

Draft
Joint Protocol Committee
North Pacific Fishery Management Council/Alaska Board of Fisheries
June 12, 2013
Juneau, Alaska—Centennial Hall

The meeting was chaired by Eric Olson. Member present were: Eric Olson, Ed Dersham, Roy Hyder from the North Pacific Fishery Management Council (Council); Karl Johnstone, Tom Kluberton, John Jensen from the Board of Fisheries (BOF). Also in attendance were Chris Oliver (Council Executive Director), Monica Wellard (Board Executive Director), Lance Nelson (AK Dept of Law), John Lepore (NOAA GC), and numerous other Council, Board, NMFS, and ADF&G staff.

The Protocol Committee received staff reports/updates on the following management issues (major questions or discussion points are summarized for each item):

- A. Update on Council action on Gulf of Alaska non-pollock Chinook salmon bycatch (PSC) caps. Sam Cunningham- NPFMC Staff

The Council action in Juneau set a hard cap of 7,500 Chinook salmon, noting the balance struck between implementing a cap, and allowing prosecution of Federal trawl fisheries. Uncertainty pool allows some flexibility for trawl fleet from year to year (could rollover up to 1,000 fish from one year to next if under the cap), noting that bycatch could NOT exceed 15,000 fish over any two year period.

Board members had questions regarding the new full retention requirements, and associated genetic information to be collected on Chinook salmon, and whether sampling would indicate specific bycatch locations, depth, and other information on all bycaught salmon. Staff responded that many of the salmon are not counted/sampled until they arrive at the processor, but information can be linked back to fish tickets. Board members were also interested in the percentage of vessels/catch subject to observer coverage, and how bycatch numbers were obtained for unobserved hauls (extrapolations from observed hauls).

- B. Update on Council action regarding BSAI salmon bycatch. Diana Stram - NPFMC Staff

Dr. Stram provided an overview of other salmon bycatch management measures implemented by the Council (Bering Sea/Aleutian Islands measures), including recognition of numerous requests for more stringent bycatch caps. The Council will be receiving a staff report in October which attempts to identify effectiveness of measures in place to date. This report will include updated information on Chinook salmon stock status in Alaska, updated information on genetics (stock of origin information), and estimates of current impacts. The Board expressed interest in that report and any potential next steps by Council.

- C. Update on Council initiative for Gulf of Alaska trawl bycatch management. Chris Oliver – NPFMC staff

Mr. Oliver provided an update on Council discussion at the Council's June meeting, noting that seven proposals had been submitted for Council consideration. Staff will be evaluating these proposals against the Council's stated objectives (essentially to effectively manage bycatch while providing the trawl fisheries the tools necessary to do so), and the Council will further define its

management approaches at the October meeting in Anchorage. For the economic data collection aspect, the Council has prioritized this and is scheduled to take final action in October (in order to collect information that will allow a pre vs post examination of the management program). Changes in tendering activities are also being scrutinized and may be further addressed by the Council, as necessary, later this year.

Discussions noted that the range of alternatives is still open for Council to determine. Board members were concerned with the urgency of this initiative to address bycatch – Council members responded that numerous bycatch (PSC) measures have been implemented already (Chinook bycatch caps in all trawl fisheries in the GOA and reductions in halibut PSC caps), in advance of this initiative to provide tools to the fleet to further reduce/manage bycatch.

- D. Update on Council actions regarding restructured observer program and electronic monitoring. Chris Oliver – NPFMC staff

Mr. Oliver provided an update to the Committee on recent actions by the Council, including a performance review of the new program (first 6 months), a review of the Strategic Plan to implement electronic monitoring (EM), and further Council actions to expedite EM, including formation of an EM Workgroup. Board members were keenly interested in the EM development, and had specific questions regarding how video data are handled in terms of reviewing fishing activities (recognizing this is a time consuming and expensive aspect of EM technology).

- E. Update on status of Steller Sea Lion EIS and associated issues, including Aleutian Islands shoreside processing provisions and relationship to Board of Fish state water groundfish fishery proposals. Steve Maclean – NPFMC staff

Mr. Maclean provided an update on development of the EIS for potential SSL management measures to be considered and recommended by the Council in October, noting the need to also consider Board of Fisheries actions this fall relative to State water fisheries, particularly in the Aleutian Islands area. The Council provided the Committee with its June motion on this issue, which includes transmitting concerns to NMFS regarding the EIS analysis and the pending Biological Opinion (including use of the Recovery Plan criteria as the basis for analysis and a possible jeopardy/adverse modification decision in the pending BiOp).

- F. Update on Federal definition of a halibut sport fishing guide and coordination of State and Federal regulations. Chris Oliver – NPFMC staff and Ed Dersham – NPFMC member

Mr. Oliver and Mr. Dersham provided the Committee with an overview of Council action on this issue (intent is to revise Federal definition to be consistent with State definition, which does not require the guide to be onboard the same vessel as the client to be considered guiding, in order to prevent circumvention of the differential bag limit for guided anglers in Area 2C; could also become an issue for Area 3A in the future). Council has final action scheduled for December. Board members expressed desire to have narrow, enforceable regulations. Council is considering removal of “by being onboard the vessel” and may also consider adding definitions of ‘assistance’ and ‘compensation’.

G. Report on Pacific cod and other ground fish proposals being considered by the Board of Fish. Mark Stichert and Heather Fitch – ADF&G staff

ADF&G staff provided a summary of proposals which will be considered by the Board of Fisheries at either their upcoming October meeting (Pacific cod proposals), or at future Board meetings (other proposals related to State water groundfish fisheries). Discussion by Committee members included timing of Board action, relationship to ongoing Council actions (including Gulf of Alaska trawl bycatch initiative and Steller sea lion considerations), and monitoring aspects (bycatch caps, observer requirements, etc) of State water fishery proposals.

III. Public Testimony was received by the following persons:

- Kelly Brennen- Seldovia Fish and Game Advisory Committee
- Jeff Steele
- Brent Paine- United Catcher Boats.
- Israel Payton- Matanuska Susitna Fish and Game Advisory Committee
- Bruce Morgan/ Jim Stubbs- Anchorage Fish and Game Advisory Committee
- John Zeller-Middle Kuskokwim Fish and Game Advisory Committee
- Craig Lowenberg- Bering Sea Pot Cod Cooperative
- Tony Guggenbickler- Wrangell Fish and Game Advisory Committee
- Henry Mitchell- Coastal Villages Region Fund
- Tom Payton- Mt. Yenlo Fish and Game Advisory Committee
- George Hutchings - Americans for Equal Access
- Frank Kelty- Unalaska Fish and Game Advisory Committee
- Tom Evich
- Beth Stewart- Peninsula Fishermen's Coalition
- Tim Andrew – Association of Village Council Presidents
- Art Ivanoff- Southern Norton Sound Fish and Game Advisory Committee
- Mike Alfieri – F/V Ocean Storm
- Chad See – Freezer Longline Coalition
- Julie Bonney- Alaska Groundfish Databank
- John Martin Sr. and Victoria Johnson – Tenakee Tribe
- Rose Fosdick - Kawerak

IV. Committee Discussion of Agenda Items A through G

Committee discussion focused primarily on intersection of Council process with Board of Fisheries consideration of State water groundfish proposals. Council member Dersham noted the complexity of issues associated specifically with BOF Pacific cod proposals, and how Board action on State water cod fisheries would have substantial implications, and perhaps unintended consequences, for upcoming Council actions on Gulf of Alaska trawl bycatch management, while Mr. Olson reiterated the Council's recognition of Board authority for State water fisheries. The Council will review relevant Board proposals at its meeting during the first week of October, and will forward to the Board specific comments prior to the Board's meeting October 18 – 22. The Council committed to also have staff available to further advise the Board, if necessary, during its deliberations. Board members noted the lengthy process for Council management actions (analysis, review, and rulemaking) and hoped that Council input would further inform the Board in their consideration of State water fishery proposals (including information on monitoring and

observer requirements, and any information on EM alternatives that may be useful to the Board deliberations on new state water fisheries).

V. Determination of next Protocol Committee meeting or full meeting of the Council/Board of Fisheries

The Executive Directors of the Council and Board will coordinate in terms of exchanging necessary information for this October's respective meetings (or other meetings where additional Board proposals will be considered), and will determine the need and timing for the next meeting of the Joint Protocol Committee, or possibly a full joint meeting of the full Council and full Board.

VI. Other Business

No other business

VII. Adjourn

The meeting was adjourned at 3:06 pm