

Introduction to the Council process



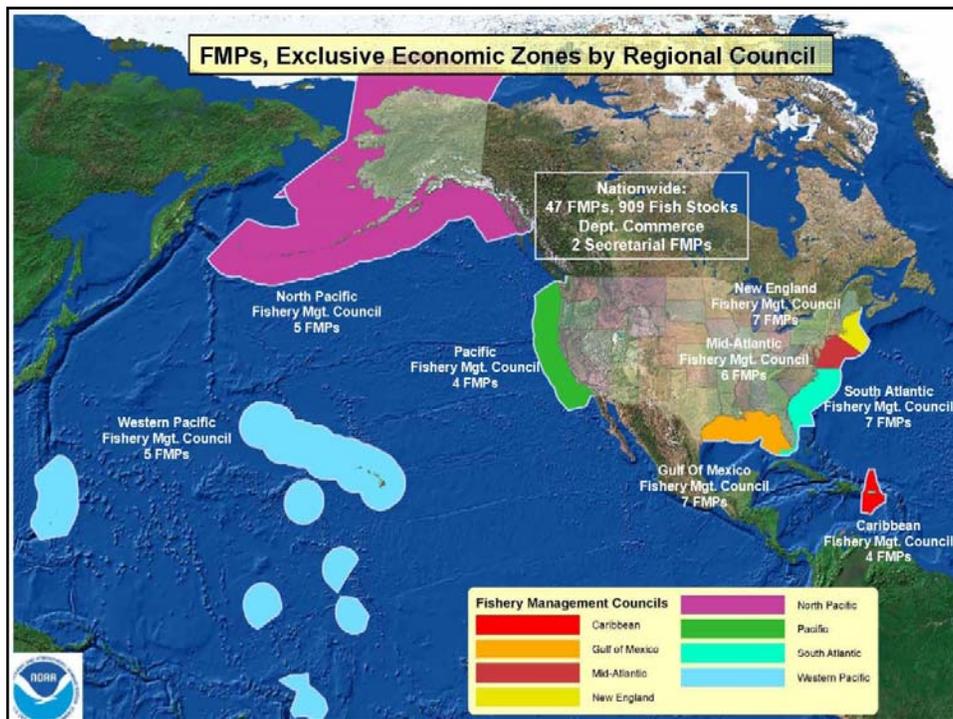
Diana Evans
Fishery Analyst
North Pacific Fishery Management Council
April 11, 2012



Guiding Law for U.S. Marine Fisheries: Magnuson-Stevens Fishery Conservation and Management Act

Adopted in 1976, the Act established:

- The 3-200 nm exclusive economic zone [**200-mile limit**].
- **National Standards** and other requirements for conservation and management of resources.
- A system of 8 **Regional Councils** (composed of fishermen and government agency representatives) to develop fishery regulations for their specific area, subject to approval and implementation by the Federal government (i.e., National Marine Fisheries Service).



What is the Council?

The North Pacific Fishery Management Council (Council) and National Marine Fisheries Service (NMFS):

- Together manage U.S. Federal fisheries off Alaska (3-200 miles)
- Management is coordinated (and in some cases jointly managed) with the State of Alaska
- Council makes recommendations to NMFS
- NMFS approves, implements, and enforces them

The Council and its advisory bodies

Council: 11 voting members

- 7 appointed members, 4 agency representatives
- AK (6), WA (3), OR (1), and 1 from NMFS

4 non-voting members

- US Fish and Wildlife Service, US Coast Guard, Pacific States MFC, US State Dept

Advisory Panel: 21 members from the fishing industry

Scientific and Statistical Committee: 18 members, including Federal and State employees, academics, and independent experts

Other committees: Issue-specific committees provide advice on particular actions.

Council membership

	Roy Hyder, OR Dept. of Fish & Wildlife	Dave Benson, Seattle, WA	Eric Olson, Anchorage, AK	Dave Hanson, Pacific States Marine Fisheries Commission	
John Henderschedt, Seattle, WA	 voting	 voting	 voting	 voting	Sam Cotton, Anchorage, AK
 voting	Dan Hull, Anchorage, AK	 voting	 voting	Cora Campbell, ADF&G	 voting
 voting	Duncan Fields, Kodiak, AK	 voting	 voting	Ed Dersham, Anchor Point, AK	 voting
 voting	Bill Tweit, WA Dept. of Fish & Wildlife	 voting	 voting	RADM Tom Ostebo, US Coast Guard	 voting
 voting	Jim Balsiger, NMFS AK Region	 voting	 voting	Geoff Haskett, US Fish and Wildlife	 voting
 voting	Glenn Merrill NMFS AK Region	 voting	 voting	Nicole Ricci, US Department of State	 voting
 voting					 voting
					Nicole Kimball, ADF&G
					 voting
					CAPT Phillip Thorne, USCG
					 voting
					Don Rivard, USFWS

Council meetings

- 5 meetings per year, each meeting is ~8 days
 - 3 in Anchorage, 1 in AK fishing community, 1 in Seattle or Portland
- All meetings are open to the public
- Science and Statistical Committee and Advisory Panel provide input to Council at each meeting
- Public testimony is taken on each agenda item, at the SSC, AP, and Council
- Audio link is available to listen to Council meetings remotely (real-time)

Council management

- Council management of fisheries is governed by the **Magnuson-Stevens Act** (Federal law)
 - 10 National Standards
 - Council has 6 fishery management plans (FMPs)
 - also other applicable law (*ESA, NEPA, RFA, EO 12866*)
- Management areas: Bering Sea, Aleutian Islands, Gulf of Alaska, and Arctic

Who Manages What Fisheries off Alaska?

	North Pacific Fishery Management Council	National Marine Fisheries Service	Alaska Board of Fisheries/ Alaska Dept. Fish & Game	International Pacific Halibut Commission
Groundfish (pollock, cod, flatfish, etc.)	Allocation & conservation	Implements Federal regulations	Some state fisheries (0-3)	
Crabs (king, snow, Tanner crabs)	Bering Sea fisheries – joint management	Bering Sea fisheries - regulations	State & Jointly managed fisheries	
Scallops	License limits	License regulations	Fishery mgmt.	
Halibut	Allocation	Allocation regulations		Conservation
Herring			Fishery mgmt.	
Salmon			Fishery mgmt.	
Others (shrimp, urchins, etc.)			Fishery mgmt.	

Federal Jurisdiction off Alaska

- Generally does not extend into State of Alaska waters (within 3 nm from shore) nor beyond the EEZ (200 nm from shore)
- Federal requirements outside the EEZ can be extended to vessels operating with a federal fisheries permit (e.g., VMS and other monitoring requirements)
- Federal management of the Pacific halibut fishery is extended throughout US waters
- Coordination between State and federal management organizations is critical.

Important Elements of Fishery Management Plans in the North Pacific

- Strong science and research base
- Adherence to scientific advice
- Stakeholder involvement in development of regulations
- Effective monitoring, accounting, and enforcement
- Comprehensive observer program
- Limits on fishing capacity
- Conservative and strict catch and bycatch limits
- Precautionary approach to address uncertainty
- Habitat protection
- Ecosystem considerations



The Fishing Fleet Managed by the Council

Catcher Vessels (deliver shoreside)

- 150 Trawlers: pollock, cod, flatfish, rockfish
- 500 Longliners: cod, halibut, sablefish
- 75 Jig Gear vessels: cod
- 300 Pot Gear vessels: cod, crabs

Catcher-Processors (process at sea)

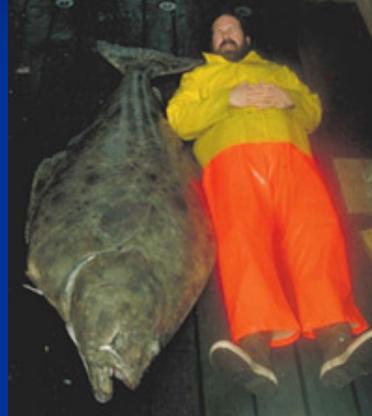
- 35 Trawlers: pollock, flatfish, mackerel, rockfish
- 50 Longliners: cod, sablefish, turbot
- 10 Pot Gear vessels: cod, crabs
- 5 Dredge Gear vessels: scallops



Note: vessel numbers are rounded numbers based on recent participation.

Types of management actions

- Catch Quotas
- Gear Types
- Seasons
- Bycatch and PSC Limits
- Protected Resources
- Habitat
- Entry Control
- Community Considerations



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Council Decision Process

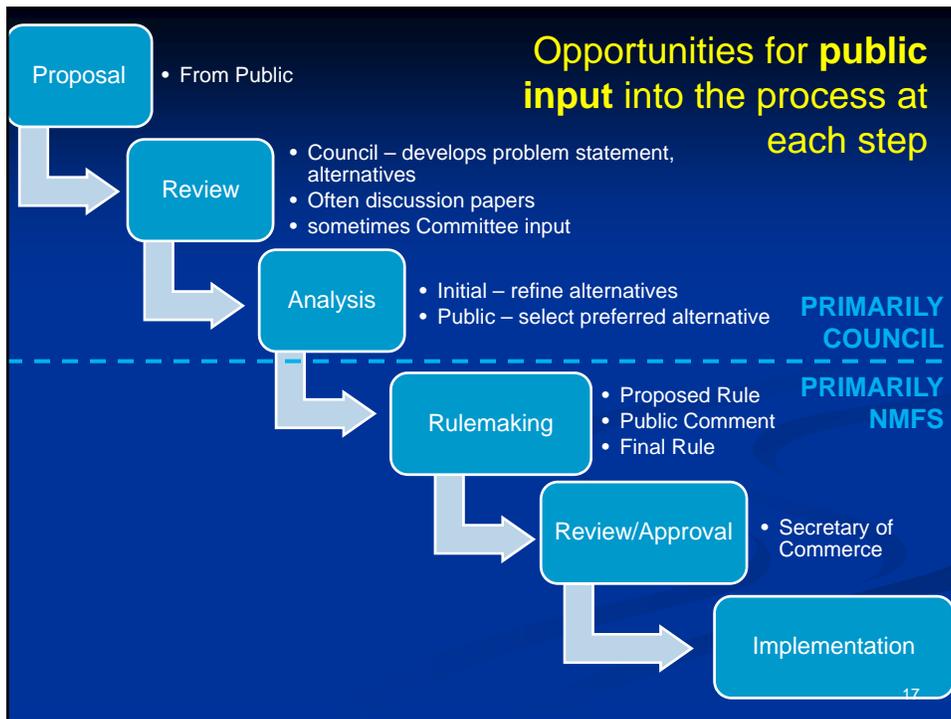
- Proposal presented to Council from public, stakeholder group, or Council
- If desired, Council initiates analysis of alternatives and options
- Council receives input on draft analyses and issues from its Scientific and Statistical Committee, Advisory Panel, various issue-specific committees, and the public at each meeting

Analysis proceeds through:

- **Discussion paper** (if appropriate)
 - Determine whether there is a need for action, what types of alternatives might meet the need
- **Initial review draft** (maybe several drafts)
 - further refine alternatives if necessary
- **Public review draft**
 - final council decision (select preferred alternative)
- Final Council decision is then submitted to the Secretary of Commerce (NMFS)

NMFS rulemaking process

- NMFS publishes a **proposed rule** to implement the regulations
- Comments received on the proposed rule
- Secretary can approve, disapprove, or partially approve the Council's decision
- If approved by Secretary, NMFS publishes **final rule** (responds to comments from PR)
- Final rule establishes the effective date of change



How to provide public input to the Council

- Write a letter to the Council.
- Testify at a Council meeting.
- Check the Council website, or contact us to find out about upcoming agenda items.

Council website:
<http://www.alaskafisheries.noaa.gov/npfmc>

Testimony at the meeting

- You can testify on an agenda item to all three bodies: the SSC, the AP, and the Council
- You need to sign up on the sign-up sheet before the staff reports for your issue are completed.
- Before the Council, individuals or businesses get 3 minutes to testify, and persons representing organizations or associations get 6 minutes

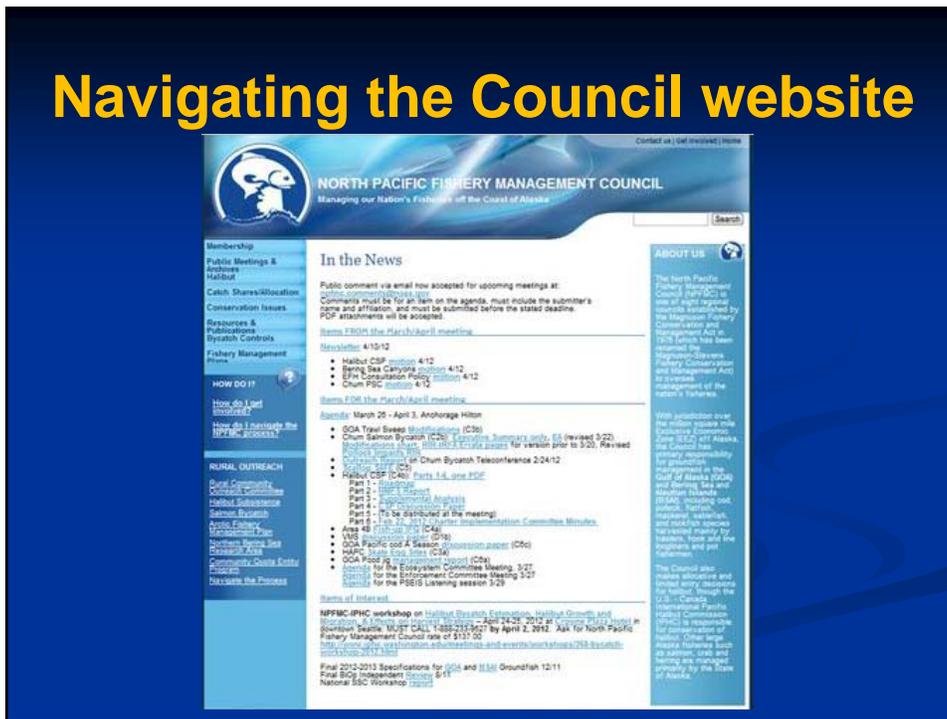


The image shows a 'PUBLIC TESTIMONY SIGN-UP SHEET' form. At the top, it says 'Agenda Item:' followed by a blank line. Below this is a table with two columns: 'NAME (PLEASE PRINT)' and 'TESTIFYING ON BEHALF OF'. The table has 25 rows, numbered 1 through 25. At the bottom of the form, there is a small disclaimer: 'This form is provided as a service to the public. It is not intended to be used for legal purposes. The National Oceanic and Atmospheric Administration (NOAA) is not responsible for the accuracy or completeness of the information provided on this form. For more information, please contact the National Oceanic and Atmospheric Administration (NOAA) at 1-800-853-7674 or www.noaa.gov.' The form is currently blank.

Written comments

- **The Council also accepts written testimony on agenda items.**
 - You may send a letter by mail or fax to the Council to the address.
 - The Council now also accepts comments via email to npfmc.comments@noaa.gov. Comments must be for an item on the agenda, must include the submitter's name and affiliation, and must be submitted before the stated deadline. PDF attachments will be accepted.
- **Comments must be received a week before the meeting, usually by the Tuesday before.** If you submit your comment by this deadline, your letter will be in the Council notebooks.

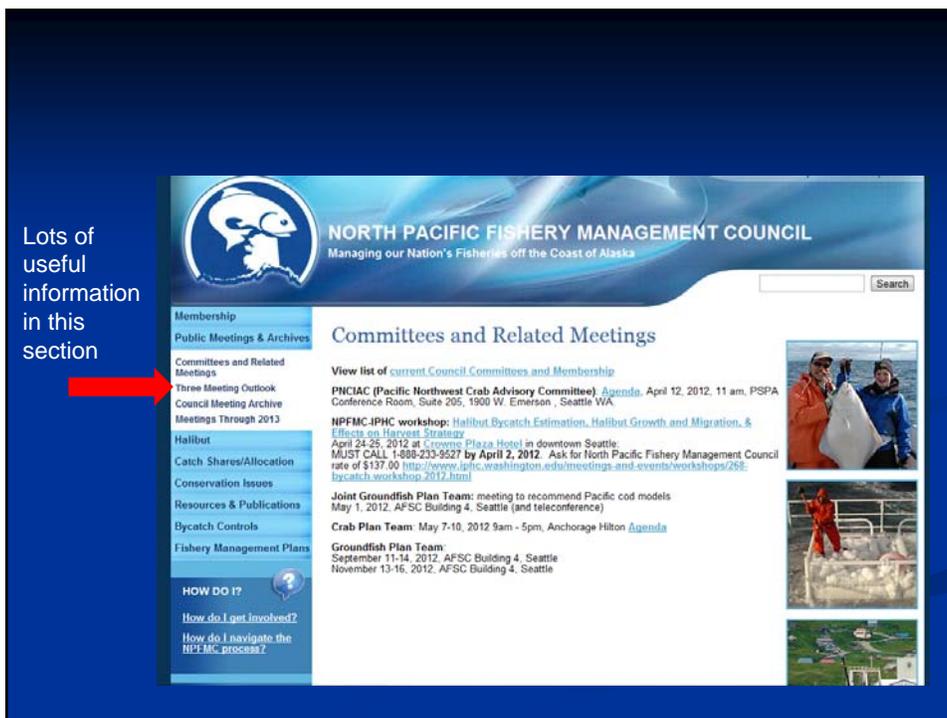
Navigating the Council website



Items for the June 2012 meeting will appear on our homepage



Other resources on our website



Lots of useful information in this section



Council's 3-meeting outlook

DRAFT NPFMC THREE-MEETING OUTLOOK updated 4/8/12		
June 4 - 12, 2012 Kodiak, AK	October 9-8, 2012 Anchorage, AK	December 3-11, 2012 Anchorage, AK
SSL EIS scoping (T)	SSL EIS scoping (T)	AI Risk Assessment: Report (T)
Limit Other Gear on Jig Vessels: Expanded Discussion Paper	Observer Deployment Plan: OAC report; action as necessary	Charter Halibut: Recommendations for 2013
Halibut workshop report: Review	Halibut CSP: Final Action	
GOA Halibut PSC: Final Action	Definition of Fishing Guide: Discussion Paper	
GOA comprehensive halibut bycatch amendments: Disc paper	BSAI Chum Salmon Bycatch: Initial Review	GOA Chinook Bycatch AI Trawl Fisheries: Initial Review
BSAI halibut PSC limit: Discussion paper (T)	Halibut/Sablefish IFQ Leasing prohibition: NMFS Disc. paper (T)	HIS IFQ Disc papers (GOA sablefish pots, unharvested halibut, sablefish A-share caps) (T)
	Retention of 4A halibut in BSAI sablefish pots: Disc. paper (T)	
BSAI Greenland turbot allocation: Discussion paper	VMS Use and Requirements: Expanded Discussion Paper	BSAI Crab active participation requirements: Final Action
BSAI Crab Binding Arbitration - GKC: Workgroup report	BSAI Crab active participation requirements: Initial Review	BBRKC spawning area/fishery effects: Updated Discussion paper
BSAI Crab ROFR: Initial Review (T)	BSAI Crab Cooperative Provisions for Crew: Discussion paper	
Binding Arbitration Issues (lengthy season, publishing decisions, IPQ initiation): Discussion Paper	BSI Habitat Conservation Area Boundary: Review	AFA Vessel Replacement GOA Sideboards: Final Action
	Northern Bering Sea Research: Discussion paper	
Revise FLL GOA cod sideboards: Discussion paper	AFA Vessel Replacement GOA Sideboards: Initial Review	
FLL Vessel Replacement: Initial Review	FLL Vessel Replacement: Final Action	
BSAI Flatfish specification flexibility: Discussion Paper	Groundfish Catch Specifications: Adopt proposed specifications	Groundfish Catch Specifications: Adopt Final specifications
HAPC - Skate sites: Initial Review (T)	HAPC - Skate sites: Final Action (T)	
Crab Plan Team Report: Set Catch Specifications for 4 stocks	BSAI Crab SAFE: Final OFL/ABC specifications for 6 stocks	BSAI Tanner Crab rebuilding plan: Final Action (T)
Pribilof BKC Rebuilding Plan: Final Action	BSAI Tanner Crab rebuilding plan: Initial Review (T)	
BSAI Tanner Crab rebuilding plan: Revise Alternatives		
5-Year Research Priorities: Review and Approve		
PSERIS: Review comments & reports; action as necessary		
Total catch and ACLs: Discussion paper (T)		
Grenadiers: Discussion paper (T)		
GOA pollock EFP: Review (T)		
ITEMS BELOW FOR FUTURE MEETINGS		
Crab PSC numbers to weight: Discussion paper		
Crab bycatch limits in BSAI groundfish fisheries: Disc paper		
BS Canyons: Updated AFSC report: Fishing activities and management discussion paper		
MPA Nominations: Discuss and consider nominations		
AI - Aleutian Islands	GKC - Golden King Crab	Future Meeting Dates and Locations
AFA - American Fisheries Act	GHL - Guideline Harvest Level	June 4-12, 2012 - Best Western Kodiak
BOO - Biological Opinion	HAPC - Habitat Areas of Particular Concern	October 9-8, 2012 - Hilton Hotel Anchorage
BSAI - Bering Sea and Aleutian Islands	IFQ - Individual Fishing Quota	December 3-11, 2012 - Anchorage
BKC - Blue King Crab	IBQ - Individual Bycatch Quota	February 4-12, 2013 - Portland
BOF - Board of Fisheries	MPA - Marine Protected Area	April 9-8, 2013 - Anchorage
COE - Community Quota Entity	PSERIS - Programmatic Supplemental Impact Statement	June 3-11, 2013 - Juneau

June Council meeting agenda (preliminary – from 3 meeting outlook)

SSL EIS scoping (T)

Limit Other Gear on Jig Vessels: **Expanded Discussion Paper**

Halibut workshop report: **Review**

GOA Halibut PSC: **Final Action**

GOA comprehensive halibut bycatch amendments: **Disc paper**

BSAI halibut PSC limit: **Discussion paper (T)**

HALIBUT

BSAI Crab Binding Arbitration - GKC: **Workgroup report**

BSAI Crab ROFR: **Initial Review (T)**

Binding Arbitration Issues (lengthy season, publishing decisions)
Discussion Paper

CRAB RATZ PROGRAM

IPQ initiation:

Crab Plan Team Report: **Set Catch Specifications for 4 stocks**

Pribilof BKC Rebuilding Plan: **Final Action**

BSAI Tanner Crab rebuilding plan: **Revise Alternatives**

CRAB CONSERVATION

June Council meeting agenda

(preliminary – from 3 meeting outlook)

Revise FLL GOA cod sideboards: *Discussion paper*
FLL Vessel Replacement: *Initial Review*
BSAI Greenland turbot allocation: Discussion paper
BSAI Flatfish specification flexibility: *Discussion Paper*

FREEZER
LONGLINERS and
AMENDMENT 80

HAPC - Skate sites: *Initial Review (T)*

5-Year Research Priorities: *Review and Approve*
PSEIS: *Review comments & reports; action as necessary*

Total catch and ACLs: *Discussion paper (T)*
Grenadiers: *Discussion paper (T)*

GOA pollock EFP: *Review (T)*

Other events during June 2012 meeting in Kodiak

- Jig fishery issues workshop
 - Evening of Tuesday, June 5
 - Being organized with the Alaska Jig Association
- Restructured observer program registration system orientation
 - Evening of Thursday, June 7

Example of a Council agenda

North Pacific Fishery Management Council

Eric Olson, Chairman
Chris Oliver, Executive Director
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CHECK THE DATE FOR THE LATEST VERSION

March 22, 2012

DRAFT AGENDA

20th Plenary Session
North Pacific Fishery Management Council
March 28 - April 3, 2012
Hilton Hotel

The North Pacific Fishery Management Council will meet at the Hilton Hotel, 500 West 3rd Avenue, Anchorage, AK. Other meetings to be held during the week are:

Committee/Panel	Beginning
Advisory Panel	March 26 - 30 - Dillingham Katmai Room
Scientific and Statistical Committee	March 26 - 28 - King Salmon Tlaxima Room
DFQ Implementation Committee	March 26 - 6pm - SSC Room
Habitat Charter Implementation Committee	March 27 - 4pm - 8pm - Fireweed Room
Ecosystem Committee	March 27 - 9am by teleconference and/or Room 205
Enforcement Committee	March 27 - 1pm - 4pm - Council Office, Room 205

All meetings are open to the public, except executive sessions of the Council. Other committee and working group meetings may be scheduled on short notice during the week, and will be posted at the hotel.

INFORMATION FOR PERSONS WISHING TO PROVIDE PUBLIC COMMENTS

Sign-up sheets are available at the registration table for those wishing to provide public comments on a specific agenda item. Sign-up must be completed before public comment begins on that agenda item. Additional names are generally not accepted after public comment has begun.

Submission of Written Comments: Written comments and materials to be included in Council meeting notebooks must be received at the Council office by 5:00 pm (Alaska Time) on **THURSDAY March 24, 2012**. Written and oral comments should include a statement of the source and date of information provided as well as a brief description of the background and interests of the person(s) submitting the statement. Comments can be sent by mail or fax. It is the submitter's responsibility to provide an adequate number of copies of comments **after the deadline**. Materials provided during the meeting for distribution to Council members should be provided to the Council secretary. A minimum of 25 copies is needed to ensure that Council members, the executive director, NOAA General Counsel, appropriate staff, and the official meeting record each receive a copy. Copies are to be made available for the Advisory Panel (20), Scientific and Statistical Committee (18), or the public after the pre-meeting deadline, they must also be provided by the submitter.

Submission of EMAIL Comments: The Council will begin accepting email comments at one email address: public.comment@nfmcc.gov.

The comments must identify the submitter by legal name, affiliation, and date, and must also identify the specific agenda item by number (C-1a for example), and must be submitted by the comment deadline. Comments received under these conditions will be sorted, copied, and included in the Council notebooks.

PDF attachments will be accepted, as long as the above criteria are met. Comments received after the deadline will not be copied and distributed, but will be mailed the same as written line comments. Emails submitted for the comments must be to the above address, and not to specific Council staff or Council members. Additionally, email comments will only be accepted on items that are on the scheduled agenda. While a return receipt will be issued automatically upon receipt of the electronic comment, as always, submitters may always call the office to confirm.

FOR THOSE WISHING TO TESTIFY BEFORE THE ADVISORY PANEL

The Advisory Panel has revised its operating guidelines to incorporate a strict time management approach to its meetings. Rules for testimony before the Advisory Panel have been developed which are similar to those used by the Council. Members of the public wishing to testify before the AP **must** sign up on the list for each topic listed on the agenda. Sign-up sheets are provided in a special notebook located at the back of the room. The deadline for registering to testify in when the agenda topic comes before the AP. The time available for individual and group testimony will be based on the number registered and determined by the AP Chairman. The AP may not take public testimony on items for which they will not be making recommendations to the Council.

FOR THOSE WISHING TO TESTIFY BEFORE THE SCIENTIFIC AND STATISTICAL COMMITTEE

The usual practice is for the SSC to call for public comment immediately following the staff presentation on each agenda item. The Committee will discourage testimony that does not directly address the technical issues of concern to the SSC. Presentations lasting more than five minutes will require prior approval from the Chair.

Commonly used Acronyms

AI - Aleutian Islands	QEL - Chukchi Harvest Level
AFA - American Fisheries Act	RAPC - Habitat Areas of Potential Concern
BRRC - Bristol Bay Red King Crab	IBA - Individual Species Accounting
BCF - Biological Census	IBQ - Individual Species Quota
BKC - Blue King Crab	ICA - Inter-operative Agreements
BSA - Bering Sea and Aleutian Islands	IFQ - Individual Fisheries Agreements
BSRF - Bering Sea Fisheries Research Foundation	IPQ - Individual Process Quotas
BSRF - Bering Sea Integrated Ecosystem Research Program	IPA - Incidental Program Agreements
AK DDF - Alaska Board of Fisheries	MPA - Marine Protected Area
CCG - Community Development Grants	NSR - Notice of Intent
CIE - Center for Independent Experts	PSIS - Programmatic Supplemental Impact Statement
COA - Coastal Oil of Alaska	PSQ - Programmatic Species Quota
CQE - Community Quota Entry	RKC - Red King Crab
CEP - Community Ecosystem Program	RSR - Right of First Refusal
EFP - Exempted Fishing Permit	SAFE - Stock Assessment and Fishery Evaluation
EIR - Environmental Impact Statement	SEL - Shellfish Sanitation
ETH - Essential Fish Habitat	TAC - Total Allowable Catch
ELL - Essential Fishery Limit	VMS - Vessel Monitoring System
GOA - Gulf of Alaska	
GNK - Golden King Crab	

Other committees meeting during the Council week

HOW TO PROVIDE PUBLIC COMMENT

(example)

NOTE: Council may take action as necessary on all matters listed on the Agenda.

March 22, 2012

DRAFT AGENDA
20th Plenary Session
North Pacific Fishery Management Council
March 28 - April 3, 2012

Estimated Time

Item	Estimated Time
A. CALL MEETING TO ORDER	
(a) Approval of Agenda	
(b) Approval of Minutes	
B. REPORTS	(6 hrs)
B-1 Executive Director's Report	
B-2 NPFMC Management Report (incl. report on observer program implementation; and overview of regulatory review process)	
B-3 ADF&O Report	
B-4 NOAA Enforcement Report (including DFQ Enforcement Report)	
B-5 USCO Report (will be taken following B-1)	
B-6 USFWS Report	
B-7 Protected Species Report (including review of SSL, NCE for IBS)	
C. MAJOR ISSUES/FINAL ACTION ITEMS	
C-1 Cooperative Reports	(2 hrs)
(a) Receive Amendment B0 Cooperative Reports.	
(b) Receive COA Rockfish Cooperative Reports.	
(c) Receive AFA Pollock Cooperative and IPA Reports.	
C-2 BSAI Chum Salmon Diversion	(12 hrs)
(a) Update on salmon genetics. (T)	
(b) Initial review of chum salmon bycatch measures.	
C-3 Habitat Conservation Issues	(10 hrs)
(a) Initial Review of HAVC state sites.	
(b) Final action on GOA Flatfish Trawl Swap Modification.	
(c) Review BS Habitat Conservation Area boundary.	
(d) EIR consultation on the Ecosystem Committee Report.	
C-4 Habitat Issues	(8 hrs)
(a) Final action to allow Area 4B fish-up.	
(b) Review CSP and action as necessary.	
C-5 Stocking SAFE	(2 hrs)
Approve 2012-13 ABC and OFL harvest specifications.	
C-6 GOA Pacific Cod	(6 hrs)
(a) Updated discussion paper on Pacific Cod jig management (reverse parallel).	
(b) Discussion paper on limiting other gear on jig vessels.	
(c) Discussion paper on GOA Pacific cod season opening dates.	

D. OTHER ISSUES

D-1 Miscellaneous Issues	(6 hrs)
(a) BSRF Management Strategy Evaluation report.	
(b) Discussion paper on VMS use and requirements.	
(c) Programmatic Groundfish SES, public workshop and SSC evaluation only.	
(d) Report from the BSAI Crab ROFB Workgroup.	
(e) Tanner crab model review. (SSC only)	
(f) Review GOA pollock EIR-0413 Delayed	
D-2 Staff Linking	(4 hrs)
Review Committees and tasking.	
D-3 Other Business	
(T) - tentative	
Total Hours: (56 hrs)	

Generally, B reports are only for the Council

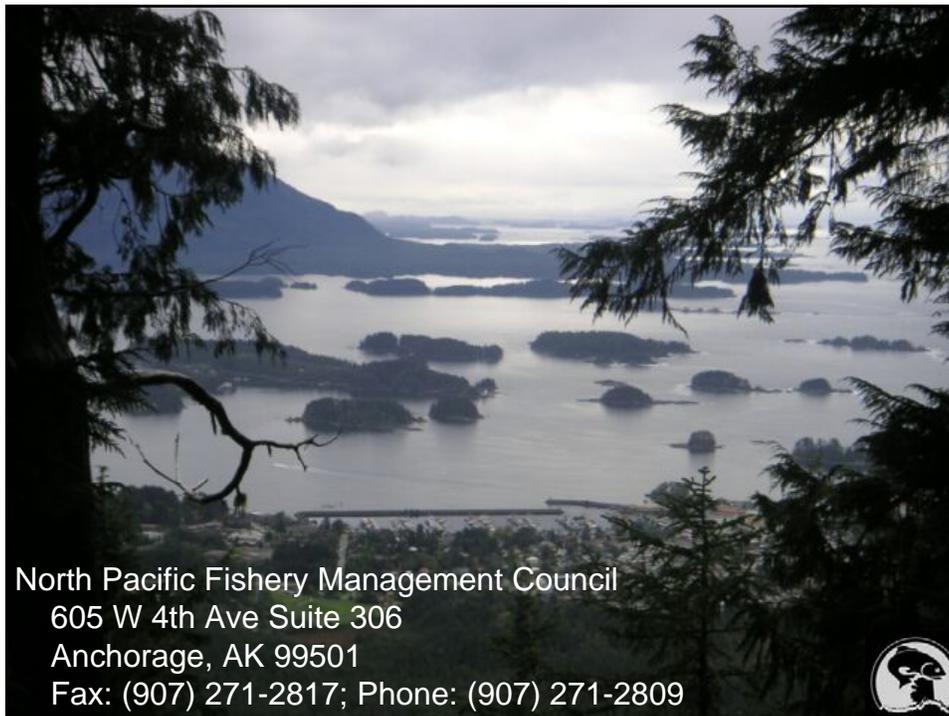
Generally, all of the "C" and "D" issues will be presented to the Council and the AP; and to the SSC at initial review, or when there is a scientific issue

- Generally:**
- The Council will take issues up in the exact order listed, although the timing may not remain as scheduled (as some issues take more or less time than predicted)
 - The AP agenda may be subject to variation, depending on the length of agenda item and staff availability; SSC too, but they try to stick more closely to their schedule. The chairs will announce any schedule changes.
 - **WHEN IN DOUBT**, ask a staff member (or the person next to you) about scheduling changes, if you are trying to track an issue.

The meeting room and order of agenda items for Council, AP, and SSC is provided in each column

Other events during the meeting may be listed in the left hand column

Draft Agenda and Schedule			
	SSC King Salmon/Hanna	AP Dillingham/Katmai	MAR 27-29, 2012 Council Aleutian Room
Monday Mar 26 IFQ Implementation Committee - 6pm - SSC room	8:00 am C-2 BSAI Cham Salmon Bycatch	8:00 am C-4 (a, b)	
	1:00 pm C-5 Scallop SAFE	1:00 pm C-4(a) Area 4B Fish-up C-1 Coop Reports	
Tuesday Mar 27 Halibut Charter Implementation Committee - 4pm-8pm, Hilton Fireweed Room	8:00 am D-1 (a, c, e, f) Miscellaneous Issues	8:00 am C-2 BSAI Cham Salmon Bycatch	Greenpeace 'Canyons' presentation - AP Room - 5:30pm
	1:00 pm D-1 continued	1:00 pm C-2 continued C-3 (c) BS Habitat Conservation	
Wednesday Mar 28 USCG Command Center Tour	8:00 am C-3 (a) HAPC skate sites	8:00 am C-2 continued C-5 Scallop SAFE	8:00 am B report
	1:00 pm continued as necessary	1:00 pm C-3 (a, b, d) Habitat Conservation Issues	1:00 pm B reports continued C-1 Cooperative Reports C-3(c) BS Habitat Conservation
Thursday Mar 29 Stakeholders listening session on Groundfish PSEIS 5:30- 8pm - AP Room		8:00 am C-3 continued	8:00 am C-2 BSAI Cham Salmon Bycatch
		1:00 pm C-4(b) CSP	12:00pm Executive Session (T) 1:00 pm C-2 continued
Friday Mar 30		8:00 am D-1 Miscellaneous Issues	8:00 am C-2 continued



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