

SUMMARY OF ACTIONS ALASKA BOARD OF FISHERIES

State Waters Pollock / Trawl
October 15-16, 2005
Girdwood, Alaska

DESIGNATED REPORTERS: Sherry Wright

This summary of actions is for information purposes only and is not intended to detail, reflect or fully interpret the reasons for the board's actions.

Note: The board divided the original proposal 455 from March 2005 into three proposals according to the area and fishery, as follows:

PROPOSAL "A"

ACTION: Tabled to October 2006

DESCRIPTION: Develop management options for pollock harvest in state waters near Adak, in the Aleutian Islands

DISCUSSION: The board is interested in helping develop a fishery that benefits the area, but intends to avoid harming other parts of the industry, and to construct a sound fishery that does not violate provisions of the Endangered Species Act (ESA) in relation to Steller sea lion protection. The board received testimony from National Marine Fisheries Service (NMFS) on the specific requirements of biological opinions under the ESA, and potential timing of various analyses and actions.

The board, through an Interim Joint Protocol Committee, received information regarding potential effects of various state actions from the department and from NMFS in committee meetings from May 2005 through August 2005. The information detail provided at these meetings was submitted to the full board for its consideration.

At this meeting, the board received information from the North Pacific Fishery Management Council (NPFMC) on the projected timeline of review and action on federal groundfish fisheries in the Bering Sea and Gulf of Alaska. In October, the NPFMC recommended that NMFS reinstate a formal consultation on the effect of federal groundfish fisheries on ESA-listed species, particularly Steller sea lions, and that NMFS work closely with the State of Alaska to include analyses on impacts of state fisheries. The NPFMC requested that the consultation review all new scientific information since the completed of the 2000 FMP biological opinion (BiOp). The NPFMC also intends to consider possible revisions to management measures currently in place and evaluate them under a separate BiOp.

Board discussed the option of postponing action on this proposal, versus taking action but using a delayed implementation date of 2007. The timeline that NMFS envisions in performing the requested consultation was given as follows:

February 2006: NMFS complete recovery plan

March 2006: Through NPFMC, reconstruct BiOp, analyze trade-offs, etc.

April 2006: Mitigation Committee begins analyzing options

Dec. 2006/Jan. 2007: Finalize BiOp and Mitigation Committee finalizes its analysis

Approximately April 2007: NPFMC begins work to approve management measures

Approximately June – October 2007: NPFMC begins deliberations on management measures in order to be effective by January 2008

After NPFMC action in 2007: NMFS begins federal regulatory process that may lead to prosecution of a fishery in early 2008.

Board believes it is prudent to table the proposal to October 2006 to allow FMP BiOp review and Steller Sea Lion Mitigation Committee review process to occur, rather than to attempt to design a state waters fishery with a delayed implementation date, without the benefit of the additional information that the BiOp review will provide. The board was initially concerned that the 2000 BiOp process provided little opportunity for the board to have input. Board will now have a seat on the Mitigation Committee and can bring state concerns through that process. The board also discussed whether to narrow down and be specific on options identified in the proposal. The board decided it would be beneficial to have NMFS consider all of the options in its analysis in order to have full information prior to taking action.

PROPOSAL “B”

ACTION: Failed

DESCRIPTION: Develop management options for pollock harvest in state waters in the Western Gulf of Alaska

DISCUSSION: The board noted that it received very little testimony in favor of this proposal, but did hear testimony that taking action may jeopardize efforts for groundfish rationalization in the Gulf.

PROPOSAL “C”

ACTION: Tabled to October 2006

DESCRIPTION: Develop management options for pollock harvest in state waters in the Central Gulf of Alaska

DISCUSSION: A small experimental fishery occurred in this area under a commissioner’s permit in 2004. The board recognized that any amount of fish it set as a limit for state waters would come off of the top of the total TAC, and that since this is a fully-allocated fishery, it may mean the fish are taken from one group and given to another. The board also heard that some vessels might register to participate under a Commissioner’s Permit without actually intending to fish. If registration numbers indicated considerable or excessive effort that could potentially create difficulties in managing anything but an equal shares approach, the department indicated it would probably not allow a fishery to occur. NMFS previously communicated to the board that the fishery described in this proposal would not cause consultation or reconsultation under the ESA. Because the department originally brought this request to the board, and the board did not hear from the area in support of the proposal, it decided to table the proposal to October 2006.