



Fish News

April 28, 2010

Highlights from the April 2010 North Pacific Fishery Management Council Meeting



The North Pacific Fishery Management Council (NPFMC or Council) focused on several issues at its April 8 - 13, 2010 meeting in Anchorage. The highlights are listed below.

Steller Sea Lion Biological Opinion Update:

The NPFMC is still waiting to receive the Steller Sea Lion Biological Opinion. The controversial report was expected on March 1, 2010, but was postponed. Afterwards, it was added to the Council's agenda for April. Jim Balsiger, Alaska Chief for the National Marine Fisheries Service (NMFS), announced during the Council meeting, that it might be months before the report is released to the Council. *Fish News* will keep you posted with the latest information.

New Hierarchy:

Balsiger returned to Alaska recently after serving more than two years as Acting Administrator for NOAA's National Marine Fisheries Service (NMFS). Balsiger led the fisheries in that capacity after



Jim Balsiger, Alaska
Chief for NMFS



Eric Schwaab is the new Assistant for NOAA's NMFS.

former director, Bill Hogarth, retired in December 2007. In February of this year, Eric Schwaab was appointed as the new Assistant for NOAA's NMFS. Schwaab's supervisor is Dr. Jane Lubchenco, the Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator.



Dr. Jane Lubchenco is the NOAA Administrator.

Rockfish Program:

The Council conducted an initial review of the Central Gulf of Alaska rockfish analysis and released it for public review. By striking specific options and the catcher processor limited access alternative, the Council suggested that it would not include these as part of its preferred alternative during final action. However, specific analysis associated with most of the stricken provisions will remain in the public review analysis, in case the Council decides to revisit those provisions or the alternative in its preferred alternative. The Council also modified several options under consideration. They include:

- Inclusion of an option to allocate between 1.5% and 5% of the total allowable catch to harvesters that participated in the pilot program entry level fishery.
- Expanding the shore-based processor cap to include 10 percent, with a provision that would adjust the cap and the grandfather amount in the event that a grandfathered processor is not available for processing or if the cap might prevent fully processing rockfish catch.

GOA Chinook Bycatch:

The Council reviewed a draft discussion paper on Chinook salmon bycatch in the Gulf of Alaska (GOA) groundfish fisheries, and asked that it be revised and expanded. The revised paper will update and map bycatch patterns in the groundfish fisheries, and will discuss



A draft discussion paper on Chinook salmon bycatch will be revised and expanded.

what would be required to implement full retention of salmon in the GOA groundfish fisheries. Background information will be expanded to include Chinook salmon stock assessment data, environmental variables affecting the abundance of salmon, stock of origin information and the limitations of using GOA observer data for in-season management of Chinook bycatch. The Council will also request the National Marine Fisheries Service to accelerate analysis of GOA Chinook salmon bycatch samples, which can be used to help identify stocks of origin.

Chinook Salmon Excluder Experiments

The Council reviewed recent results from Chinook salmon excluder experiments in the Bering Sea pollock trawl fisheries. Results show that the newly-redesigned flapper excluder consistently achieved Chinook escapement ranging from 25% - 34%, while minimizing pollock escapement to 0.4% - 1.6%.

BSAI Crab Program

In the Western Aleutian Islands golden king crab fishery, fifty percent of the Class A catcher vessel individual fishing quota is required to be landed west of 174 degrees west longitude. However, the bankruptcy of the operator of the Adak shore plant made it difficult, if not impossible, to harvest the West region quota. The Council took final action and chose a preferred alternative that would create an exemption to west region landing requirements in the Western Aleutian Island golden king crab fishery. The Council also advanced a set of alternatives to create an emergency exemption to regional landing requirements in all fisheries, for analysis.

GOA Tanner Crab Area Closures

The Council reviewed an analysis to close areas around Kodiak Island to the groundfish fishery to protect Tanner crab. Four areas are proposed for closure -- all on the northeastern side of Kodiak Island. The alternatives include options to apply the closures year-round or seasonally, and to different gear types. In addition, some vessels may be exempted from the area closures if they meet specific conditions such as using approved gear modifications or a 100% observer coverage requirement.

Community Quota Entity Program

The Council reviewed two separate letters from residents of Game Creek and Naukati

Bay in southeast Alaska, requesting that the Council initiate an analysis to evaluate the eligibility of these communities for the GOA Community Quota Entity (CQE) Program. The Council was also informed that the communities of Cold Bay and Kupreanof are potentially eligible for the program. The Council initiated a regulatory amendment to assess the eligibility of Game Creek, Naukati Bay, Cold Bay and Kupreanof in the CQE Program. If determined eligible, these communities would need to form a CQE in order to participate in the program.

For more information, visit the link below.

[Link: April 2010 NPFMC Newsletter](#)
[Link to North Pacific Fishery Management Council](#)

NPDES Exemption for Commercial Fishing Vessels Expires July 31, 2010

The current congressional moratorium on the issuance of a National Pollutant Discharge Elimination System (NPDES) discharge permits to commercial fishing vessels expires on July 31, 2010. Without any additional congressional action, as of August 1, 2010, all commercial fishing vessels will be faced with one of two options:

- Obtain for an individual NPDES permit from the EPA, or
- Not apply for a permit and be technically out of compliance (while knowing that the EPA and the U.S. Coast Guard may not have the additional resources necessary to enforce the requirement).

The second scenario leaves individual fishing vessels potentially subject to lawsuits for failure to comply with the Clean Water Act. Senator Lisa Murkowski (R - AK) is leading the effort to pursue a 3-year extension of the moratorium via the annual appropriations process.

The EPA estimates that the potential fleet to be covered by any new regulations for commercial vessels could total more than 140,000, including 70,000 commercial fishing vessels.

The NPDES permit requirements only apply to discharges within 3 miles (state waters). In addition, the Clean Water Act allows each individual state to “certify” NPDES permits within their waters and impose additional standards or requirements as part of the

certification.

Commercial vessels that transit multiple states' waters could find themselves being subject to multiple and inconsistent requirements. As a result, large commercial vessels are seeking new federal legislation to establish an alternative to regulation of both their incidental discharges and discharges of ballast water. With regard to discharges incidental to normal vessel operations, this legislative alternative would, among other things:

- Establish National Standards for incidental discharges to be enforced by EPA and the USCG;
- Prohibit states from imposing alternative or additional discharge standards

Fish News will keep you posted with the latest information.

Sam Cotten's term on the NPFMC To Expire in August

Borough Encourages Letters of Support for his Reappointment

Sam Cotten's term on the North Pacific Fishery Management Council is scheduled to expire in August of this year. Sam has served three years on the Council and is the Aleutians East Borough's Fisheries Consultant. He has been nominated as an alternate for the Council by Governor Parnell. Sam is still eligible to be reappointed by the U.S. Secretary of Commerce. The Borough is encouraging anyone who would like to support him to do so by writing letters to the address below:



Sam Cotten's term on the NPFMC is scheduled to expire in August.

**Hon. Gary Locke, Secretary
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, D.C. 20230**

Please copy Sam on your letter to the Secretary at the following address:

Sam Cotten
P.O. Box 296
Eagle River, AK 99577

Anyone who would like help drafting a letter, please email ltanis@aeboro.org .

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