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# News & Notes

## North Pacific Fishery Management Council

February 2011

### Election of Officers and new appointments

The Council's Advisory Panel unanimously re-elected Tom Enlow from Unisea as Chair and elected Lori Swanson of Groundfish Forum and Matt Moir of Alaska Pacific Seafoods as co-Vice Chairs. The Council's Scientific and Statistical Committee re-elected Pat Livingston for chair and Farron Wallace as vice chair. The Council would like to welcome three new members to the SSC; Kate Reedy-Maschner, Jennifer Burns and Jim Murphy. Kate's expertise in social anthropology and Jim's expertise in economics will improve our ability to be responsive to a wide range of issues and analyses. Jennifer Burns expertise in marine mammals will be essential as the Council continues to deal with difficult Steller sea lion issues. We would also like to express our sincere best wishes and gratitude for many years of dedication to the SSC for two members Keith Criddle and Sue Hills.



Photo Credit: Sea Alliance / Poulsen

### GOA Chinook Salmon Bycatch

The Council reviewed two staff discussion papers concerning measures to address Chinook salmon bycatch in the Gulf of Alaska pollock trawl fisheries. The proposed action includes alternatives to implement Chinook salmon bycatch caps (PSC limits) in the Central and Western Gulf of Alaska pollock fisheries and/or a cooperative program to address Chinook bycatch in those fisheries. On review of the discussion papers, the Council modified its alternatives by clarifying the options for apportioning the proposed caps between the two regulatory areas and more fully specifying the cooperative program alternative. The final motion is available on the Council website.

The first discussion paper included potential timelines for implementing this action, expectations for outreach, and clarifications to the hard cap alternative. The Council plans to take final action on this issue in June 2011, which would allow implementation of the proposed action in mid-2012. The Council has tentatively signaled that it will advance both a PSC limit and mandatory bycatch cooperatives as a preliminary preferred alternative at initial review, in April 2011. Given the accelerated schedule for this analysis, the Council also asked its Outreach Committee to look into opportunities for outreach to central and western GOA fishermen prior to final action.

Based on public testimony and preliminary data, the Council clarified that the cap would be apportioned

between the Western and Central GOA (rather than allowing a GOA-wide cap), and apportionment would be based either on the relative historic pollock catch in each regulatory area, or relative historic bycatch amounts in each area, or a weighted ratio of catch and bycatch. In addition, the Council elected to consider an option that would exclude bycatch in the years 2007 and 2010 from the calculation of averages, as those years include uncharacteristically high bycatch in an area, and would cause a noticeable increase in the apportionment to the area that experienced high bycatch. The Council made provision for a proportionally smaller cap to be in place for the initial year should implementation occur mid-year.

The second discussion paper reviewed the cooperative program and potential cooperative structures for Council consideration. As a result, the Council added substantial detail to its bycatch control cooperative alternative. That alternative would establish a program under which qualified license holders would be required to join a limited-purpose cooperative to participate in the GOA pollock fisheries. Action that may be undertaken by the cooperatives would be restricted to specific measures with the exclusive purpose of limiting Chinook salmon bycatch. Cooperative formation rules would allow for the creation of two or three cooperatives in each regulatory area, but would require an intercooperative agreement to ensure each cooperative could adopt Chinook bycatch control measures without jeopardizing its members' opportunities in the fishery. Each cooperative would be required to annually report the effects of its Chinook bycatch control measures to the Council. Staff contacts are Diana Evans and Mark Fina.

## Other Halibut Management

Based on recommendations in the hired skipper analysis and by the Enforcement Committee, the Council requested that NMFS develop a discussion paper on prohibiting leasing in the commercial halibut and sablefish IFQ program. The committee noted that a carefully crafted leasing prohibition may provide the enforcement tools necessary to limit unlawful leasing of IFQs. The report would be scheduled after the conclusion of pending enforcement cases. The Council also requested that NOAA Office of Law Enforcement brief the Council under the agency reports at the April 2011 Council meeting on the definition of a charter in federal regulations. The Council expressed concern regarding potential incompatibilities between state and federal regulations on the definition of a charter.

## Industry Thank You

The Council would like to thank all members of industry who contributed to the reception given during the Council meeting. Delicious seafood and music were enjoyed by all.

## Halibut / Sablefish IFQ Program

In February 2010 the Council accepted a modified stakeholder proposal to amend the hired skipper privileges granted to individual and corporate initial recipients of catcher vessel quota shares (QS) during implementation of the halibut and sablefish Individual Fishing Quota (IFQ) program in 1995. The Council adopted a problem statement, a no action alternative, and an action alternative that would prohibit the use of hired skippers for class B, C, or D halibut or sablefish QS that were transferred after a control date of February 12, 2010.

During its review of the initial draft of the analysis of the two alternatives, the Council added two options to Alternative 2 to address the disposition of catcher vessel QS transferred between the control date and the effective date of the proposed regulation. Option 1 would allow the hired skipper provision to be retained for those QS swept up into blocks after the February 12, 2010 control date and before the effective date of the amendment. Option 2 would allow initial recipients of QS to sweep up additional QS units to the amounts they own after the effective date, but these swept up blocks would not retain the hired skipper privilege (i.e., the QS holder must be on board when the IFQs are fished).

The Council requested that the analysis be expanded to address the following issues.

- 1) changes in QS owned by hired skippers by area for B, C, and D shares over the years 2000–2010, for individual initial recipients, and for second generation QS holders
- 2) changes in the amount of individual IFQ (initial recipients and 2nd generation QS holder) that is harvested on a vessel of which that individual is not listed as an owner at the “first level”, by area and year, for B, C and D shares over the years 2000–2010
- 3) average QS holdings of individual and non-individual initial QS holders compared to 2nd generation QS holders by area, for B, C and D shares over the years 2000–2010
- 4) annual transfers of QS holdings by area for B, C and D shares over the years 2000–2010
- 5) effects of Alternative 2 on non-individuals
- 6) comparison of the attrition rate of initial recipients of halibut and sablefish QS in areas 2C and SE where hired skipper privileges are allowed only for non-individuals, against the attrition rate in other areas.

The final motion is on the Council website. The Council approved the document for release for public review after the analysis is expanded. The analysis will be released in mid-March 2011 for final action in April. Staff contact is Jane DiCosimo.

## CQE purchase of Area 3A D shares

In February, the Council reviewed a public review draft analysis evaluating the impacts of allowing Area 3A Community Quota Entities (CQEs) to purchase D category Area 3A halibut quota share (QS). CQEs are currently prohibited from purchasing D category QS in Areas 3A and 2C. The overall intent of the CQE Program is to allow community non-profit organizations (CQEs) representing small, rural communities in the Gulf of Alaska to purchase catcher vessel QS, in order to lease the annual IFQ to community residents and maintain long-term access to the halibut and sablefish fisheries. Community residents that are unable to finance their own purchase of quota share, or wish to work as crewmembers, may find the CQE lease arrangement a viable option to participate in the halibut and sablefish fisheries, and potentially a way to build equity in the fishery and purchase their own QS.

Upon review, the Council took action to allow Area 3A CQEs to purchase a limited amount of D category QS in Area 3A; the limit is equal to about 9.6% of the current D category QS pool in Area 3A, or about 1.2 million QS units (~ <100,000 lbs). Currently, there are 14 Area 3A communities eligible to form a CQE and participate in the program, 8 of which have formed CQEs to date. Only one community in the program has purchased QS, of a limited amount. The intent of the action is to facilitate the purchase of QS by CQEs, by allowing them access to the least costly category of QS, and the type of QS that corresponds to vessels typically used in these communities. Should a CQE purchase D category halibut QS, it would have to be leased to a community resident and could only be used on a D category vessel ( $\leq 35'$  LOA). Note that the existing program also prohibits CQEs from purchasing B and C category quota share that is in small blocks (blocks of QS less than the current sweep-up limit of about 5,000 lbs). Upon review of the data indicating that the majority of the Area 3A D category QS is in small blocks (62%), the Council explicitly allowed CQEs to purchase D category QS of any block size. The existing restrictions on the number of blocks that each CQE can purchase, as well as the individual CQE use caps and cumulative program use caps, continue to apply. Nicole Kimball is the staff contact on this issue.

## Habitat Areas of Particular Concern

The Council reviewed a discussion paper on candidate Habitat Areas of Particular Concern (HAPC) in the eastern Bering Sea of highly-concentrated skate egg deposition, and adopted initial alternatives and options for conservation and management for analysis that include closure provisions to some or all gear types. The Enforcement Committee reviewed proposed HAPC sites for enforcement and management considerations. The Ecosystem Committee redrafted alternatives and conservation options for those sites. The Council reviewed two proposals for HAPC sites and selected one from the Alaska Fisheries Science Center (AFSC) for further review. The sites that will be analyzed are limited to the six candidate sites in the AFSC proposal; there will be no "grandfathering-in" of additional sites. Further, the Council will be able to select in the entirety or individually from among the six sites and from among the four options for conservation.

HAPCs are geographic sites that fall within the distribution of Essential Fish Habitat (EFH) for the Council's managed species. The Council has a formalized process identified in its Fishery Management Plans for selecting HAPCs that begins with the Council identifying habitat priority types—here, areas of skate egg deposition. Skates are elasmobranch fish that reproduce slowly by depositing eggs in small, distinct areas on the seafloor. Embryo development takes multiple years, during which the eggs, casings, and embryos are highly susceptible to disturbance, damage, or destruction from fishing gear that contacts the seafloor. Fishing activities also disrupt reproducing adult skates and juveniles in these areas. The discussion paper and the AFSC HAPC proposal are available on the web site. Staff contact is Sarah Melton.

## Octopus Management

In October 2010 the Council initiated an analysis to amend the BSAI and/or GOA Groundfish FMPs to revise management of octopus. One alternative would move octopuses to the ecosystem component (EC) category. Another alternative would set discard mortality rates (DMRs) for BSAI and/or GOA octopuses.

A preliminary staff analysis concluded that none of the proposed action alternatives are viable. Octopuses would not qualify for EC management due to their high retention rates in commercial groundfish fisheries. The 2007–2010 average retention rate of incidental catches of octopuses is 70 percent in the BSAI and 97 percent in the GOA. The estimates of DMRs are deemed preliminary by the lead octopus stock assessment author and are not ready for implementation. The author reported that an observer special project provided preliminary estimates of immediate mortality after octopuses were discarded, but that estimates of delayed mortality after discard were lacking. A proposal for this research was submitted to NPRB in December 2010. If funded, work should begin in winter 2012. Results should be available by winter 2013 and incorporated in the 2013 assessment for setting 2014/2015 catch limits.

The Council's revised approach for setting BSAI and GOA annual catch limits for octopus for 2011 and 2012 resulted in a larger buffer between the overfishing level (OFL) and allowable biological catch (ABC). Stock assessment authors are developing estimates (and variances) of total octopus consumed by groundfish for which to base OFLs and ABCs. These estimates may be proposed as a known conservative estimate of the total annual natural mortality (F in tier 5), which would be reviewed by the Groundfish Plan Teams and SSC at their respective August 2011 and October 2011 meetings. If adopted, the authors would use those

estimates to develop OFL and ABC recommendations for 2012 and 2013.

The Council recommended taking no further action at this time to revise management of octopus. The Council continues its interest in improving our understanding of octopus biology for moving its management from tier 6 (average historical catch) to tier 5 (based on natural mortality rates). The Council also requested that AFSC scientists provide a report on progress towards developing DMRs for both octopuses and sharks at the August 2011 Joint Groundfish Plan Team meeting. Jane DiCosimo is the Council contact.

## Staff Tasking

During the staff tasking agenda item, the Council tasked staff to write a few letters and prepare discussion papers on several topics. Letters include: 1) technical comments and a request for an interim policy with enforcement stand-down relative to the new 3-mile state water baseline, 2) a letter of non-support for a CIE review of the Steller sea lion BiOp due to a narrow terms of reference, with support instead for extensive state involvement in a review, and 3) a letter to NOAA stressing the need for Joint Enforcement Agreement funding and highlighting the need to fill NOAA law enforcement staff positions. Discussion papers will be prepared on: 1) potential alternatives to prohibit leasing in the IFQ halibut and sablefish fisheries, 2) impacts of changing the A-season opening date for all GOA cod fisheries and areas, 3) impacts of the new 3-mile State water baseline on fishery regulations and fishing effort redistribution, and 4) a discussion paper on vessel replacement provisions for Bering Sea freezer longliners. Staff contact is David Witherell.

## GOA Trawl Sweep Modification

At its February 2011 meeting, the Council reviewed a discussion paper on GOA trawl sweep modification. The Council initiated an amendment in October 2010 to implement trawl sweep modification for nonpelagic trawl vessels fishing in the Central Gulf of Alaska (e.g., flatfish, Pacific cod, pollock, and rockfish fisheries). The gear modification requires elevating devices to be placed on the trawl sweeps to lift the sweep off the seafloor. A similar gear modification was implemented this year in the Bering Sea. This sweep modification has been demonstrated in the Bering Sea to reduce unobserved mortality of crab. However, unlike the Bering Sea modification, which is limited to flatfish fisheries, the Central GOA modification would have applied to all nonpelagic fisheries. The Council recognized that there were some outstanding questions regarding the research necessary to ensure that that modifications are practicable in the fleet for all nonpelagic target fisheries, and meet the Council's intent to reduce unobserved crab mortality. After reviewing the discussion paper, the Council narrowed the proposed sweep modification action to flatfish fisheries in the Central Gulf of Alaska. In addition, the Council expressed support for the proposed research and testing concerning trawl sweep modifications for the Central Gulf of Alaska flatfish fisheries, which is scheduled for this coming spring and summer. Staff contact is Jon McCracken.

# Bering Sea Chum Bycatch

The Council reviewed a preliminary draft of an EA/RIR for the Bering Sea Non-Chinook (chum) Bycatch Management Measures analysis. The Council received additional reports from staff on preliminary impact analyses that will be folded into the analysis for initial review in June. The Council modified its suite of alternatives to add a rolling hot spot (RHS) program alternative with its own specific closure and exemption provision. This provision had previously been adopted by the Council under a separate triggered closure alternative and was now clarified to represent a stand-alone alternative. The Council modified one of the trigger cap application options to allow for consideration of the timing of western Alaskan chum stocks on the fishing grounds earlier in the season. The Council also adopted a problem statement for the analysis.

The Council has developed an outreach plan for this analysis and Council members, Council staff and NMFS staff will be participating in outreach meetings in rural western Alaska communities in February and March. A summary report of the results of these meetings will be provided to the Council at initial review. The preliminary review draft, modified suite of alternatives and the problem statement adopted by the Council is posted on the Council's website. Initial review of the analysis is scheduled for the June Council meeting in Nome. Staff contact is Diana Stram.

## BSAI Crab Management

At its February 2011 meeting, the Council considered two agenda items concerning the crab rationalization program. The Council received a public review draft of an analysis of modifications to the **community provisions, including rights of first refusal** on processor quota shares (PQS). The amendment package includes four actions. The first would provide additional time for communities to exercise the right and perform under the subject contract. The second action would remove any provisions under which the right would lapse (extending the right indefinitely). The third action would apply the right to PQS exclusively, rather than all assets in a transaction, as is currently the case. The fourth action would prohibit a PQS holder from using the yielded IPQ outside of the community benefiting from the right of first refusal without the consent of that community. This action would be intended to offer greater protection to the communities that can be generated by a right of first refusal. The Council elected to delay further action on this amendment to allow stakeholders to work together to develop solutions to address potential losses of crab processing that are acceptable to PQS holders, holders of rights of first refusals, and communities. The Council will consider suggestions of stakeholders to further this action.

The Council also considered an initial review analysis of an amendment to change the **cooperative, IFQ, and IPQ application deadline** from August 1<sup>st</sup> to June 15<sup>th</sup>. The change would be intended to increase the likelihood that any dispute concerning an application could be resolved prior to issuance of IFQ and IPQ. In the event a dispute is not resolved, IFQ or IPQ must be set aside for issuance to the applicant, in the event the applicant prevails in the dispute. The action would also shorten the timeline for appealing any initial determination concerning an application from 60 days to 30 days. Lastly, the action also includes a provision that an applicant who presents a copy of proof of timely filing would be presumed to have applied in a timely manner. This last change is intended to serve as a reminder to applicants that maintaining a copy can ensure that their interests are protected, should an application be lost in delivery. Staff contact is Mark Fina.

## Amendment 80 Program

At the February meeting, the Council addressed three Amendment 80 issues. The first issue the Council addressed was a review of a discussion paper on Amendment 80 vessels and their replacement vessels on GOA sideboards. At the June 2010 meeting, the Council tasked staff to bring back a discussion paper on the potential impacts of Amendment 80 vessels (and their replacement vessels) on GOA flatfish fisheries and West Yakutat and Western GOA rockfish fisheries. After reviewing the discussion paper, the Council decided to take no further action at this time.

The second Amendment 80 issue the Council addressed was final action to remove the retention standard from the GRS program. The Council selected Alternative 2, which would remove the groundfish retention standard requirements from Federal regulations. The alternative includes a requirement that the Amendment 80 sector would report to the Council, on an annual basis, the sector's groundfish retention performance. The Council clarified that a third party audit of the sector's annual groundfish retention performance will be included in the annual Council report. The Council's recommended action would allow the Amendment 80 sector to internally monitor and administer its groundfish retention to meet the Council's retention goals described in Amendment 79.

The third and final Amendment 80 issue the Council addressed at this meeting was a report on the flexibility of using non-specified reserves for the flatfish fisheries in the Bering Sea and Aleutian Islands by the Amendment 80 sector. The paper examined a possible method for providing Amendment 80 cooperatives with additional harvest opportunities for flathead sole, rock sole, and yellowfin sole without increasing the total allowable catch assigned to those species. After reviewing the report, the Council requested an expanded discussion paper to address legal, practical, and policy implications of the proposed action, including consultation with NOAA General Counsel, In-season Management, and stock assessment scientists. The Council also requested the expanded discussion paper include possible impacts on prohibited species bycatch, and examine the possibility of including the CDQ sector. Staff contact is Jon McCracken.

# BSAI Pacific Cod Split

In February, the Council reviewed a discussion paper on the management implications of establishing separate Pacific cod sector allocations in the Bering Sea and Aleutian Islands areas, should the BSAI ABC and TAC be split into separate areas in a future harvest specifications process. Currently, Pacific cod is managed on a BSAI-wide basis, and there are nine separate industry sector allocations established to divide the TAC, in addition to the CDQ Program allocation. The paper reviewed relevant background information, including the 2011 Steller sea lion mitigation measures that are projected to substantially reduce Pacific cod harvests in the AI, and evaluated the existing problem statement and suite of alternatives. In addition, the Council reviewed the most recent cod biomass estimates from the 2010 SAFE, which indicate that the proportion of the combined BSAI biomass that the AI represents is smaller than previously estimated (i.e., 9% versus the previous estimate of 16%). Some Council members were concerned with the change in the biomass estimate, citing a revision to the assessment method in 2010 and a single new data point (i.e., the 2010 AI trawl survey). The Council was made aware that a CIE review of the BSAI (and GOA) cod assessment will take place in March, which may have implications for the assessment model in the future. The Council also recognized the dynamic nature of the AI cod fishery and the difficulty in predicting the likely outcomes of a TAC split, given that 1) all gear sectors have varied the proportion of their total cod harvest they take from the AI over time; 2) SSL protection measures reduce a large portion of the fishable area in the AI; and 3) it is unknown how sectors will change their fishing patterns and redeploy in response to the SSL protection measures.

The Council noted that Alternatives 3 and 4, which establish separate BS and AI allocations to each sector, are not viable management alternatives, potentially creating significant winners and losers and increasing the potential for some sectors' allocations to become inaccessible. In addition, Alternative 3 increases the prospect of triggering another ESA consultation on SSL, due to the area-specific harvest limitations in the current

mitigation measures. The Council also recognized that Alternative 3 had previously been identified as NMFS's default alternative several years ago, in that the agency could consider moving forward with regulations to enact this alternative, among others, absent Council action to recommend an explicit alternative in the event a TAC split is approved.

Upon review, the Council approved initiating a formal analysis for review, and removed Alternatives 3 and 4 from further analysis. Thus, the analysis will evaluate the impacts of Alternative 1 (status quo) and Alternative 2 from the discussion paper. Should a TAC split occur, Alternative 2 would maintain each sector's BSAI Pacific cod allocation; sectors would not receive separate allocations in the BS and AI. Each sector could fish in the BS and/or AI, as long as TAC was available and the area was open to directed cod fishing. The Council noted that it did not intend to force a conservation decision on this issue at a particular time, but that the intent was to have a clear default position, should a TAC split be determined necessary in the future. Alternative 2 appears to allow the greatest flexibility to each sector to determine where and when to fish, relative to the other alternatives. It was noted that this flexibility will be necessary should the Council undertake the development of new SSL protection measures to replace the existing measures. The Council's decision was influenced by the SSC review, which recommended that the Pacific cod stock assessment author and Plan Team develop a plan of action to determine how the BSAI cod assessment should evolve, and that there did not appear to be a pressing conservation need relative to the AI Pacific cod population at this time. Review of the initial review draft analysis is scheduled for the October 2011 Council meeting. Staff contacts are Nicole Kimball and Jon McCracken.

## Sablefish recruitment paper

The Council reviewed a discussion paper on factors affecting sablefish recruitment in Alaska, which was prepared by the Alaska Fisheries Science Center. The Council's request for the discussion paper originated from the 2010 EFH 5-year review, where a recommendation was made by the groundfish Plan Teams to consider establishing measures to conserve EFH from fishing threats to sablefish recruitment. The discussion paper concludes, however, that specific conservation measures for juvenile sablefish are currently premature given ongoing research about the relationship between habitat and recruitment.

The paper, and the Plan Teams, continue to affirm that small research closures in areas that are intensively fished are a useful tool to understand the effects of fishing in a multispecies context, especially on benthic habitat. The Council encourages the AFSC to provide a specific research proposal with a rationale and suggested methodology and locations for this type of work. Staff contact is Diana Evans.

## Upcoming Meetings

### NPFMC Crab Modeling workshop:

February 16-18, 2011  
AFSC Seattle

### Scallop Plan Team:

March 7-8, Anchorage

### Pacific cod CIE review:

March 14-18, AFSC Seattle

### Observer Advisory Committee:

Week of March 21<sup>st</sup>  
Exact date & location TBD

### Crab Plan Team:

May 9-13, Juneau

### Pacific cod modeling

teleconference: May 2011

### Groundfish Plan Team

Meetings: AFSC, Seattle  
Aug 29 – Sept 2, 2011  
November 14 -18, 2011

## NBSRA Research Plan

The Council received notice of the NBSRA Research Plan Science Workshop, which was convened at the Alaska Marine Science Symposium in January 2011. The workshop was hosted by the Alaska Fisheries Science Center. The goal of the workshop was to gather information from scientists and local communities on what areas and species within the NBSRA warrant protection under this plan. More than sixty people attended, representing state and federal agencies, non-government organizations, academia, native corporations, and the fishing industry. Presentations and a summary of the workshop are available on the Council website. The Council will be receiving a progress report on the development of the research plan at the June 2011 Council meeting. Staff contact is Diana Evans.

## EFH Omnibus Amendments

The EFH omnibus amendments implement technical changes to EFH descriptions in the Council's FMPs, which were identified during the 2010 EFH 5-year review. At this meeting, the Council reviewed the analysis and released it for public review with some revisions. The Council adopted a problem statement and removed Action 5 from the amendment package, which dealt with minor housekeeping changes to EFH provisions in the Salmon FMP. NMFS is currently peer reviewing a methodology to comprehensively refine EFH descriptions for salmon species, which will be ready for Council consideration within the year. The Council opted to postpone the housekeeping changes in favor of comprehensively revising salmon EFH descriptions once the new methodology is ready for use.

With respect to the revisions to EFH conservation recommendations for non-fishing activity impacts on EFH, the Council noted that there are many interested stakeholders who may be affected by these recommendations, including marine industry groups, but also communities and tribes. The Council asked that the draft recommendations and analysis for public review provide sufficient information to allow the public to understand the likely effect of the revised recommendations on their activities.

The Council also noted that as part of Council action on the EFH 5-year review, a separate discussion paper was initiated to address both potential changes to juvenile red king crab EFH, and the effects of fisheries occurring in southern Bristol Bay on spawning habitat for red king crab. Any action that may result from this discussion paper, currently scheduled for Council review in April 2011, will be moved forward as a trailing amendment to the omnibus package. Staff contact is Diana Evans.



The Council recently published a new brochure "Groundfish Species Profiles", which provides a summary of the biology, catch history, fishery, and stock assessment of the groundfish species managed by the Council. The brochure is posted on the Council website, and paper copies are available upon request.

## Electronic Monitoring and Observer Program

The Council reviewed a white paper developed by NMFS summarizing previous work evaluating the potential use of electronic monitoring (EM) in Alaska commercial fisheries, specifically the use of video cameras. The paper also provided an update on the required use of EM in the Amendment 80 (flatfish and Pacific cod) and Amendment 91 (Bering Sea pollock) fisheries, in which EM is used as a compliance tool to monitor for the pre-sorting of bycatch. While there are no operational EM systems in place in Alaska that routinely extract information from video for science or management, the paper identified potential candidate applications for EM, as well as summarized progress on automated data analysis (in order to provide near real-time data for inseason management). One possible application of EM identified is on the small boat longline fleet, in which video could be used as an alternative to an observer. The report and Council members emphasized the need to identify the data collection and monitoring objectives of a particular fishery or fisheries, then consider whether EM is a feasible tool. The Council asked questions about the comparative costs and data time lags experienced in various EM pilot studies, whether EM could potentially be useful in terms of an auditing system for compliance with discard regulations, and potential next steps for the Observer Advisory Committee (OAC).

During staff tasking, the Council approved an OAC meeting prior to the April Council meeting, and provided direction on the agenda. The committee will receive updates on the regulatory package for the observer restructuring action approved last October, but the primary task will be to discuss development of an EM design for the 40' – 60' longline fleet as a potential alternative to meet the requirements of the restructured observer program. It was also noted that the applicability to other <60' sectors should be discussed, specifically the GOA pollock trawl sector. It is likely that other overarching EM issues would be discussed for all sectors. The intent remains to have a restructured observer program implemented in 2013, with an integrated EM component, if possible. The EM white paper reviewed by the Council is on the Council website, and the OAC agenda will be posted shortly. Staff contact is Nicole Kimball.



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# SSL Biological Opinion and RPA

In February, the Council received an overview of the next steps in the process for implementing the management measures in the final Steller Sea Lion Biological Opinion. The National Marine Fisheries Service published an interim final rule on December 13, 2010, which implements the new Steller sea lion protection measures delineated in the RPA. The interim final rule is effective as of January 1, 2011. Several minor editorial corrections to the text and tables in the interim rule were published on December 29, 2010. In addition, NMFS extended the original 30-day public comment period by 45 days. The public comment period now closes on February 28, 2011. There is no specific timeline to replace the interim rule with a final rule, and no sunset date for the interim rule, but NMFS indicated that the agency intends to implement a final rule

after public comments have been reviewed. The final BiOp, EA/RIR, interim final rule, and other supporting documents are available on the NMFS website.

To date, there have been three legal challenges to the new management measures, including lawsuits filed by the State of Alaska, Alaska Seafood Cooperative, and Freezer Longline Coalition. In addition, on January 19, 2011, the Alaska Board of Fisheries adopted an emergency regulation to open the A season Pacific cod parallel water fishery near Adak to vessels up to 60 ft in length fishing with trawl, pot, jig, and hand troll gear and to vessels up to 58 ft in length fishing with longline gear. The emergency regulation is effective for up to 120 days. The Board will consider a proposal for the Adak area A and B season parallel waters Pacific cod fishery at its March 22-26, 2011 meeting in Anchorage which could extend the emergency regulation. In February, NMFS indicated that it will consider the effects of the action taken by the Board of Fisheries on Steller sea lions in the context of the current

Biological Opinion, and that the agency's response will depend on the level of participation in the fishery as well as other factors.

Finally, NMFS again indicated that an independent review of the BiOp will be conducted by the Center for Independent Experts (CIE) in 2011 unless the Council specifically requests a different review process. The agency provided the Council with the revised CIE Terms of Reference and a preliminary timeline for the review. The Council reiterated that it is not interested in a CIE review at this time, because the Terms of Reference remain narrowly focused, and resources could be better applied to a scientific review that can be used to develop alternative management measures as part of a future consultation process. The Council indicated that it supports a peer review process that includes extensive State involvement, and suggested that NMFS consider participating in the scientific review recently initiated by the States of Alaska and Washington. Staff contact is Jeannie Heltzel.

## Proposals for Pacific cod Models

Following a recommendation from its SSC in December 2009, proposals from the public for models may be considered for inclusion in the BSAI and GOA Pacific cod stock assessments. Model proposals may be as brief or as detailed as the proposers would like to make them. Proposals are to be submitted to Dr. Grant Thompson (AFSC - Seattle) by April 22, 2011. These proposals will be collated by Dr. Thompson and circulated to the Groundfish Plan Teams for a two week review period. The Teams will convene via teleconference/web in May (date TBA) to review proposals from the public, as well as previous requests for model runs from the Groundfish Plan Teams and SSC.

The purpose of the meeting is for the Plan Teams to provide their recommendations to the author and SSC; the agenda and opportunities for public participation will be structured to facilitate Plan Team discussions. The meeting will be open to the public and proposers will be permitted to summarize their proposals. Late proposals from the public will NOT be reviewed by the Plan Teams. The SSC will review all proposals and recommendations from the author and Plan Teams in June 2011 and provide direction to Dr. Thompson for which models to include in the stock assessments for Plan team review in August 2011 and SSC review in October 2010. Contact Jane DiCosimo or Dr. Thompson for more information.

**DRAFT NPFMC THREE-MEETING OUTLOOK - updated 2/14/11**

March 28 -, 2011 Anchorage, AK	June 6 -, 2011 Nome, AK	September 26 -, 2011 Unalaska, AK
<p>SSL Issues: <b>Discuss as necessary (T)</b> AFA Coop Report and Am 80 Coop Report State 3 mile line: <b>Discussion paper (T)</b></p> <p>Salmon FMP: <b>Preliminary Review (T)</b> GOA Chinook Salmon Bycatch: <b>Initial Review</b></p> <p>Charter trip definition: <b>Status report</b> Halibut/Sablefish Hired Skipper: <b>Final Action</b> GOA Halibut PSC: <b>Review Discussion Paper</b></p> <p>GOA P.Cod Jig Fishery Management: <b>Initial/Final Action (T)</b></p> <p>Observer Advisory Committee: <b>Report and action as nec.</b> AFA Impacts on BS cod trawlers: <b>Discussion paper (T)</b></p> <p>BSAI Crab IFQ/IPQ Deadline: <b>Final Action</b> Economic Data Collection (Crab EDR): <b>Review Alts</b></p> <p>BSAI Crab modelling workshop report (SSC Only) Pribilof BKC Rebuilding Plan: <b>Final Action</b> BS Tanner Crab Rebuilding: <b>Finalize Alternatives</b> BBRKC spawning area/fishing effects: <b>Discussion paper</b></p> <p>Scallop SAFE: <b>Review and approve catch specifications</b></p> <p>Halibut ramp EFP Report: <b>Receive report</b> Salmon excluder EFP: <b>Review/Approve</b></p> <p>EFH Amendment: <b>Final Action</b></p>	<p>P. cod assessment model review (SSC only) Groundfish uncertainty/Total catch accounting: Disc paper (SSC only)</p> <p>BSAI Chum Salmon Bycatch: <b>Initial Review</b> GOA Chinook Salmon Bycatch: <b>Final Action</b></p> <p>BSAI Crab draft SAFE: <b>Review and approve catch specifications for Norton Sound RKC and AI GKC</b></p> <p>Habitat Conservation Area Boundary: <b>Review</b> Northern Bering Sea Research Plan Report: <b>Review</b></p> <p>CQE vessel use caps: <b>Initial Review (T)</b> CQE in Area 4B: <b>Initial Review (T)</b></p> <p>Halibut mortality on trawlers EFP: <b>Review/Approve (T)</b></p>	<p>GOA Pacific cod A-season opening dates: <b>Discussion paper (T)</b></p> <p>BSAI Chum Salmon Bycatch: <b>Final Action (T)</b></p> <p>Halibut/sablefish IFQ changes: <b>Discussion paper</b> Halibut/Sablefish IFQ Leasing prohibition: <b>Discussion paper</b> GOA Halibut PSC: <b>Initial Review (T)</b></p> <p>BS &amp; AI P.cod split: <b>Initial Review</b></p> <p>GOA Flatfish Trawl Sweep Modifications: <b>Initial Review</b> Freezer longliner vessel replacement: <b>Discussion paper (T)</b></p> <p>Groundfish PSEIS: <b>Discuss schedule (T)</b></p> <p>BSAI Crab: <b>Report from stakeholders on ROFR (T)</b> BSAI Crab SAFE: <b>Approve catch specifications</b> HAPC - Skates sites: <b>Initial Review</b> MPA Nomination Discussion Paper: <b>Review (T)</b></p> <p>Groundfish Preliminary SAFE: <b>Adopt proposed specifications</b></p> <p><b>ITEMS BELOW FOR FUTURE MEETINGS</b></p> <p>BSAI Tanner Crab rebuilding plan: Initial Review (Dec?) Crab bycatch limits in BSAI groundfish fisheries (Dec?) BSAI Flatfish specification flexibility Grenadiers and EC Category: Discussion paper AI P.cod Processing Sideboards: Initial Review</p>

ACL - Annual Catch Limit  
AI - Aleutian Islands  
GOA - Gulf of Alaska  
SSL - Steller Sea Lion  
BKC - Blue King Crab  
BOF - Board of Fisheries  
FEP - Fishery Ecosystem Plan  
CDQ - Community Development Quota  
VMS - Vessel Monitoring System  
EFP - Exempted Fishing Permit  
BiOp - Biological Opinion  
GKC - Golden King Crab  
MRA - Maximum Retainable Allowance

PSC - Prohibited Species Catch  
TAC - Total Allowable Catch  
BSAI - Bering Sea and Aleutian Islands  
IFQ - Individual Fishing Quota  
ROFR - Right of First Refusal  
GHL - Guideline Harvest Level  
EIS - Environmental Impact Statement  
LLP - License Limitation Program  
SAFE - Stock Assessment and Fishery Evaluation  
MPA - Marine Protected Area  
EFH - Essential Fish Habitat  
RKC - Red King Crab  
HAPC - Habitat Areas of Particular Concern

**Future Meeting Dates and Locations**

*March 28-April 5, 2011-Anchorage*  
*June 6 -, 2011 - Nome*  
*September 26 -, 2011 in Unalaska*  
*December 5 -, 2011 in Anchorage*  
*January 30- Feb 7 2012 - Reannnaissance Hotel, Seattle*  
*March 26-April 3, 2012 Hilton Hotel - Alaska*  
*June 4 - June 12, 2012 Kodiak Best Western*  
*October 1-Oct 9, 2012 - Hilton Hotel, Anchorage*  
*December 3 - Dec 11, 2012 - Anchorage*

**(T) Tentatively scheduled**