

North Pacific Fishery Management Council

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FINAL

ADVISORY PANEL MINUTES North Pacific Fishery Management Council March 31-April 5, Anchorage Hilton Hotel, Anchorage, Alaska

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

Joe Childers
Mark Cooper
Craig Cross
John Crowley
Julianne Curry
Tom Enlow
Bob Gunderson

John Henderschedt
Jan Jacobs
Bob Jacobson
Simon Kinneen
Chuck McCallum
Mike Martin
Matt Moir

John Moller
Rex Murphy
Ed Poulsen
Michelle Ridgway
Beth Stewart
Lori Swanson

The AP unanimously approved its minutes from the February 2008 meeting.

C-2 Crab Management

- (a) Crab Advisory Committee Minutes
- (b) Refine problem statement and elements and options for the analysis of 90/10 A share/B share modifications

The AP recommends the following problem statement and elements and options:

The Bering Sea Crab Rationalization program was designed by the Council and authorized by Congress to recognize the prior economic interests and importance of the partnership between harvesters, processors and communities. The program was developed at a time that harvesting and processing capacity had expanded to accommodate highly abbreviated seasons, and significant portions of that capacity operated in an economically inefficient manner or were idle between seasons.

There have been continuing philosophical differences concerning the Program, but there have also been a number of targeted amendments to improve the Program. Recently, the Council, industry and crab-dependent communities have come to recognize that additional targeted amendments concerning Western AIGKC, community ROFR, and Emergency Relief from Landings requirements may be required to address the following specific problems:

1. Under-utilization of west-designated WAIGKC. A significant portion of the west designated WAIGKC TAC was left in the water during the 2006/7 season. It is not known if the Council's recent action to create a custom processing use cap exemption for this fishery will be sufficient to solve this problem. Given the potential impact on all participants, the Council has determined that this problem requires additional analysis.
2. Community ROFRs may be inadequate for long-term community protection. The Council has heard from several crab-dependent communities that the current ROFR regulations may be inadequate for long-term community protection under some circumstances. The Council's intent in establishing Community ROFRs was

to insure that the PQS earned in a region created long-term benefits for that region, and that community ROFRs provided each community in that region with an adequate opportunity to acquire specific PQS if faced with the prospect that the PQS would move to another community within the region through a sales transaction. Communities have also indicated that they are unable to make their ROFR rights effective due to the lack of funding and because a ROFR may involve processing company's entire holdings and assets in a particular region which may be financially beyond the capacity and interest of a community to undertake, as the community is only interested in the processor holdings within the community boundaries. The current ROFR regulations allow for the expiration of the ROFR under certain circumstances. The Council has determined that this problem requires additional analysis.

3. Unexpected events may require some relief from regionalization and other landings requirements. Recent ice events, a processing platform fire and an oil spill have all raised the possibility of temporary emergencies, natural or man-made, preventing delivery and/or processing in certain communities or regions. The challenge is to protect the balance of the program – including the investments of crab-dependent communities – while providing flexibility to industry during extraordinary events. The Council has determined that this problem requires additional analysis.

Elements and Options

Western AIGKC

1. WAG king crab options

1.1 Status Quo

1.2 Convert IFQ A shares to B shares

Suboption 1. with compensation to PQS holders

Suboption 2. without compensation to PQS holders

1.3 Convert West Designated IFQ A shares to B shares

Suboption 1. with compensation to PQS holders

Suboption 2. without compensation to PQS holders

Sub option: new B shares retain west area designation using landing requirements defined under the Custom Processing Amendment

Sub option: new B shares have no regional designation

1.4 Reallocation of PQS among other PQS holders if not utilized 3 years out of 5 years

1.5 Reallocation of PQS, CP, and CPO shares to more adequately address community concerns and processing investment

Suboption 1. with compensation to PQS holders

Suboption 2. without compensation to PQS holders

Community ROFRs

1. Status Quo

2. Establish a new ROFR with a starting date of October 1, 2009

Community entity has more than 60 days and 120 days but no more than 90 and 150 days, respectively, to indicate interest and to finalize agreement

A loan program is to be established to be administered by the Secretary to allow communities to exercise their ROFRs

Emergency Relief from Landings Requirements:

The AP would request the Crab Committee be tasked with developing elements and options for Emergency relief for the June Council meeting.

Motion passed 19/1.

The AP concurs with the industry and public review process for EDR meta data recommended by PNCIAC and outlined in its testimony and recommends the following:

1. That, consistent with Council direction, a public meeting between PNCIAC and staff be convened upon completion of the draft metadata table, to inform PNCIAC and other industry members about the draft table, underlying assumptions and related audit results;
2. That immediately following that meeting, a public review and comment period of no less than 45 days be established to provide feedback to staff;
3. That the staff evaluate the comments and recommendations provided by PNCIAC and the public, and incorporate those comments and recommendations where appropriate as a “second draft” to the metadata table;
4. That upon completion of the second draft, PNCIAC will organize a public meeting for a staff presentation of the revised metadata table;
5. It is anticipated that final comments and recommendations resulting from this process will be provided to the Council by PNCIAC after the presentation of the second draft.

Motion passed 18/0.

C-2 (c) Immunity for arbitrators

The AP recommends the Council adopt as a preferred alternative a regulatory provision that explicitly provides arbitration administrators with the authority to establish procedures and make administrative decisions concerning the arbitration program, provided those actions are not inconsistent with any other requirement contained in the regulations. The Council would remove any uncertainty concerning the scope of authority granted these administrators. By clarifying that authority, the provision would strengthen any argument that any common law or other immunity should be extended to any acts taken to administer the arbitration program (including the development of arbitration procedures).

The AP believes that immunity for arbitrators and arbitrator administrators is important but may be beyond the scope of authority of the Council.

C-2 (d) Crab arbitration

The AP recommends the Council select the following as preferred alternatives:

Revising market reports and non-binding price formulas: Alternative 2
Modifying the timeline for GKK market report and formula: Alternative 2
Addressing staleness of market reports: Alternative 2

Motion passed 18/0.

C-2 (e) Crab Management C share acquisition and holdings

The AP recommends the Council adopt the following as its preferred alternative:

Alternative 1 (Status quo)

Alternative 2 (may be adopted with alternative 3)

For a period of ~~5 or 7~~ **4 years** from the implementation of **this amendment** ~~the program~~, C shares can also be acquired by an individual who:

- 1) is a U.S. citizen,
- 2) has at least 150 days of sea time as part of a harvesting crew in any U.S. commercial fishery (historic participation), and
- 3) received an initial allocation of C shares.

Alternative 3 (may be adopted with alternative 2)

For a period of ~~5 or 7~~ **4 years** from the implementation of **this amendment** ~~the program~~, C shares can also be acquired by an individual who:

- 1) is a U.S. citizen,
- 2) has at least 150 days of sea time as part of a harvesting crew in any U.S. commercial fishery (historic participation), and
- 3) demonstrates participation in the BSAI rationalized crab fisheries during
 - i. 3 of the 5 seasons, or
 - ii. ~~2 of the 3 seasons,~~immediately preceding implementation of the rationalization program.

Alternatives for revision of active participation requirements for C share holders:

Alternative 1 (Status quo)

Alternative 2 (may be adopted with alternative 3)

To receive an annual allocation of IFQ, a C share holder must:

have participated in at least one delivery in a fishery subject to the crab rationalization program in the 3 seasons (i.e., crab fishing years) preceding the application for IFQ.

Suboption: have received an initial allocation of C shares and participated in 30 days of State of Alaska or Alaska Federal fisheries in the 3 seasons (i.e., crab fishing years) preceding the application for IFQ.

No IFQ will be withheld until 3 years after implementation of this amendment.

Suboption: Establish a mechanism for the annual allocation of C share IFQ to ensure that the portion of the TAC available to active C share holders is equivalent to the C share portion of the fishery as established by the Council (currently 3 percent).

Alternative 3 (may be adopted with alternative 2)

A C share holder who does not meet one of the following active participation criteria will have all C share QS holdings revoked:

The person must have participated in at least one delivery in one of the rationalized crab fisheries in the preceding **5 years seasons** (i.e., crab fishing years).

Suboption: The person must have received an initial allocation of C share QS and have participated in 30 days of fishing in State of Alaska or Alaska federal fisheries in the preceding **5 years seasons** (i.e.; crab fishing years).

~~This provision will not require individuals to divest of Quota Share until 5-10 seasons after implementation of the crab program.~~

No QS will be revoked before 5 years from implementation of this amendment.

Suboption: Persons who received an initial allocation of C share QS and are 60 years of age or older on the date of implementation of this amendment are exempt from active participation requirements. This exemption is limited to initially issued QS (i.e., not purchased QS).

No prohibition of leasing C shares will apply.

And add to the purpose and needs statement: **C share holders who received an initial allocation who are 60 years and older at the time of implementation should be exempt from active participation requirements to ensure that they receive the intended benefit of that allocation.**

Motion passed 18/0.

C-1 (f) Cooling off period and ROFR for St. George

The AP recommends the Council delay action until the October Council meeting. *Motion passed 19/1.*

A motion to adopt Alternative 2 failed 8/12.

The minority believes the Council should take action to adopt Alternative 2 at this meeting for the following reasons:

- 1. Community protections were, and remain, an important and integral part of the crab rationalization program. An act of God prevented the community of St. George from realizing the benefits of the Council's original community protection provisions. The damaged harbor is scheduled to be repaired to its pre-2004 storm status by early this summer. Nearly 8 million in federal funds will have been spent to repair the harbor. To maintain the credibility of its commitment to crab dependent communities, the Council should reinstate the two year cooling off period and ROFR for St. George.*
- 2. There is nothing of substance to be gained by delaying action until October. The Appeal decision will not clarify anything since it will simply determine whether or not the 2007 decision by RAM was correct. That decision will not result in the affected PQS being processed in St. George.*
- 3. In the final analysis this is about the community of St. George, its residents, and their future. The AP received testimony from the former mayor of St. George and a local resident who represents the community's fishermen. They explained how important crab was and remains to their community. It was not their fault a storm damaged their harbor. It was not their decision to sell the processing vessel that is too large to fit in the harbor. And it was not their decision to tie shallow draft crab vessels with crab IFQ to the dock in Seattle and lease the quota out to deeper draft vessels. St. George deserves to have its chance to once again be an operating crab dependent community. It may well determine their future as a community and, in our opinion it is a matter of credibility for this program.*

Signed: Craig Cross, John Moller, Chuck McCallum, Rex Murphy, Simon Kinneen, and Michelle Ridgway

C-3 GOA Sideboards for BSAI Crab vessels

The AP recommends the Council release the analysis for public review with the following modifications:

2.4 Raise the threshold from < 500,000 lbs to < 750,000 lbs

For parts I and II, the AP recommends the Council clarify that it does not intend to disqualify any currently exempt vessels or licenses based on this action.

Additionally, for Part III, for the purposes of clarification, include that the intent of the action is to address National Standard 1 and more fully utilize cod TAC in the GOA but not impact non-crab qualified vessels dependent on GOA cod harvest. NMFS may relax the B season sideboard restriction after November 1st if sufficient quota exist and the fishery will not close prematurely, impacting non-crab qualified vessels.

Remove Option 2.1, suboption 2.1.1 suboption 2.2.1 into a separate category "Options reviewed but not considered."

Motion passed 17/0.

C-4 LLP Trawl Recency

The AP recommends the following as the preferred alternative for final action on the trawl recency amendment package:

Choice of Alternatives (from page 14 of the analysis):

Alternative 1. No Action

Alternative 2. Remove the subarea (BS, AI, WG, and / or CG) endorsements on trawl LLPs unless the license meets a minimum landing threshold in the overall management area (BSAI or GOA).

****Alternative 3. Remove the subarea (BS, AI, WG, and / or CG) endorsements on trawl LLPs unless the license meets a minimum landing threshold in the specified subarea.***

Choose Alternative 3

Choice of Components (from page 15 & 16 of the analysis):

Component 1 (landing threshold):

Option 1. One groundfish landing during 2000 – 2005

Option 2. Two groundfish landing during 2000 – 2005

****Option 3. [One or two] groundfish landing during 2000 – 2006***

Suboption: Apply opt 3 only to BSAI endorsements

Choose Option 3 – Two groundfish landings during 2000 – 2006

Adopt staff clarification of text for component 1 option 5 (see page 28 of the analysis – noted below with underline added text and strike through as deleted text)

A motion to include Option 4 with a 200MT landing requirement failed 6/9/1.

****Option 5. (applicable only under Alternative 3)***

One can also ~~In order to~~ retain both GOA subarea endorsements if significant landings ~~must~~ have been made in one of the management areas (e.g. WG or CG). The trawl CV LLP must meet the landing criteria selected (Option 1, 2, or 3 above) for a specific subarea (e.g., WG), plus the license must have participation in the same either subarea (e.g. WG ~~or CG~~) in 2005 or 2006 or 2007 of at least:

****Suboption 1: 20 landings***

Suboption 2: 30 landings

Suboption 3: 40 landings

Choose Option 5 – Suboption 1: 20 landings

Component 2 (stacked LLPs)

****Provision: Groundfish harvest history is credited to each LLP stacked on a single vessel at the time of the landing.***

Suboption: At the time of implementation, stacked LLPs will remain linked and cannot be severed back into separate LLPs.

Accept provision do not choose Suboption.

In future actions, particularly those involving allocations, the Council may credit catch to a single license in cases in which multiple licenses are stacked on a vessel.”

Component 4 (Adding new AI endorsements to trawl LLPs)

***Option 1. Award AI endorsements to non-AFA trawl CV <60' MLOA licenses if they meet the landing thresholds in the AI parallel P. cod fishery during 2000-2006 of at least:**

Suboption 1: 50 MT

Suboption 2: 250 MT

***Suboption 3: 500 MT**

Choose Option 1 – Suboption 3: 500 MT

***Component 4, Option 2 Award AI endorsements to non-AFA trawl CV ≥60' MLOA LLPs if they have at least one landing in the AI parallel groundfish fishery or AI State water P.cod fishery in 2000–2006, and [500 mt or 1,000 mt] in the BSAI P.cod fishery in 2000–2006.**

Choose Option 2 - with 1000 MT landing requirement. These endorsements should not be severable.

***Option 3. Aleutian Islands endorsements issued under Component 4, option 1, shall be severable and transferable. The AI area trawl endorsements can only be transferred to a non-AFA trawl CV LLP with a trawl CV designation and an MLOA of <60'.**

Choose Option 3

Motion passed 14/1/1.

Additionally, the AP recommends that Components 1 and 4 move forward for rulemaking on separate but equal rulemaking tracks. *Motion passed 13/2/1.*

C-5 Observer Program

The AP recommends the Council take final action and adopt the following as its preferred alternative:

Issue 1: Alternative 2

Issue 2: Alternative 2, Option 1. (72 hours) Additionally, the AP recommends removing the words “allegations or” in Issue 2, Alternative 2, Option 1. *Motion passed 16/0.*

Issue 3: Alternative 2

Issue 4: Alternative 2, Option 1

Issue 5: Alternative 4, Option 1, and revise the language in Option 1 to read “limit the submittal of economic data every third year and limit access to these data to agency staff.”

Issue 6: Alternative 1

Issue 7: Alternative 2

Motion passed 16/0

Further, the AP recommends the Council consider the additional recommendations at the top of the March 2008 OAC report on page 2. *Motion passed 17/0.*

C-6 Charter Halibut

The AP recommends the Council advance for Public Review the 2C 3A Catch sharing plan with the following changes:

Add the following text:

The commercial fleet supports tight leasing constraints in order to minimize disruption to their sector and not open up a leasing loophole. They are concerned about the 1500 pound level allowing for perpetual leasing instead of active participation in the IFQ fishery. The 10% leasing of individual quota holding limitation doesn't make sense from a business perspective. The average quota share holding in 3A is about 8,000 pounds;

in SE it's between 3,500-5,000 pounds. The 1500 pounds was an attempt to balance out how many different people a charter operator would have to go to in order to secure a couple thousand pounds to augment their charter harvest. What about a requirement that IFQ holders would have to fish their quota every few years. 10% was also used because of the IFQ 10% annual rollover provision.

There are number of charter operators that also hold IFQ, usually less than 1,500 pounds. This language was crafted in order to attempt to provide equity between charter operators that already hold QS and those that don't. Commercial fishermen believe charter operators holding QS should be allowed to lease/use all their QS as GAF if they choose because they believe this will make approximately 300,000 pounds of IFQ available to convert to GAF. Community interests also got involved in the discussion. In 2C, so much of the QS is in such small blocks that a strict 10% limitation would be extremely cumbersome.

Each CQE community is unique and the commercial and sport charter sector has a different relative importance in each community. Each CQE, which must purchase any quota which it holds, should have maximum flexibility to lease the quota to residents who are either commercial or sport charter fishermen.

Change Element 2. Annual regulatory cycle, as noted:

The initial charter allocation would be a common harvest pool for all charter limited entry permit holders. It would not close the fishery when the charter allocation is exceeded. Instead, the allocation would be linked to an annual regulatory analysis of management measures (delayed feedback loop) that take into account the projected CEY for the following year and any overages by the charter industry in the past year(s). This system would work best if there is not a time lag between the overage year and the payback year. The Council will not revisit or readjust the sector split. An allocation overage would trigger the regulatory process automatically, in contrast with current GHL management. Any underages would accrue to the benefit of the halibut biomass and would not be reallocated or paid forward. The **If a floating allocation is selected, the Council assumes (and would request) that the International Pacific Halibut Commission set a combined charter and commercial sector fishery catch limit and would apply the allocations between the two sectors that would be recommended by the Council in a type of catch sharing plan to the combined fishery catch limit. **If a fixed pound allocation is selected, the Council assumes (and would request) that the International Pacific Halibut Commission use the fixed pound allocation as the number for charter halibut removals from Areas 2C and 3A that is included each year in its "Other Removals" deduction from the Total Constant Exploitation Yield (CEY).****

If a mixed fixed/floating allocation is selected, the Council requests analysis of the impacts of treating such allocation the same as the floating allocation or the fixed allocation for purposes of the IPHC formulas, as well as analysis of the impacts of deducting the fixed portion of the allocation from "Other Removals" and the floating portion of the allocation from a combined charter and commercial sector fishery catch limit.

Under Element 5, change as reflected:

E. Conversion of GAF back to commercial sector

1. GAF holders may request NMFS convert unused GAF into IFQ pounds for harvest **by the owner of the Quota Share** in compliance with commercial fishing regulations ~~provided the GAF holder qualifies under the commercial IFQ regulations.~~
2. Unused GAF may revert back to pounds of IFQ ~~at the end of the year~~ and be subject to the underage provisions applicable to their underlying commercial QS =
Option A: automatically on October 1 of each year; or
Option B: upon the request of the GAF holder if such request is made to NMFS in writing prior to October 1 of each year.

Amend Management Objectives as follows:

The Council will evaluate its success in achieving the sport charter sector allocation, and specific needs for predictability, advance notice, and season length each year, and will adjust its management tools as needed. In designing this regime for the sport charter sector the Council recognizes that providing advance notice and predictability may result in a charter harvest that does not precisely meet the sector allocation for that particular year. Therefore, the Council intends to adjust its management measures as needed to ensure that the sport charter sector is held at or below its ~~allocation on average over a rolling five year period~~ **allocation, recognizing that there may be annual overages or underages, so long as such overages or underages do not exceed [5 – 10 percent or agencies to recommend acceptable range]**. In meeting its conservation mandate while accommodating the charter industry's need for predictability and stability, the Council will necessarily err on the side of conservation in the selection of management tools and season length, with the result that the sport charter sector may not be able to harvest its entire allocation.

Motion passed 15/0.

D-1 Bering Sea Salmon Bycatch

The AP recommends the Council include the following elements into the Salmon Bycatch EIS analysis:

I. Modify the problem statement as follows:

An effective approach to salmon prohibited species bycatch reduction in the Bering Sea pollock trawl fishery is needed. Current information suggests these harvests include stocks from Asia, Alaska, Yukon, British Columbia, and lower-48 origin. Chinook salmon are a high-value species extremely important to Western Alaskan village commercial and subsistence fishermen and also provide remote trophy sport fishing opportunities. Other salmon (primarily made up of chum salmon) harvested as bycatch in the Bering Sea pollock trawl fishery also serve an important role in Alaska subsistence fisheries, **recognizing that bycatch levels of this species may be exacerbated by high production of Asian hatchery fish**. However, in response to low salmon runs, the State of Alaska has been forced to close or greatly reduce some commercial, subsistence and sport fisheries in Western Alaska. Reasons for reductions in the number of Chinook salmon returning to spawn in Western Alaska rivers and the Canadian portion of the Yukon River drainage are uncertain, but recent increases Bering Sea bycatch may be a contributing factor.

Conservation concerns acknowledged by the Council during the development of the Salmon Savings Areas have not been resolved. Continually increasing Chinook salmon bycatch indicates the VRHS under the salmon bycatch intercooperative agreement approach is not yet sufficient on its own to stabilize, much less, reduce the total bycatch. Hard caps, area closures, and/or other measures may be needed to reduce salmon bycatch to the ~~maximum~~ extent practicable under National Standard 9 of the MSA. ~~We recognize the MSA requires use of the best scientific information available. The Council intends to develop an adaptive management approach which incorporates new and better information as it becomes available. Salmon bycatch must be reduced to address the Council's concerns for those living in rural areas who depend on local fisheries for their sustenance and livelihood and to contribute towards efforts to reduce bycatch of Yukon River salmon under the U.S./Canada Yukon River Agreement obligations.~~ **At the same time, the Council is aware of the contribution that the Pollock fishery makes in the way of food production, jobs, and economic activities for the country as a whole as well as for the State of Alaska and the coastal communities that participate in the CDQ program; and the need to comply with the goals and objectives of National Standard 1 to achieve optimum yield from the fishery.**

II. Include the following ICA exemption to the suite of alternatives for both Chinook and Chum salmon:

The AFA coops request the North Pacific Fishery Management Council to modify Option B "Exempt those vessels participating in a VRHS from area closures." to read "Exempt those vessels participating in a salmon bycatch management intercooperative agreement (ICA) from closures under Alternatives 2, 3, and 4". The coops request this modification for both Chinook and non-Chinook salmon actions. The purpose for modifying Option B is two fold.

1. To expand the analysis of this option from only reviewing a rolling hot spot program to analysis of a much more extensive intercooperative salmon bycatch agreement that includes the addition of fixed and triggered closure elements in combination with a rolling hot spot program.
2. Allow the Council to consider the Option 2 exemption for a hard cap closure as well as fixed and triggered closures.

The coops have demonstrated through the EFP's used in 2006 and 2007 and in the 2008 A season that the rolling hot-spot program is a very effective tool at reducing bycatch under typical salmon abundance conditions. However, rolling hot spots by themselves reduce bycatch in a relative manner; consequently it is apparent that in years of high Chinook abundance the rolling hot spot program requires additional mechanisms for limiting the total number of Chinook salmon taken as bycatch. The EFP's have also demonstrated that the rolling hot spot program approved under Amendment 84a is very effective at reducing non-Chinook salmon; therefore no additional mechanisms are required.

The coops request the following additional elements be included in the analysis of the Option B ICA:

1. Chinook salmon fixed closure area for the A season (Figure 1.)
2. Triggered Chinook closure areas for the A and B seasons (Figures 2 and 3.)
 - a. The area(s) are designed to cover where 90% of Chinook bycatch has occurred from the years 2000-2007.
 - b. The trigger amounts would be within the range of those currently included in Alternative 3.
 - c. B Season closure area implemented August 15th.

Details for triggered Chinook closure management:

1. The Coops expect that Chinook salmon triggers will be allocated at the coop level. The allocations will be finalized prior to final action on 84b.
2. Trigger amounts would be allocated to the coops seasonally with unused salmon from the first season rolled over to the second season. For analysis, the ICA season split percentages would range from an 80% A & 20% B split to a split based on the historical seasonal bycatch over the years 2000-2007.
3. The ICA would provide for transfer of salmon triggers across management levels in the Agreement.

Finally, a rolling hot spot program would be running throughout the A and B seasons for both Chinook and non-Chinook salmon. Rolling hot spot closures would address the areas of highest bycatch regardless whether those areas are located inside or outside the Triggered Closure Area.

- III. Include two accounting period options (A1 and A2) for Chinook salmon alternatives so that the benefits of both can be clearly described
- IV. Separate A and B season Chinook caps with a rollover provision from season to season. Include two seasonal cap approach as options for both hard cap and triggered area closure alternatives. Seasonal distribution options would be a) 2000-2007 average distributional ratio between A and B season and b) 75% A season and 25% B season.
- V. Include the IC proposed closure area exemption to hard cap as an additional triggered area closure option.
- VI. Include a fixed closure area for chum salmon beginning September 1. Use the smallest triggered closure area option from page 53 for a fixed closure option and ask staff to develop another closure option specifically targeted for the area of highest bycatch after September 1 that is similar in size to the proposed Chinook fixed area option.
- VII. Include a 3 year phased in approach for implementation of a hard cap using 125% of the cap in the first year and 115% of the cap in the second year.

Motion passed 15/3.

Additionally, the AP recommends the Council incorporate staff recommendations in the analysis.
Motion passed 18/0.