

# North Pacific Fishery Management Council

## News and Notes



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## Halibut Charter

At its February 2006 meeting, the Council approved the release of the draft Charter Halibut GHL analysis for final action at its April meeting. First, staff will revise the analysis to include: 1) a new problem statement adopted by the Council; 2) clarification that the Council may select from among the management measures listed in each alternative; 3) enhancement of the economic discussion for all sectors as identified by the Advisory Panel and Scientific and Statistical Committee, as time allows; 4) discussion of the effects of GHL overages on commercial halibut allocations; 5) a 5-year average for calculating charter harvests and effectiveness of proposed management measures; and 6) discussion of a possible request to the International Pacific Halibut Commission to create a separate accountability system for guided sport and commercial harvests of halibut, which would remove the guided sport harvest from the "other removals" line item in the IPHC calculation, and apply the GHL allocation directly to the net CEY of each area. The revised analysis should be available to the public in early March. If adopted, regulations would be implemented intended to reduce charter halibut harvests to the GHL.

The Council reviewed recommendations by the GHL Committee, which convened on February 1, 2006, to review the GHL analysis and develop alternatives to amend the GHL program. The Council incorporated committee recommendations into its action on the GHL analysis and forwarded committee recommendations on the GHL program to the Charter Halibut Stakeholder Committee, as follows:

1. Develop options for implementation of a moratorium on new entrants into the charter halibut fishery with a December 9, 2005 control date and with consideration of communities that may not have mature charter halibut businesses or histories.
2. Develop options to subdivide Area 2C and 3A into sub-regions.
3. Develop options to link the GHL to some measure of abundance as determined by the IPHC for Areas 2C and 3A: a) stair step up to mirror the stair step down currently in regulations; and b) change the GHL to a fixed percentage that floats with abundance.

The Council supported continued exploration by the State of Alaska, NMFS, and the IPHC for legal options for the State of Alaska to manage regulation of methods and means of the guided sport fishery within catch limits set by the IPHC and allocations set by the Council. NOAA General Counsel will report back to the Council at its April meeting.

The Charter Halibut Stakeholder Committee will convene on February 27-28 (Anchorage Hilton) and March 21-22 (Anchorage Hilton) to develop two alternatives for longer term management of the charter halibut fishery (see Council website for December 2005 instructions to the committee). The committee will forward its recommendations at the April Council meeting in Anchorage. The Council may initiate an analysis of the recommended alternatives at that time or task the committee with additional work and receive a second report at the June Council meeting in Kodiak.

A control date of December 9, 2006 was published in the *Federal Register* on February 8, 2006. The control date announces that anyone entering the charter sport fishery for Pacific halibut in and off Alaska after this date will not be assured of future access to that fishery if a management regime that limits the number of participants is developed by the Council and implemented by NOAA Fisheries. Contact Jane DiCosimo for more information on halibut management issues.

## Groundfish Management

The SSC reviewed groundfish, crab, and scallop research priorities as developed by the Groundfish Plan teams and staff. An SSC working group was formed to draft an updated list of research priorities to be considered by the full SSC in April. Final recommendations will be considered by the Council at the same meeting. Contact Jane DiCosimo or Diana Stram for more information.

The SSC reviewed draft stock assessments for Gulf of Alaska sharks, squids, sculpins, octopus, and grenadier and Bering Sea/Aleutian Islands grenadier. These assessments were prepared as source material for the development of analyses to eliminate the "other species" complex and set GOA and BSAI specifications at the group level. The SSC requested revision of these other species assessments for presentation to the plan teams in September 2006 and the SSC in October 2006 for another iteration of review and refinement of status determination criteria (tier designation, OFL, and ABC). Specific comments on the draft assessments can be found in the minutes of the February 2006 SSC meeting. The initial review draft of the analysis in support of proposed plan amendments to separate the complex is scheduled for review later this year. Jane DiCosimo is the Council contact on this issue.

# Improved Retention/ Improved Utilization

The Council reviewed the Amendment 80 EA/RIR/IRFA Public Review draft at this meeting, but did not take final action at this time. Rather, the Council modified some of the components and options of the proposed action and narrowed the focus of the preliminary preferred alternative. Primary modifications to the components are presented below.

1. The Council established two options for allocating BSAI Atka mackerel and Aleutian Islands Pacific Ocean perch by subarea. The first option would allocate these species equally by subarea and the second option would be to allocate these species based on the historical catch in each subarea. The analysis should also include a discussion on the use of an inter-cooperative agreement as a means to address the daily catch restrictions of Atka mackerel in critical habitat.
2. The Council added specific dates for allowing rollovers of PSC between the trawl limited access fishery and the Non-AFA Trawl CP sector. The Council also expanded the rollover option to include rollovers from the Non-AFA Trawl CP sector to the trawl limited access fishery.
3. The Council removed from the Amendment 80 motion the option specifying trawl catcher vessel eligibility. The Council clarified that the eligibility option should be included in the trailing CV eligibility action.
4. The Council added a new option for apportioning PSC to the Non-AFA Trawl CP sector that would allow PSC to fluctuate based on TAC within a ceiling and floor. For halibut, the floor for the Non-AFA Trawl CP sector would be 2,200 mt and the ceiling would be 2,450 mt, while the floor for the trawl limited access fishery would be 950 mt and the ceiling would be 1,200 mt.
5. The Council defined the PSC allowance limits in conjunction with Option 6.3. In general these ranges are halibut 68% - 77%, red king crab 46% - 51%, *C. opilio* 44% - 51%, Zone 1 *C. bairdi* 41% - 47%, and Zone 2 *C. bairdi* 25% to 28%.
6. Finally, the Council made cooperatives formation and within sector distribution of groundfish and PSC limits fishery based on the catch history of sector eligible vessels. The Council also stated that no sector qualified vessel will receive less than 0.5% of the yellowfin sole catch history, 0.5% of the rock sole catch history, and 0.1% of the flathead sole catch history.

The Council stated that the analysis should be updated and released for public review with the intention of taking final action in April 2006. A complete copy of the January 2006 public review draft of Amendment 80 EA/RIR/IRFA and an updated January 2006 Council motion are available on the Council's website. The Public Review draft for the April meeting should be available by mid-March. Staff contact is Jon McCracken.

# Committee Updates

The Council has added a new committee (Charter Halibut Stakeholder Committee), reconstituted a committee (SSL Mitigation Committee), and changed membership on three others (Non-target Species Committee, Observer Committee, and the IFQ Implementation Committee). A list of all the committees and their membership is available our website.

# Crab Arbitration

At its February 2006 meeting, the Council took action to modify the timing of some aspects of the arbitration process under the crab rationalization program for the Bering Sea and Aleutian Islands crab fisheries. Under the crab rationalization program, NMFS issued harvesters quota share (QS) that yield annual individual fishing quota (IFQ), that embody a privilege to harvest a portion of the total allowable catch (TAC). Ninety percent of the IFQ issued are "Class A" IFQ, the harvest from which must be landed with the holder of unused individual processor quota. NMFS issued processor quota share (PQS) to processors that yield individual processing quota (IPQ), that embody a privilege to receive and process a portion of the TAC harvested with Class A IFQ. A one-to-one relationship exists between Class A IFQ and IPQ. The Council included an arbitration system in the program to facilitate the resolution of the terms of delivery (including price) in the event that holders of Class A IFQ and IPQ are unable to negotiate those terms.

Under the arbitration system, after a date certain, harvesters that are not affiliated with a processor through ownership or control linkages (unaffiliated harvesters) would be permitted to unilaterally commit delivery of harvests from Class A IFQ to a processor with available IPQ. Once committed, the IFQ holder would be permitted to initiate a binding arbitration proceeding, if the parties are unable to agree to the terms of delivery. Under the existing rule, arbitration must be initiated at least 15 days prior to a season opening. The current schedule for stock assessments and TAC setting, prevent the issuance of IFQ and IPQ more than 15 days prior to a season opening, limiting the ability of IFQ holders to rely on the arbitration system as intended, instead providing participants with only a "lengthy season approach" under which arbitration is delayed until an agreed upon time.

To rectify the timing inconsistency, the Council selected a preferred alternative under which arbitration is required to be initiated between 5 days and 15 days after issuance of IFQ and IPQ. Under the preferred alternative, the 10-day period for arbitration initiation occurs after a 5-day period during which participants would be permitted to negotiate agreements. Harvesters would also be permitted to unilaterally commit Class A IFQ to a processor holding uncommitted IPQ at any time more than 5 days after the issuance of IFQ and IPQ. The modification to timing should allow participants in the crab fisheries to initiate arbitration as intended under the rationalization program.

It is anticipated that, if approved by the Secretary of Commerce, this amendment will be implemented for the 2006-2007 season. Staff contact is Mark Fina.

# GOA Groundfish Rationalization

At the February 2006 meeting, the Council continued the process of refining alternatives for rationalization of the Gulf of Alaska groundfish fisheries. Working from the staff reformatted motion, the Council adopted modifications addressing several issues including allocations to jig participants, leasing limitations, and application of caps on share holdings and vessel share use. The Council also simplified the motion by removing a two-stage system of sectoral and individual allocations from alternative 3, instead relying on the individual catch histories to define sectoral divisions.

After substantial testimony from trawl and pot gear participants, the Council adopted several revisions applicable to those sectors. Provisions in alternatives creating processor/harvester associations and share linkages were modified to include options that would broaden the distribution of protections among processors by including an option that would establish associations (or share linkages) with two processors for each initial allocation. Limits on the number and types of licenses that may be held by a processor were also adopted.

The Council also elected to continue the process of reformatting the motion, specifically directing staff to separate the fixed gear alternatives into pot gear and longline gear alternatives and to group provisions that apply to catcher processors for each alternative. This division is intended to aid the Council in the development of appropriate alternatives for the different gear types. The Council also requested input from longline and jig participants that wish to assist in the development of rationalization alternatives for those sectors. This input can be provided by sending written testimony to the Council prior to a meeting or through oral testimony at meetings. A description of the process for submitting testimony accompanies meeting agendas which can be viewed at the Council website.

The Council also directed staff to write a discussion paper concerning skipper and crew protections, which would examine potential quota allocations to skippers and crew, a license system that would require the eligible skippers and crew to be onboard during the harvest of allocated quota, and a system that would reallocate a portion of any transferred quota (or a portion of the purchase price) for the benefit of skippers and crew.

A copy of the motion showing all changes made at the meeting can be accessed at the Council's website. Staff contact is Mark Fina.

## Upcoming Meetings

**Charter Halibut Stakeholder Committee:** February 27-28 Anchorage Hilton and March 21-22 Anchorage, location TBA

**SSL Mitigation Committee:** April 25-27 at the Alaska Fisheries Science Center in Seattle.

**Ecosystem Committee:** April 4, 1-5 pm, Anchorage Hilton

**Scallop Plan Team:** Feb 23-24 Anchorage Hilton

**Crab Plan Team:** May 16-18 AFSC, Seattle

# Automatic Identification System

The Coast Guard is presently notifying affected parties of its intent to expand requirements of the Automatic Identification System (AIS) to include commercial fishing vessels 65 feet or greater. AIS is currently required on fish processors and fish tenders, 65 ft. and greater, operating within a vessel traffic system area. The Coast Guard is in the process of updating the carriage requirements to include ALL commercial vessels, 65 ft. and greater, operating within a vessel traffic system area. At this time, there is no estimated date of implementation. The rule is designed to fully implement requirements of the Maritime Transportation Security Act of 2002. Cost of the units ranges between \$2,500 to \$7,000. For more information on AIS and carriage requirements, see [www.navcen.uscg.gov](http://www.navcen.uscg.gov).

## Lower Trophic Level Modeling Workshop

The SSC conducted a workshop on lower trophic level modeling. Presentations were made by scientists from the Fisheries Oceanography Coordinated Investigations (FOCI) group of the Alaska Fisheries Science Center (AFSC) and the Pacific Marine Environmental Lab (PMEL). The presentations focused upon climate forcing of ecosystem models and coupled biological and physical models in the Gulf of Alaska and the Bering Sea for predictions of fish recruitment and potential regime shift impacts on fish populations. The goal of this workshop was to review the current state of the art of these models, data needs and requirements, and how they might be used in management advice. Powerpoint presentations and short summaries of each talk will be posted on the Council's website. It is the SSC's intention to host workshops of this nature on an annual basis at the February Council meeting.

## State Pcod Fishery in Aleutian Islands

The Council and the Alaska Board of Fisheries (BOF) met in Anchorage, February 3, to discuss a proposal developed by the BOF for a state water Pacific cod fishery in the Aleutian Islands west of 170° West Longitude. The fishery would begin in 2006 and would require an apportionment of 3% of the Federal BSAI Pacific cod ABC. Fishing with trawl and longline gear would be allowed in 2006 only, and thereafter only pot, jig, and hand troll gear would be permitted. The Council and NMFS voiced several concerns over the proposed fishery, and the Council requested that the BOF postpone further action until after the joint discussion on February 3. Minutes from the joint meeting will be posted on the Council's website. The BOF is scheduled to take action on this proposal at its February 20-26 meeting in Ketchikan. NMFS and Council staffs will be at this BOF meeting. Staff contact is Bill Wilson.

# Observer Program

The Council reviewed an initial draft analysis for BSAI Amendment 86/GOA Amendment 76 to restructure the funding and deployment mechanism in the North Pacific Groundfish Observer Program. Under the alternatives for a new system, NMFS would contract directly with observer providers for observer coverage, and this would be funded by a user fee and/or Federal funding. The problem statement identifies the data quality and disproportionate cost issues resulting from the current program structure.

The Council also reviewed a letter from NMFS recommending Alternative 2 (extension of the current program) at this time. This recommendation was based on the fact that: 1) Congressional authority necessary to implement any of the fee-based alternatives has not yet occurred, 2) it is not possible to estimate costs associated with the fee-based alternatives until overtime pay issues are clarified by the Department of Labor or in statute; and 3) the current observer program expires on December 31, 2007.

The Council also reviewed the Observer Advisory Committee (OAC) report. The OAC met in late January to provide recommendations on the analysis and review the NMFS letter. The committee ultimately recommended that the Council select Alternative 2 as its preferred alternative for this analysis, given the need for continuing the program in the short-term and the lack of control over the Congressional authority and cost issues.

The Council identified Alternative 2 as its preliminary preferred alternative and approved an addition to the problem statement to recognize that while Alternative 2 does not meet the majority of the issues identified in the problem statement, it does meet the short-term need of preventing the expiration of the observer program until these external issues are resolved. The Council also recommended that a new amendment proposing a restructured program be considered at such time that the Congressional authority and cost issues are resolved to the extent that an analysis can be completed. Finally, the Council requested that NMFS prepare a discussion paper on video monitoring, and other possible modifications to the current service delivery model, to be presented at a future Council meeting.

The full Council motion and the OAC report are provided on the Council's website. The OAC was reconstituted at the February meeting and the membership list is also posted on the Council's website. Final action on the amendment is scheduled for June 2006. Staff contact is Nicole Kimball.

# SSL Committee

The Council has reconstituted its Steller Sea Lion Mitigation Committee (SSLMC); this committee will be the interface between the Council and the reinitiated Section 7 consultation process. A new FMP-level consultation was requested by the Council so that a new Biological Opinion might be developed that better reflects how the groundfish fisheries are now being prosecuted under the GOA and BSAI FMPs. This committee held its kick off and orientation meeting on February 15-16 at the Alaska Fisheries Science Center. During this meeting, the SSLMC was familiarized with the consultation process, and what kinds of new data and other information are available on SSL

populations in the North Pacific. The committee developed a schedule of work and a process for evaluating proposals for change in fishing regulations. Meeting announcements and agendas, minutes of past meetings, and other information on this committee's activities will be posted on the Council's web site. The next meeting of this committee is April 25-27 at the Alaska Fisheries Science Center in Seattle. Staff contact is Bill Wilson.

# BSAI Pcod sector allocations

In February, the Council reviewed the initial draft analysis for BSAI Amendment 85. In general, this amendment proposes to 1) revise the allocations of BSAI Pacific cod to the various gear sectors and the CDQ Program, and 2) provide a methodology for splitting BSAI Pacific cod sector allocations among the BS and AI subareas, should the BSAI TAC be split by subarea in a future specifications process.

The Council recommended releasing the document for public review, with several modifications. The Council requested the addition of 2004 and 2005 sector catch data for the BSAI, BS, and AI in the discussion of Component 2. While these data will not be comparable to the refined retained catch data used in the determination of the allocations under Component 2, they will provide a broad look at the distribution of the fishery in the most recent years. The Council also added a new suboption under Component 3, Option 3.3, the intent of which is to maintain the percentage of the BSAI Pacific cod ITAC allocated to the trawl sectors' A season as possible, and only reducing the B season allocation if necessary, to meet the overall allocation selected in Component 2. Any increase in the allocation to fixed gear would be applied in the A season, to the extent possible without exceeding the current Steller sea lion seasonal apportionment measures. The Council also selected Alternative 6 as its preliminary preferred alternative in Part II, and added an option to analyze the years 2002 – 2003 under that alternative.

The full Council motion on Amendment 85 and the suite of alternatives and options are on the Council website. Final action on this amendment is tentatively scheduled for April 2006. Staff contact is Nicole Kimball.

# Fishery Depredation Symposium

The Vancouver, B.C. Aquarium is hosting a "Symposium on Fisheries Depredation by Killer and Sperm Whales: Behavioural Insights, Behavioural Solutions" October 2-5. This symposium will examine depredation of fish from fishing gear by sperm and killer whales, and will include presentations from experts on whale behavior, depredation loss, and fishery management. An announcement of the meeting and more information on registration for the meeting is available at [www.depredationsymposium.org](http://www.depredationsymposium.org)

**DRAFT NPFMC THREE-MEETING OUTLOOK - updated 2/17/06**

April 3, 2006 Anchorage, Alaska	June 5, 2006 Kodiak, Alaska	October 2, 2006 Dutch Harbor, Alaska
ESA Consultation on FMPs: <b>Action as necessary</b> Northern Right Whale: <b>Receive hearing report</b>	ESA Consultation on FMPs: <b>Action as necessary</b> Northern Right Whale: <b>Review final rule on CH (T)</b> Seabird Bycatch on Longlines: <b>Receive Report (T)</b>	ESA Consultation on FMPs: <b>Action as necessary</b>
Halibut Charter GHl Regs: <b>Final Action</b> Halibut Charter Management: <b>Receive workgroup report</b>	Halibut Charter Management: <b>Action as necessary</b>	Halibut Charter Management: <b>Action as necessary</b>
Flatfish IRIU Am 80: <b>Final Action (T)</b>	Cost Recovery: <b>Review Discussion Paper</b>	
MRA adjustments: <b>Progress report and action as necessary</b>	MRA adjustments: <b>Initial review</b>	MRA adjustments: <b>Final Action</b>
BSAI P.cod sector allocations: <b>Final Action (T)</b>	Observer Program: <b>Final Action (T);</b> <b>Review Discussion Paper on Video Monitoring</b>	Observer Program: <b>Action as necessary</b>
BSAI Trawl C/V Eligibility: <b>Review options</b>	BSAI Trawl C/V Eligibility: <b>Action as necessary</b>	BSAI Trawl CV eligibility: <b>Initial review (T)</b>
CDQ cost recovery program: <b>Initial Review (T)</b> CDQ community eligibility Reg Am: <b>Initial/Final Action</b> Am. 71: <b>Review Alternatives and Options (T)</b>	CDQ cost recovery program: <b>Final Action (T)</b>	Am. 71: <b>Initial Review (T)</b>
GOA Rationalization: <b>Discussion Papers/Action as necessary</b>	GOA Rationalization: <b>Action as necessary</b>	GOA Rationalization: <b>Action as necessary</b>
Research Priorities: <b>Approve</b>	IFQ Omnibus 5 Amendments: <b>Final Action</b>	
Scallop SAFE Report: <b>Review and approve</b>	BS Habitat Conservation: <b>Review Discussion Papers</b>	BS Habitat Conservation: <b>Action as necessary</b>
GOA Dark rockfish: <b>Initial Review</b>	Rockfish Management: <b>Review report, action as necessary (T)</b> GOA Dark rockfish: <b>Final Action (T)</b>	Other Species Breakout: <b>Preliminary Review (T)</b>
Crab Overfishing Definitions: <b>SSC Update</b>	Crab Overfishing Definitions: <b>SSC Report</b> Crab Management: <b>Plan Team report</b>	Crab Overfishing Definitions: <b>Initial Review (T)</b> BSAI Crab SAFE Report: <b>Review and Approve</b>
Ecosystem Approaches: <b>Action as necessary</b>	PGSEIS Workplan: <b>Review (T)</b>	Groundfish Specifications: <b>Adopt proposed specs for 07/08</b> Ecosystem SAFE Report: <b>Review (T)</b>
BSAI Salmon Bycatch Package B: <b>Progress report</b> Salmon genetic research: <b>SSC Workshop</b>	VIP Repeal: <b>Initial Review (T)</b> VMS Requirements: <b>Initial Review (T)</b>	VIP Repeal: <b>Final Action (T)</b> VMS Requirements: <b>Final Action (T)</b>

TAC - Total Allowable Catch  
BSAI - Bering Sea and Aleutian Islands  
IFQ - Individual Fishing Quota  
GHL - Guideline Harvest Level  
HAPC - Habitat Areas of Particular Concern  
LLP - License Limitation Program  
VIP - Vessel Incentive Program

AI - Aleutian Islands  
GOA - Gulf of Alaska  
SSL - Steller Sea Lion  
BOF - Board of Fisheries  
FEP - Fishery Ecosystem Plan  
CDQ - Community Development Quota  
ESA - Endangered Species Act

SAFE - Stock assessment and fishery evaluation  
VMS - Vessel Monitoring System  
EAM - Ecosystem Approach to Management  
SSC - Scientific & Statistical Committee  
FMP - Fishery Management Plan  
DPSEIS - Draft Programmatic Groundfish SEIS  
AFA - American Fisheries Act



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## Exempted Fishing Permit

During its February 2006 meeting, the Council received a report from the Alaska Fisheries Science Center on a proposed cooperative study between the AFSC and the Aleut Enterprise Corporation of pollock biomass in the Aleutian Islands near Adak and Atka. This study would use a commercial fishing vessel and its hydroacoustic equipment to measure schools of pollock during winter months in the AI region, and follow those surveys with trawling to harvest portions of the detected pollock biomass. The data will be used to improve pollock stock assessments in the Aleutian Islands, and to test the feasibility of using commercial fishing vessels to deploy hydroacoustic gear to locate and measure potentially harvestable pollock biomass. An Exempted Fishing Permit (EFP) has been requested to allow fishing in Steller sea lion (SSL) closed areas near haulouts in the study area. Trawling in these areas is required because it is believed that much of the pollock biomass present in the AI region during winter is close to shore, and current SSL protection measures prohibit trawling near SSL haulouts. Up to 1000 mt of pollock harvest is requested for 2006; the harvest amount would be counted toward the 2006 pollock allocation to the Aleut Corporation. The Council recommended approving the EFP for the proposed study pending completion of a Section 7 consultation to evaluate potential impacts on SSLs. Staff contact is Bill Wilson.

## Pollock Depletion Study

The NMFS Fishery Interaction Team has requested approval to continue a study of trawl fishery effects on Steller sea lions near Kodiak Island. This study would involve surveys of pollock biomass in Chiniak and Barnabas Gullies before and after fishing; trawling would be closed in Chiniak Gully while Barnabas Gully would remain open. The objective is to measure fishery effects on pollock biomass in open and closed areas to determine possible localized depletion. This study was initiated in 1999, but to date only two years of usable data have been collected, and those results were mixed. Therefore, NMFS would like to continue the study to acquire additional data. The Council received a report on the study design; this would involve a continuation of the study during the years 2006 through 2010. The study would require that Chiniak Gully be closed from August 1 through September 20 each year beginning in 2006. The study will be completed once three years of usable data have been collected, so it is possible that the study will not continue the full 5 years. The Council approved continuation of the study and the closure of Chiniak Gully during the period requested. The Council also requested that, if the study cannot occur in any one or more of these years, or is completed earlier than Sept. 20 in any year, that Chiniak Gully be opened and that industry be notified as soon as possible to limit the economic effects of the closure on trawl fishermen. Staff contact in Bill Wilson.