Fishery Management Council

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## April 1996 Newsletter - Published 4/25/96

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NOTE: The draft agenda for the June Council meeting in Portland, Oregon is now available (see list below).

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**April Council Meeting** The April meeting in Anchorage was highlighted by discussions of Pacific cod allocations and crab bycatch issues in the Bering Sea/Aleutian Islands (BSAI). The Council also discussed the future of the Observer Program and progress on the Improved Retention and Utilization initiative. A delay in the BSAI pollock B season was also approved by the Council at this meeting. Details on these and other issues are contained below. The Council will be meeting in Portland the week of June 10-16. The SSC and AP will begin Monday morning, and the Council most likely will begin their meeting Tuesday morning to take their regular reports, then break to meet in the afternoon with the International Pacific Halibut Commission. The Council meeting will reconvene Wednesday morning and run through Sunday. The meeting will be held at the Portland Red Lion, 310 S.W. Lincoln.

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## **Bering Sea/Aleutian Islands (BSAI) Crab Bycatch Management**

In January 1996, the Council identified three potential management measures for the current crab bycatch management regime for Bering Sea trawl fisheries. Specifically, these management measures are:

1. Revise the trawl closure period for the Bristol Bay Red King Crab Savings Area,
2. Modify existing crab PSC bycatch limits, and initiate bycatch limits for snow crab, and
3. Establish a trawl closure area in nearshore waters of Bristol Bay to protect juvenile red king crab habitat.

At the April meeting, the Council reviewed a draft Environmental Assessment/Regulatory Impact Review (EA/RIR) for these management measures, and released it for public review with several modifications suggested by the Advisory Panel. Modifications include the addition of two closure options that would continue to allow trawling in a portion of northern Bristol Bay, a 7-month closure for the Red King Crab Savings Area, options for further reduced PSC caps, and rescission of the trawl exemption area off Port Moller. A revised analysis will be ready for public review on May 10; please contact the Council office to receive a copy. Final action is scheduled for the June meeting. If adopted and approved, management measures would be implemented in January 1997. The Council also took reports and recommendations from the Crab Rebuilding Committee and Crab Plan Team regarding the Environmental Assessment/Regulatory Impact Review. Recent actions taken by the Alaska Board of Fisheries on conservation and management of BSAI crab stocks were summarized. If you

would like copies of these reports, please contact the Council office. Staff contact is Dave Witherell.

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## **Gulf of Alaska (GOA) Crab Bycatch**

The Council reviewed crab bycatch data from the Gulf of Alaska (GOA) groundfish fisheries to assess whether or not additional bycatch management measures for the GOA may be necessary. In 1994, GOA trawl fisheries caught 34,000 Tanner crab and 45 red king crab. In 1995, 48,000 Tanner crab and 219 red king crab were taken as bycatch, primarily in the shallow water flatfish fisheries. The current crab bycatch management measures in the Gulf include trawl closure areas to protect red king crab habitat around Kodiak Island. The Council decided that ADF&G should meet with industry to examine observer data and closure areas and report back to the Council in December before any additional management measures are initiated. Staff contact is Dave Witherell.

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## **Improved Retention and Utilization**

Last December, the Council identified alternatives to be analyzed as part of a proposed Improved Retention and Utilization requirement for the groundfish fisheries in the EEZ off Alaska. These are detailed in the December newsletter, but essentially would apply to BSAI pollock, Pacific cod, yellowfin sole, and rock sole. Options were also identified relevant to the disposition of fish retained; for example, whether there would be requirements for producing products for human consumption and whether there would be limits on the amount which could be processed into fish meal. In order to work through various implementation issues surrounding this program, the Council appointed an industry committee which met twice prior to the April Council meeting. Their full report to the Council is available upon request from the Council office.

Based on the committee's report to the Council in April, the Council provided direction to the analysts on several aspects of the proposed program. Major issues for which the Council took action included elimination of retention requirements based on target fisheries. The program will



be species based, and will apply to the four species listed above, whenever and wherever they occur (though subject to other regulatory provisions such as directed fishing standards). The Council also included an option to phase-in implementation of this program for the flatfish species over a period of two to five years, starting at 60% in the first year (assumed to be 1998). Pollock and Pacific cod would begin at 100% retention in all groundfish fisheries. Various options for utilization requirements are still under consideration.

Finally, the Council has also included the Gulf of Alaska (GOA) for consideration under this program, though that will be analyzed on a separate track from the BSAI program, with concurrent implementation expected in 1998. The Council will also be analyzing on a separate track the potential allowance for limited processing by catcher vessels as defined in the License Limitation program scheduled for 1998 implementation. This allowance could also be implemented in 1998 if approved by the Council. These latter two analyses will not be available for review until at least the September 1996 meeting; the BSAI Improved Retention/Utilization analysis will be reviewed by the Council in June, with a final decision scheduled for the September meeting. Staff contact is Chris Oliver or Clarence Pautzke.

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## BSAI Pacific Cod Allocations

The Council reviewed a draft analysis of the alternatives for BSAI Pacific cod allocations which were identified last December. This analysis will be released for public review on or before May 10 to allow for a 30-day comment period prior to a final Council decision at the June meeting in Portland, Oregon. The proposed plan amendment would establish allocations of the Pacific cod quota between fixed gear, trawl gear, and jig gear with a potential further allocation of the trawl gear apportionment between catcher and catcher/processor vessels. All alternatives, with the exception of the No Action alternative, will continue to allocate 2% of the quota to jig gear vessels. The Council deleted the most extreme allocation alternative between fixed and trawl gear (69/29 and 29/69) at this meeting, and explicitly identified the 49%/49%/2% split as an alternative, so that the final list of alternatives is as follows:

1. No Action - the allocations would expire at the end of 1996.
2. The existing split of 54%/44%/2% (trawl/fixed gear/jig gear).
3. The reciprocal, or 44%/54%/2% (trawl/fixed gear/jig gear).
4. A 59%/39%/2% (trawl/fixed gear/jig gear) split.

- 5. A 39%/59%/2% (trawl/fixed gear/jig gear) split.
- 6. A 49%/49%/2% (trawl/fixed gear/jig gear) split.

The Council also identified the suboptions of further dividing the trawl apportionment 60%/40% (and the reciprocal 40/60) between catcher and catcher/processor vessels, as well as including the three-year historical split between these two sectors. The three-year historical split is 45/55 between catcher vessels and catcher processors. Incorporating this into the alternatives results in the following specific percentage allocations which will be contained in the analysis:

Alternative	Trawl		Fixed Jig	
	Catcher Vessels	Catcher Processors	Catcher Vessels	Catcher Processors
1	No Action			
2a (Current)	54%		44%	2%
2b (40/60)	21.6%	32.4%	44%	2%
2c (60/40)	32.4%	21.6%	44%	2%
2d (3 yr avg)	24.3%	29.7%	44%	2%
3a		44%	54%	2%
3b (40/60)	17.6%	26.4%	54%	2%
3c (60/40)	26.4	17.6%	54%	2%
3d (3 yr avg)	19.8%	24.2%	54%	2%
4a		59%	39%	2%
4b (40/60)	23.6%	35.4%	39%	2%
4c (60/40)	35.4%	23.6%	39%	2%
4d (3 yr avg)	26.6%	32.5%	39%	2%
5a		39%	59%	2%
5b (40/60)	15.6%	23.4%	59%	2%
5c (60/40)	23.4%	15.6%	59%	2%
5d (3 yr avg)	17.6%	21.5%	59%	2%
6a (Defacto)		49%	49%	2%
6b (40/60)	19.6%	29.4%	49%	2%
6c (60/40)	29.4%	19.6%	49%	2%



6d (3 yr avg) 22.1%            27.0%            49% 2%

The Council also declared that allocations approved under this action would not sunset like the previous Pacific cod allocations. The Council will name an industry group, with a moderator, to meet before the June meeting and attempt to arrive at a consensus position on the basic gear allocation percentages. This group would include a representative from each of the following sectors: freezer/longliner; catcher longliner; pot fishing vessel; factory trawler; shoreside delivery trawler; mothership delivery trawl vessel; and, shoreside processors. The negotiation will be mediated by Dr. David Hanson of the Pacific States Marine Fisheries Commission. Please contact Linda Roberts for a copy of the analysis. Staff contact is Chris Oliver or Marcus Hartley.

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## **BSAI Pollock "B" Season Delay**

The Council took final action on a regulatory amendment to delay the start of the BSAI pollock B season fishery until September 1. This delay will apply to both the onshore and offshore sectors, and includes a "stand-down" provision to minimize impacts of the delay on other groundfish fisheries, particularly the yellowfin sole fisheries. Specifically, any vessel which fishes for any BSAI or GOA groundfish, other than pollock in the CDQ fisheries, in the seven-day period (168 hours) prior to September 1 will be prohibited from fishing in the pollock directed fishery for the first seven days of the B season. The regulation also will include a November 1 cutoff to the pollock fishery, regardless of whether the TAC has been taken. Late fall and early winter months are critical survival periods for juvenile sea lions. Most of the time, the fishery is expected to reach its pollock TAC by early October. This regulatory amendment is being processed by NMFS for implementation this summer. It would apply to the 1996 fisheries and beyond. Staff contact is Chris Oliver.

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## **Sablefish and Halibut IFQ Program**

At the April meeting, the Council approved Amendments 43/43 to increase the sweep-up levels of halibut and sablefish quota share blocks. The Council approved new sweep-up levels of less than 3,000 lbs for halibut and less than 5,000 lbs for sablefish. The new sweep-up

levels will be based on 1996 TACs and will be set in the quota share (QS) units equivalent to the new sweep-up poundage levels for each area. This moderate increase in the consolidation of very small, blocked QS was approved to provide economically "fishable" amounts for small QS holders, crew members, and new entrants to the fishery, without overly increasing consolidation or creating large blocks. If approved by the Secretary of Commerce, this program will be implemented for the 1997 IFQ fishing season.

The Council approved a regulatory amendment that authorizes the use of pot longlines for sablefish in the Bering Sea. Pot longline gear is already allowed in the Aleutian Islands and now would be allowed in the Bering Sea regulatory area for the entire IFQ season, except for the month of June. Prohibiting pot longline gear in June will minimize potential gear interactions with small boat hook-and-line longliners who may be unable to use pot gear because of safety concerns on their smaller vessels. This amendment addresses concern over depredation of hooked sablefish by killer whales as well as the possibility of harmful gear interactions with both killer whales and the endangered short-tailed albatross. Industry has expressed concern that depredation by killer whales may be precluding full attainment of the TAC and uncounted mortality may negatively affect the Bering Sea sablefish biomass. The Council requested that NMFS fast-track the amendment so that it could be implemented during the 1996 IFQ season.

The Council also approved for public review a regulatory amendment to increase the Bering Sea halibut QS use caps. Options range from ½ percent (status quo) to 2 percent of the total amount of halibut QS for regulatory areas 4A, 4B, 4C, 4D, and 4E, combined. Final action is scheduled for June 1996. Implementation would occur for the 1997 IFQ fishing season. The analysis will be available to the public on May 10. Amendment 42/42 (Buydown) is expected to be submitted to the Secretary of Commerce within the next week. The final rule allowing the use of larger vessel QS on smaller vessels would become effective 140 days after submission, sometime in mid- to late September. Staff contact is Jane DiCosimo.

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## Observer Program

At this meeting, the Council was scheduled to take final action on a modified pay-as-you-go Observer Program to replace the fee-based Research Plan which was repealed by the Council last December. The new program would utilize a third party "Prime" contractor to act as an



interface between observer contracting companies and vessels or plants required to carry observers. Because the potential costs of this modified program cannot be accurately quantified at this time, the Council withheld final action on the modified program until those costs can be further defined. Among the unknown variables in the overall cost equation is the issue of observer compensation, which has the potential to significantly increase the costs of observer coverage. This will be particularly true if provisions of the Services Contract Act (SCA) apply, which could be the case when the federal government enters into a contract with a third party, "Prime" contractor.

The Council requested that the agency continue towards resolution of these unknown cost questions and come back to the Council in September, at the earliest, with a more fully developed analysis of the modified program. At that time, the Council would determine the long-term management plan for the Observer Program. Although fees collected in 1995 under the Research Plan will be refunded in the near future, the Council has indicated that some type of fee-based program, or some type of blend program utilizing both fees and direct payments, is not out of the question for the future. In the meantime, the Council did take final action to keep in place the existing pay-as-you-go observer program (with minor adjustments) through at least the end of 1997, or until replaced by a long-term program, whichever is earlier. Staff contact is Chris Oliver.

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## VIP Rates

NMFS has announced bycatch rate standards for trawl fisheries under the vessel incentive program (VIP) for the second half of 1996. The VIP is designed to limit bycatch rates for individual vessels, thus allowing more opportunity to harvest groundfish before established bycatch limits are reached. The VIP is based on specifications of bycatch rate standards for halibut and crab that, when exceeded, constitute a violation of the regulations. For the Bering Sea and Aleutian Islands trawl fisheries, bycatch rate standards for crab were established at 2.5 red king crabs per ton of groundfish in the yellowfin sole and other trawl fisheries in Zone 1. Bycatch rate standards for halibut were established for the second half of 1996 based on kilograms per metric ton of groundfish as listed below.

- BSAI midwater pollock 1.0 kg/mt
- BSAI bottom pollock 5.0 kg/ mt



- BSAI yellowfin sole 5.0 kg/mt
- BSAI other trawl fisheries 30.0 kg/mt
- GOA midwater pollock 1.0 kg/mt
- GOA other trawl fisheries 40.0 kg/mt

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## Scallop Management

The Council formally submitted the Amendment 1 package to the Secretary on April 19. This amendment authorizes a federal management regime to replace the current interim closure of federal waters to scallop fishing. With the exception of a vessel moratorium, all management measures previously in place for the scallop fishery were adopted including registration areas and districts, catch limits, inseason adjustments, observers, seasons, closed waters, gear restrictions, efficiency limits, and crab bycatch limits. For the most part, federal regulations complement the state's management measures for the scallop resource. If the Magnuson Act is amended to allow the state to manage the fishery in federal waters, it is likely that the FMP would be rescinded to allow the fishery to occur under state management. However, it is the Council's intent that effort in this fishery be restricted under federal regulations. A vessel moratorium, based on previously adopted criteria, will move forward on a separate track as Amendment 2, and is expected to be effective January 1997. Staff contact is David Witherell.

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## Overfishing Definition

The Council added overfishing definitions to the groundfish fishery management plans in 1990, defining a maximum fishing mortality rate that declines at low stock sizes. Specifically, for any stock or stock complex under management, the maximum allowable mortality rate is set at the level corresponding to maximum sustainable yield ( $F_{msy}$ ) for all biomass levels in excess of the level corresponding to maximum sustainable yield ( $B_{msy}$ ). For lower biomass levels, the maximum allowable fishing mortality rate varies linearly with biomass, starting from a value of zero at the origin and increasing to a value of  $F_{msy}$  at  $B_{msy}$ , consistent with other applicable laws. While this definition received high ratings from a national review panel, the current

overfishing definition has some shortcomings in that it may not be conservative enough when parameter estimates are imprecise. Also the overfishing definition does not necessarily provide a buffer between acceptable biological catch (ABC) and the overfishing level (OFL). The Plan Teams and SSC have expressed concern about harvesting stocks to the OFL level as an acceptable target.

In January 1995, the Council adopted for analysis a Scientific and Statistical Committee proposal to evaluate the OFL and amend the plans as necessary. The alternative definition considered would institute new safeguards against overly aggressive harvest rates, particularly under conditions of high uncertainty or low stock size. A revised analysis will be ready for public review on May 10; please contact the Council office to receive a copy. Final action on the proposed plan amendment is scheduled for June. Staff contact is Dave Witherell.

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Still a novice at this home page stuff, so any comments, suggestions or "whatever" are welcome and appreciated regarding your thoughts on home page improvements. This home page is not intended to be used for "public comment" on any issues before the Council. All public comment with regard to specific fishery management issues will continue to be mailed or faxed to the Council office by the deadline date set for that item. Any email comments should be related to [Linda Roberts](#)