



**ADVISORY PANEL  
Motions and Rationale  
Sept 29 - Oct 2, 2025 Webinar**

The Advisory Panel met Wednesday, December 3, through Friday, December 5, 2025, at the Egan Center in Anchorage, AK. The following members were present for all or part of the meetings:

Tiffany Agayar	Lauren Howard	Chance Miller
Tamara Briggie	James Johnson	Patrick O'Donnell
Eva Dawn Burk	Maktuayaq	Landry Price
Bernie Burkholder	(Formerly Johnson, Mellisa)	Chelsae Radell (Co-Vice Chair)
Shannon Carroll (Chair)	<del>Kavanaugh, Julie</del>	Annika Saltman
Nels Evens	Rick Laitinen	Paul Wilkins
Gretar Gudmundsson	Craig Lowenberg	Susie Zagorski
	Heather Mann (Co-Vice Chair)	

**C1 MRA Adjustments**

The AP recommends the Council take final action on the MRA Adjustments package selecting Alternative 2 (Options 1, 2, 4, 5, 6, and 7); Alternative 3 (Method 1); Alternative 4 (Option 2, Method 1); and Alternative 6 with the following revisions (deletions are in ~~strikethrough~~, and additions are underlined).

The AP recommends that the Council take no action on Alternative 5 at this time. Further, the AP recommends the Council encourage OLE to focus on compliance assistance during the implementation of this regulatory package.

**Purpose and Need**

*The purpose of this action is to improve the regulations that implement the Maximum Retainable Amount (MRA) of species closed to directed fishing (incidental catch species) while a vessel operator is engaged in fishing for species or species groups that are open to directed fishing. This action is necessary to clarify current MRA regulations, make MRA calculations easier, reduce regulatory discards, and address medical, mechanical, or weather issues that can impact MRA calculations. The Council intends to maintain the original intent of MRAs and is not considering changes that increase MRA percentages or changes in how MRAs assist in limiting harvest of a groundfish species within its annual total allowable catch.*

**Alternatives**

**Alternative 1, No Action**

Under the No Action alternative, all regulations related to MRA would remain at status quo. The MRA is the percentage of a species closed to directed fishing that is retained in relation to a 'basis species' that is open to directed fishing. Regulations prohibit a vessel from exceeding an MRA. In most cases, any additional catch amounts must be discarded at sea. Federal regulations at 50 CFR 679.20(e) establish MRAs as a percent of a basis species in Table 10 to part 679 for the GOA, Table 11 for the BSAI, and Table 30 for the Central GOA (CGOA) Rockfish Program (see Appendix 2 for

~~complete tables). NMFS accounts for all retained and discarded catch and deducts it from the species specific TAC whether the vessel retains or discards that catch. Only retained catch accrues to an MRA.~~

### **Alternative 2 – Revise MRA Regulations**

This alternative would revise MRA regulations to clarify (1) the definition of a fishing trip, (2) calculations for MRAs, and (3) applications of MRAs. These changes would provide clarification and make minor modifications in how the MRA regulations are currently implemented.

Option 1: Modify the definition of a fishing trip to make it clear that motherships are responsible for the overall MRA of any catcher vessel (CV) delivering unsorted codends.

Option 2: Clarify that MRAs are calculated by fishery management program due to different fishing prohibitions in place for each fishery management program.

~~Option 3: Correct regulation citations for American Fisheries Act (AFA) vessels and AFA replacement vessels.~~

Option 4: Clarify that ~~when~~ Community Development Quota (CDQ) groups may ~~uses an AFA vessel to harvest Amendment 80 (A80) species, BSAI pollock and BS Atka mackerel MRAs are calculated at the time of the offload and any species open to directed fishing may be used~~ as a basis species for compliance with MRAs.

Option 5: Clarify that MRAs take precedence over improved retention/improved utilization (IR/IU) regulations for CVs delivering catch to a shoreside processor or stationary floating processor when CVs fish in areas with different fishing prohibitions.

Option 6: Update IR/IU regulations for A80 vessels to reflect past Council actions.

Option 7: Revise the definition of directed fishing at 50 CFR 679.2 for vessels participating in the pelagic trawl electronic monitoring program such that vessels deploying pelagic trawl gear are directed fishing for pollock if the amount of pollock is Suboptions: 51-~~90~~ percent or greater of total catch.

### **Alternative 3 – Revise Triggers that End a Fishing Trip**

This alternative would revise the triggers that end a fishing trip from five to ~~two~~ three triggers in the definition of a fishing trip for catcher processors (C/Ps) and motherships (not including current offload-to-offload species - BSAI pollock, BS Atka mackerel, and weekly reporting period species in the CGOA Rockfish Program). ~~Two~~ Three triggers would remain: (1) when ~~all~~ any fish or fish product is offloaded, ~~and~~ (2) if the vessel changes authorized gear type, and (3) when a vessel changes FMP area (i.e., when a vessel transits between the GOA and BSAI). Three triggers would be removed: (1) the effective date of a different fishing prohibition in the area the vessel is fishing, (2) when a vessel enters or leaves an area with a different fishing prohibition, and (3) the end of a weekly reporting period.

Method 1: Use all basis species accumulated on the vessel when calculating MRAs for each trip regardless of fishery closures and protection areas. Clarify that for C/Ps and

motherships the lowest MRA applicable during a fishing trip does not apply during the entire trip (by deleting regulations at 679.20 (e)(3)(ii) and 679.20 (e)(3)(vi)).

Clarify that fishing trips can be resumed.

~~Method 2: Only use basis species accumulated after a change in directed fishing has occurred due to an inseason action or entering a protection area for the species that had a change in status for each trip.~~

#### **Alternative 4 – Add Additional Species to an Offload-to-Offload**

This alternative would add additional species to an offload-to-offload MRA application in the BSAI and GOA for all vessel sectors. ~~(BSAI pollock and BS Atka mackerel are already under an offload-to-offload calculation for non-AFA vessels, and CGOA Rockfish Program is under a weekly MRA calculation.)~~

~~Option 1: Add BSAI Pacific cod, GOA Pacific cod, GOA pollock, BS skates, CGOA Rockfish Program, and GOA shallow water flatfish.~~

Option 2: Include all groundfish species.

Methods 1 ~~and 2~~ would only apply to C/Ps and motherships.

Method 1: Use all basis species accumulated on the vessel when calculating MRAs for each trip regardless of fishery closures and protection areas. Clarify that for C/Ps and motherships the lowest MRA applicable during a fishing trip does not apply during the entire trip (by deleting regulations at 679.20(e)(3)(ii) and 679.20(e)(3)(vi).

Clarify that MRA regulations take precedence for C/Ps and motherships in instances where vessels are required to meet competing standards of MRA and IR/IU and come in at the MRA.

~~Method 2: Only use basis species accumulated after a change in directed fishing has occurred due to an inseason action or entering a protection area for the species that had a change in status for each trip.~~

#### **~~Alternative 5 – Annual Pollock MRA Calculation for A80.~~**

~~This alternative would apply BS pollock MRA provisions to A80 vessels on an annual basis with the implementation of an incentive plan or other controls to prevent increases in average pollock catch.~~

~~Establish similar measures for CDQ groups harvesting A80 species to ensure consistency with regulation of harvest statutory requirements.~~

#### **Alternative 6 – Provide Exemptions from MRA Requirements**

This alternative would provide exemptions in regulation from MRA requirements in cases of medical emergencies, mechanical emergencies, or poor weather that ends a fishing trip.

Main Motion passed 19-0

Rationale in Support of Motion

- *This action addresses long-standing concerns identified by both NMFS and the affected groundfish fleets. There is broad support from multiple different fishing sectors in both the Bering Sea and Gulf of Alaska for moving this action forward and the document is clear on the overarching positive benefits this action will have for multiple fleets. MRA regulations are outdated, highly complex, and challenging for operators and managers to understand and apply consistently. This creates conditions that require vessels to unnecessarily discard fish.*
- *This action addresses National Standard 9 and meets the Council’s mandate under the Magnuson-Stevens Act (MSA) to “minimize bycatch to the extent practicable”. This action is also consistent with National Standards 5, 6, 7, and 10, respectively.*
- *The AP motion is aligned with Executive Order 14276 “Restoring American Seafood Competitiveness”, which specifically states that it is U.S. policy to “unburden our commercial fishermen from costly and inefficient regulation”. This action could “reduce burdens on domestic fishing,” “increase production” and it would “enhance economic profitability, and prevent closures”.*
- *The AP motion is also responsive to “Enforcement Considerations for NOAA Fisheries and North Pacific Fishery Management Council” that were developed collaboratively by NOAA Office of Law Enforcement (OLE), United States Coast Guard (USCG), and State of Alaska in 2014. That document highlighted that “regulations should be as simple as possible” and “where feasible, seek to reduce the number of regulations”. Specific to MRAs, the Enforcement Precept document also recommended that the Council: “Consider reviewing and removing MRA requirements if not necessary for management”; “Consider simplifying regulations by restricting maximum retainable amounts at delivery and not at-sea”; and “Regulations should consider industry best practices and other industry recommendations.”*
- *The AP motion includes clarifications to best meet the Council’s purpose and need statement and minimize future challenges with MRA regulations. These do not affect the impacts of the action as analyzed, but instead provide clarity about how these simplified MRA regulations should be applied.*
- *The “Specific Items for Council Attention” section in the document, and encourages OLE to focus on compliance assistance and communication with the affected groundfish fleets during implementation of this package.*
- *CDQ harvest by Amendment 80 and related catcher/processors and motherships is an important revenue source for CDQ groups. This motion may result in a moderate increase in value of non-directed species, which would support the overall mission of CDQ groups in maximizing fisheries revenue to fund important community development programs in the CDQ region.*
- *While there was broad, unanimous support for this action to address overburdensome and unclear regulations, some AP members did note the following concerns:*

- *This action should be paired with a review of MRA percentages. The purpose and need refers to an MRA as “incidental catch” yet the action of topping off or targeting an MRA is inconsistent with this intention. As these new changes are potentially implemented, fishery behavior changes should be considered. MRAs are intended to provide vessels opportunity to continue to directed fish for their basis species while incidentally harvesting species they are not targeting. If a fishery has a need to top off under these proposed regulation changes then the MRA percentage should be reviewed.*
- *There is a need for continued monitoring for changes in behaviors that may bring unintended impacts as a result of this action. For example, this could result in preemption of other sector’s Pcod TAC late in the year. An AP member noted that a review of the results of this action is appropriate at a future date.*

*Rationale Specific to Alternative 2:*

- *The AP only provided rationale on options under Alternative 2 that are modified in the motion or require additional clarity.*
- *Option 1: Current practice is for motherships to aggregate CVs delivering fish from the same management program together within a NMFS fishing trip. CV deliveries to motherships are subject to 200% observer coverage, every haul is sampled, and CVs have VMS. The AP does not agree with OLE’s recommendation to increase complexity by having each CV delivery to a mothership be a single trip. Public comment noted that doing what OLE suggests would result in lots of single haul trips and will increase regulatory discards, which is counter to the purpose and need of this action.*
- *Option 2: Under status quo some C/Ps and motherships participate in multiple management programs and toggle back and forth between them. These vessels have concurrent trips in two or more management programs happening on a regular basis (e.g., A80 and CDQ). The AP’s intent is to clarify that fishing trips in each management program can be resumed as vessels toggle back and forth between them until a trip trigger is reached.*
- *Option 3: Option 3 is not required since the motion selects Alternative 4, Option 2.*
- *Option 4: The first part of Option 4 is not required since the motion selects Alternative 4, Option 2. However, the second part to allow a CDQ group to include any species open to directed fishing as a basis species is still needed under this suite of action alternatives and remains in the motion.*
- *Option 5: The AP heard in public comment, and reiterated during deliberation, that Enforcement should understand that when a vessel is discarding to comply with an MRA regulation, they can make a reasonable estimate of how much they are discarding but will likely over-discard to ensure they remain under the MRA since they don’t ability to weigh catch at sea prior and don’t know the final amount until delivery. Vessels should not be subject to enforcement action regarding IR/IU when complying with an MRA, as long as the vessel is still retaining the majority of the IR/IU species up to the MRA.*
- *Option 7: The AP motion selects 51% or more of the total catch as the new directed fishing definition for vessels operating on pelagic trawl EM trips, which captures nearly all instances of unavoidable POP incidental catch on TEM trips. The analysis shows that if the sub option of*

*>80% were to be selected, a total of 38 trips from 2022-2024 would have still been unintentionally and unavoidably in violation of the directed fishing definition while complying with the maximum retention requirement.*

- Vessels should not be penalized with directed fishing violations when the directed fishing definition is in conflict with the maximum retention requirement. Public comment from the impacted groundfish sector is consistent with this recommendation.*
- This Option does not increase the amount of POP that may be accidentally harvested. The AP also noted written comment from a Trawl EM shoreside processor which reiterated that there are only disincentives for vessels to deliver POP during the pollock fishery.*

### *Rationale Specific to Alternative 3:*

- The AP motion selects Alternative 3, Method 1, with minor clarifications to reflect issues raised in the analysis. It includes NMFS's suggestion that a trigger to establish a new fishing trip would be needed when a vessel transits to a new FMP regulatory area, as it is consistent with current practice.*
- The AP motion removes three trip triggers, (1) the effective date of a different fishing prohibition in the area the vessel is fishing, (2) when a vessel enters or leaves an area with a different fishing prohibition, and (3) the end of a weekly production period. Triggering an excessive number of trips leads to regulatory discards and is inconsistent with the purpose and need for this action. Removing these trip triggers will reduce the regulatory complexity, compliance difficulty, and reduce discards.*
- The AP motion picks up NMFS's recommendation on p.19 of the analysis to change the wording of the fishing trip trigger for C/Ps and motherships from "the offload or transfer of all fish or fish product" to "the offload or transfer of any fish or fish product."*
- Under Method 1, if a species is closed in the middle of fishing operations, the impact on MRA calculations is limited to only that one trip for that specific vessel. Given the thousands of trips that vessels of all sectors undertake during a fishing year, the potential impact on overall incidental catch of any species is extremely small at the fishery level. The analysis shows that Method 2 is inconsistent with the purpose and need for this action and would have a direct and significant adverse effect on vessels that happen to be fishing during a fishery opening and closures, increases discards for those trips, and imposes an unnecessary compliance challenge.*
- Method 1 does not pose a risk to Steller sea lion prey species (i.e., Atka mackerel, Pacific cod, and pollock). Table 5-20 on page 135 of the Analysis characterized the overall risk to Steller sea lion prey species inside Steller sea lion protection areas as low under Method 1.*
- There are numerous limitations (protections) already in place for Steller sea lion prey species that are detailed extensively in the analysis and in public comment. These comprehensive protection measures remain in place and will not change under this action. All harvest will continue to occur under authorized Steller sea lion protection measures. For the AI, BS, and GOA, catch is very low relative to TAC for several prey species, and protected area catch has been consistently low for all three Steller sea lion prey species. There is no indication that*

*harvests will increase beyond the ranges of catch already considered, analyzed, and authorized in previous Biological Opinions.*

- *The AP motion clarifies that for CPs and motherships, the lowest MRA applicable during a fishing trip does not apply during the entire trip, by removing the regulations at 679.20 (e)(3)(ii) as suggested by the Analysis. Restricting a C/P or mothership to the lowest MRA encountered for the duration of the fishing trip is inconsistent with the purpose and need. The AP motion also removes regulations at 679.20 (e)(3)(vi) with the same rationale.*
- *The AP motion requests clarification that fishing trips can be resumed, consistent with long standing practice within the fishery. The AP recommends the word 'resumed' when defining the fishing trip period means that:*
  - *a vessel may fish in an area, enter a new area with a different fishing prohibition and fish, and then return to the first area to continue the first trip.*
  - *a vessel may fish in a management program, then enter a second management program and fish, and then return to the first management program to continue the first trip.*
- *The AP notes the new interpretation in the analysis that vessels can only 'resume' fishing trips when fishing operations are paused for inclement weather is inconsistent with long standing practice, would exponentially complicate accounting, increase the number of fishing trips, and increase discards. This new interpretation is outside of notice-and-comment rulemaking and wholly inconsistent with both the guidance received by fishery participants and with current practices in the fisheries. Public comment notes that if fishing trips cannot be resumed, the impacts on paperwork complexity and discards will be immense and are directly counter to the purpose and need of this action.*
- *This alternative should not apply to catcher vessels delivering shoreside.*

#### *Rationale Specific to Alternative 4:*

- *The AP motion selects Alternative 4, Option 2, Method 1, which would include all groundfish species in the offload-to-offload MRA application in the BSAI and GOA. Under status quo most species MRAs are calculated instantaneously, and this leads to complicated calculations and regulatory discards nearly every day a vessel operates. Moving to an offload-to-offload MRA application will make trip accounting more straightforward and reduce regulatory discards for C/Ps, motherships, and CVs.*
- *Catcher processors and motherships have multiple observers, all hauls sampled, motion-compensated scales, vessel monitoring systems, and daily reporting. This provides precise and accurate information for calculating MRAs and determining when and where fish are caught.*
- *For CVs, there isn't a mechanism to ensure that a CV is not over the MRA while in the middle of a fishing trip without an at-sea enforcement presence. Total retained catch is not sorted and weighed onboard CVs. Therefore, it is difficult to determine and enforce if a CV is within the allowed MRA at any given moment of the fishing trip if enforcement boards them. Allowing all MRAs on CVs to apply an offload-to-offload MRA application is easier to enforce and more*

*closely matches current practice. It also reduces regulatory discards by allowing vessels to retain incidental catch earlier in the trip, if they know they will be under the MRA by the time more basis species is on board and they make their delivery.*

- *All affected groundfish sectors that provided public comment were in favor of Option 2, as it is easier for the fleet to understand and comply with, and easier for enforcement to enforce.*
- *The AP flagged one outstanding issue. The current regulatory offload applications for BSAI pollock and BS Atka Mackerel use an offload definition of “removal of any fish or fish product.” The analyst asks on page p.19 if this is how the language should read for all the other species selected under Option 2 and public comment notes that this application might create unintended consequences for the C/V fleet. The AP recommends careful review of any potential interaction between the action alternative selected here and the C/V status quo fishing trip definition, to mitigate any unintended consequences for the C/V fleet.*
- *For C/Ps and motherships, the AP motion also does the following:*
  - *selects Method 1 for Alternative 4, with the same rationale as presented for Method 1 under Alternative 3.*
  - *recommends clarifying that for C/Ps and motherships that the lowest MRA applicable during the trip does not apply during the entire trip and this regulation should be removed, consistent with Alternative 3 and the analysts assumption.*
  - *recommends clarification of the precedence of MRA over IR/IU for C/Ps and catcher vessels delivering to motherships, consistent with NMFS’s suggestion. Currently these vessels do not have regulatory clarity about the simultaneously applicable (and contradictory) regulations where the MRA and IR/IU meet. Coming in exactly at, but not over the MRA is extremely complicated and challenging for vessel operators. The challenge of complying with contradictory regulations was recognized when the IR/IU program was implemented nearly 30 years ago.*

*Rationale Specific to Alternative 5:*

- *An AP member noted appreciation that Alternative 5 was removed for Final Action, which is responsive to public testimony and stakeholder concerns that an annual pollock MRA calculation did not fit in with the rest of the action.*

*Rationale Specific to Alternative 6:*

- *The AP motion selects Alternative 6 with broad based support for providing exemptions for medical emergencies, mechanical emergencies, or poor weather that ends a fishing trip. There have been a number of cases where vessels have been forced to return to port in the middle of a trip due to well documented mechanical and medical issues. The AP recommends regulations accommodate those issues and not penalize fishermen for elements that can often be out of their control.*
- *The AP recommends continuing to include a weather exemption and making this process easy and efficient for the limited number of times this provision is likely to be used.*



- *The AP was purposely not prescriptive on Alternative 6, instead providing a policy direction that can be implemented within the rulemaking process, noting that vessels should not receive enforcement action for prioritizing safety at sea.*

## **C2 Observer Motion**

The AP acknowledges the receipt of the 2026 Draft Annual Deployment Plan (ADP), the PCFMAC Report, and the FMAC Report and notes appreciation for staff's work on these items particularly during these challenging times of reduced capacity and budget uncertainty.

The AP supports and encourages the Council to adopt the following recommendations from the PCFMAC and/or FMAC:

- For the 2026 Final ADP, continue the same sampling unit (trip/delivery), stratification (8 partial coverage strata based on monitoring method, gear type, and FMP area), and the proximity allocation method (except for GOA Trawl EM) as the Final 2025 ADP.
- In keeping with the original intent of the pelagic trawl EM program and the EFP prior to implementation:
  - NMFS should include in the Final 2026 ADP that full coverage observers at AFA plants can accept and monitor GOA pollock trawl EM deliveries without the addition of partial coverage observers.
  - NMFS should find an opportunity to resolve the regulatory language requiring vessels in the Trawl EM category to have their EM systems on “from port to port” such that only fishing activity needs to be recorded. The language should be inclusive of situations such as vessels transiting from Washington and Oregon ports to Alaska, vessels acting as tenders or delivering to tenders in non-EM fisheries who may begin pollock trips from a non-EM tender rather than a port.
- NMFS should still pursue changes to the zero-selection pool for fixed gear vessels, in order to base the pool criteria on the amount of quota, volume harvested, or number of trips rather than just vessel size of <40 feet.
- NMFS should continue including committee members on emails that go to ODDS users so that members can help disseminate relevant information and updates to their respective fleets.
- In regards to E.O. 14276, *Restoring American Seafood Competitiveness*, the Council should write a letter to NOAA Office of Management and Budget (OMB) to request that industry-paid partial coverage observer funds not be sequestered in future years.
- Support for the NFWF proposals presented to the FMAC that have also been submitted for this grant cycle, including the Freezer Longline Coalition & Flywire project to identify the limits and capabilities of EM in replicating human observer-derived data in the Bering Sea

Pacific Cod Catcher Processor Sector, and the Real-Time Data project to continue the next phase of implementing eLogbooks into the fixed gear halibut and cod fleets.

Finally, in keeping with the original intent of the pelagic pollock Trawl EM program and the EFP prior to implementation, NMFS should include in the Final 2026 ADP budget housing and food costs for shoreside observers in Kodiak.

**The AP supports and encourages the Council to consider requesting NMFS conduct a pricing evaluation for observers similar to the suggestions from industry.**

*Amendment 1 passed 20-0*

*Main Motion as amended passed 20-0*

*Rationale in Support of Amended Main Motion*

- *The intention of the AP's motion was to adopt all of the PCFMAC and FMAC recommendations, with two additions captured at the end of the motion.*
- *The sampling unit, stratification, and allocation method are consistent with the Council's June motion during the Observer Program Annual Report. There were no noted issues with these methods, there will be an independent CIE review in 2026, and there is no rationale to change the approach at this time.*
- *In the first year of the regulated Trawl EM program, there have been a few issues which were to be expected when implementing a large regulatory package. The AP noted that the PCFMAC and FMAC Committee Reports from September 10th did an adequate job of highlighting two of these issues, but that they were being reiterated to ensure they are captured and resolved:*
  - *The Final Draft ADP should be explicit in that a full coverage Trawl EM AFA plant can accept GOA pollock Trawl EM deliveries without needing to have additional partial coverage observers assigned. The Observer Program confirmed that this is a contract issue that will be resolved in the Final ADP and does not require regulatory action.*
  - *During the Trawl EM EFP, stakeholders had addressed alternate scenarios where trips may not begin from a fishing port, but this intent did not carry over into the regulatory language and the conflict was overlooked during rulemaking. The motion language is intended to capture the various scenarios in which this could occur to ensure future regulatory language is inclusive. The AP noted that the FMAC report reflects that the Agency is working to resolve this through expedited rulemaking so that the regulations match the intent for only fishing activity to be captured with EM.*
  - *The third item is intentionally captured at the end of the motion because it was not a committee recommendation since the issue was discovered after the Sept 10 meeting date. The AP noted that the Trawl EM Final Action motion in October 2022 was explicit in stating that housing and food for partial coverage observers should be included in*

*the partial coverage budget. Shoreside processors in Kodiak already pay into the partial coverage program but some processors have also still been paying out of pocket to house and feed observers. There was discussion during the Staff Presentation that there would need to be additional conversations offline between industry, the partial coverage observer provider, and the Observer Program so that the 2026 budget can accurately reflect the housing and food costs before the Final ADP in December.*

- *The AP carried forward the committee's longstanding recommendation to change the criteria for the zero-selection pool. Revisions could ensure that <40 ft boats that are capable of having EM and have a larger amount of quota could potentially be moved into the pool, while boats with minimal quota could be moved out to prioritize our limited partial coverage dollars to be spent to the best extent possible.*
- *The AP slightly changed the committee recommendation regarding receiving ODDS emails to reflect that the Agency has already implemented this request since the September meeting and members received their first ODDS email in the last week. Appreciation was noted for this; when committee members who are non-ODDS users but work directly with their fleets also receive these emails it helps better disseminate the information and provide assistance to vessel operators.*
- *The AP noted the PCFMAC committee report and presentation clearly indicates that these funds are industry funds, not appropriations from Congress, and the continued delay of these funds impacts the annual level of Observer/EM coverage. The PCFMAC has been hearing about the challenge with receiving sequestered funds for years and the AP noted that FMA was finally able to receive the 2022 and 2023 sequestered funds this year. This creates significant inefficiencies and unnecessary burden in the budgetary process for Agency staff and removing them fits under EO 14276.*
- *The FMAC received presentations and noted general support for all projects; the Agency noted they want all projects to continue but staffing and capacity may alter how fully they are able to participate. The AP is carrying through the committee's support for all projects that have been submitted with this grant cycle, noting that one project that was presented decided not to submit prior to the deadline.*
- *While the AP heard concerns about the high costs associated with adding Trawl EM to the partial coverage budget, it was noted that the Staff Presentation (slide 18) and 2026 draft ADP (page 8) estimates GOA trawl EM Costs at \$863,000 with an expected 794 trips to be monitored in the GOA, while fixed gear EM is estimated to cost \$996,000 but expected to monitor only 166 trips. It was acknowledged that Trawl EM does impact the budget and monitoring rates for other fisheries, but that improvements have been made through this program and it is monitoring a high volume of effort for that price point. Additionally, another AP member noted that even if trawl non-EM coverage rates have gone down, the presentation shows that the amount of monitored pounds delivered continues to increase since huge strides have been made in improving trawl monitoring.*

- *The amendment was adopted to the main motion in response to oral testimony; the AP heard that some industry associations have been trying to get an analytical framework around the cost of observer coverage and the costs that go into the daily rate. Industry participants feel strongly that an analytical framework be developed and managed for increased transparency and efficiency.*
  - *Specific cost concerns included unnecessarily transporting observers to Seattle for debriefing or other items that may increase costs.*
  - *The maker of the Amendment clarified that this cost analysis should include both full and partial coverage costs to try to make costs more efficient. While some AP members did note some concerns with the amendment, it was not enough to prevent them from opposing the amendment.*
  - *An AP member noted that for several years prior to the PCTC program implementation, Bering Sea trawl cod catcher vessels in BS voluntarily opted into 100% observer coverage for accurate halibut numbers while also still paying the partial coverage fee. It was noted that this is the type of information that could be gleaned from a cost analysis.*
  - *There was a concern expressed in regards to Agency capacity to take on additional projects, but the concern was not significant enough to oppose the amendment.*

### **C3 BSAI Crab Specs**

The AP recommends the Council adopt the 2025 Crab SAFE Report, the 2025/26 OFL and ABC as recommended by the SSC for EBS Snow Crab, Bristol Bay Red King Crab and EBS Tanner Crab, as well as, the 2025/26, 2026/27, 2027/28, and 2028/29 OFL and ABC for Pribilof Islands Red and Blue King Crab as recommended by the CPT.

*Motion passes 18-0*

#### *Rationale in Support of Motion*

- *The AP thanks the CPT and SSC for their diligence and work to prepare these recommendations.*
- *It is understood that at the time of this motion, the SSC has not yet had the opportunity to review and discuss the CPT report on Pribilof Island Red and Blue King Crab. However, the AP did receive information on the CPT discussions of these stocks. Given the low level of controversy, timing constraints, and the fact overfishing is not occurring for PIRKC and PIBKC, the AP was comfortable making OFL and ABC recommendations for these stocks, noting the Council will have the opportunity and discretion to set the OFL and ABC for all species under consideration at this meeting.*

- *The AP appreciates the CPT and SSC recognition of the abundance of hybrids in this year's trawl survey and looks forward to receiving additional information on how hybrids will be considered in future stock assessments, with the understanding that the SSC recommended stock authors explore model runs that will include the hybrid biomass to determine the best path forward.*

#### **C4 Motion**

The AP recommends Council move the BSAI Crab C-Shares initial review analysis forward for final action with both Alternative 2 and Alternative 3 (10% cap on all fisheries under consideration) selected as the Preferred Preliminary Alternative.

*Motion passes 20-0*

#### Rationale in Support of Motion

- *The AP thanked staff for the presentation and noted appreciation for outreach to industry in developing this analysis. This action is responsive to public testimony and increases flexibility and opportunities for new entrants, promoting more economic stability, which is one of the key objectives of the CR program. It also provides consistency across CR fisheries and will more closely mirror the new regulations for maintaining c-shares.*
- *A combination of challenging times observed during, and after, the pandemic, low harvest levels and closed fisheries with fewer vessels and therefore crew positions, participating in the fisheries has had a chilling effect on new entrants. The market for c-shares is weak and demand is low (little to none). Increased demand & prices could motivate and enable current C share QS holders to initiate the sale and transfer of their currently held QS, creating additional churn in the QS holder pool.*
- *The AP selected a 10% use cap across all fisheries being considered to address potential concerns and provide a compromise for those who are concerned about excessive consolidation. While virtually all participants believe the cap should be increased, unanimous consent was not reached on what the cap should be and the 10% use cap reflects the compromise.*
- *This action retains the requirement to be a participant in the CR Program fisheries to keep that tie with crab fisheries, while also providing an alternative outlet for a CR Program crewmember to achieve the 150-day threshold for commercial fishing experience. It may increase opportunities for active CR program fishermen by increasing flexibility around C share requirements and encouraging new entrants, relative to no action. Tendering experience has been a common way for CR Program fishermen to begin working on a crab vessel. It would be particularly advantageous when harvesting crewmember opportunities are reduced, or for crewmembers who have primarily had tendering employment opportunities and experience.*

- *It is appropriate to select both alternatives, since each alternative provides different avenues and opportunities for C share markets to stabilize, compared to the status quo. Selecting only one alternative would only provide limited relief and response to the P&N.*

## **C5 Motion –BSAI Groundfish Specs and BSRE AMs**

The AP recommends the Council adopt the proposed 2026 and 2027 BSAI groundfish specifications for OFLs and ABCs as recommended by the SSC and set TACs, with all proposed specifications consisting of rollovers of 2026 final specifications from 2025/2026 harvest specifications. The TACs for both BS and AI Pacific cod have been adjusted to account for the State water GHL fisheries. The TACs for sablefish have also been reduced in the BSAI by 5% to accommodate the GHL fishery.

The AP recommends the Council adopt the proposed flatfish ABC reserves, 2026 and 2027 annual and seasonal PSC limits and apportionments in the BSAI as provided in Tables 7, 8, 9, 10, and 11. The Proposed 2026 and 2027 Prohibited Species Bycatch Allowances in Table 10 account for the Pacific Cod Trawl Cooperative Program.

The AP recommends the Council adopt the proposed 2026 and 2027 halibut discard mortality rates (DMRs) for the BSAI as shown in Table 12. Tables 1, and 7- 12 can also be found in the meeting agenda under C3.

The AP recommends the council consider a Revised Discussion paper on the BSAI BSRE Accountability Measures.

*Motion passes 20-0*

### *Rationale in Support of Motion*

- *Specific to Agenda Item C5b (Bering Sea Aleutian Islands Groundfish Specs): The AP appreciates the work by Council Staff, Groundfish Plan Team, and Survey Crew.*
- *Specific to Agenda Item C5c (Spatial Apportionment Process): The AP appreciates the staff's efforts to improve communication about the TAC setting process and Final Specification Tables.*
  - *Although staff recommended removing the BRD column from the Final Specifications Tables, discussion highlighted that BRD data remains useful in the Final Specs, even if listed separately from the ABC column.*
- *Specific to Agenda Item C5d (BS/RE Accountability Measures): The AP appreciates receiving the BSAI BSRE Accountability Measures Discussion Paper, however it did not fully incorporate all six of the Council's requests, making it inadequate for decision-making at this time. A revised BS/RE discussion paper in Fall 2026, addressing deficiencies and including a full BS/RE stock assessment, is responsive to written and oral public comment and will give policy makers a full picture of the issue before deciding whether and how to select any AMs. Additional notes included:*

- *Aleutian Islands and Bering Sea surveys have continued to show stock growth for BS/RE, yet ABCs have only modestly increased.*
- *Current stock status for BS/RE should be central to evaluating whether new AMs are warranted and the paper places most emphasis on data and decisions from 10-15 years ago. It would be helpful to have SSC guidance on whether AM's are actually still warranted given the current stock structure.*
- *Another sizable gap in the current discussion paper is the absence of direct industry consultation during the paper's development. There are substantial avoidance measures to reduce BS/RE catch that have been ongoing within the fleet for more than a decade and continue into this year. This is important context in understanding this issue and the great lengths that the fleet is undergoing to avoid it.*

## **C6 Motion #1**

The Advisory Panel recommends that the Council retain their original Purpose and Need Statement. We also recommend the Council take final action at this meeting by selecting Alternative 2 which eliminates the EDR programs for the BSAI Crab Rationalization Program, the Amendment 80 Program, and the American Fisheries Act Program.

*Main Motion passed 20-0*

### *Rationale in Support of Motion*

- *Responsive to broad public comment in favor of eliminating Economic Data Reports (EDRs).*
- *Currently, EDRs do not apply uniformly across all LAPP programs, resulting in an arbitrary application of EDRs and a disproportionate burden for some programs.*
- *Much of the data collected by EDRs is redundant, as it is already reported through systems like eLandings and cooperative reports. For example, the original purpose of the A91 EDR was to track the value of salmon PSC transfers but there is no value in these transfers and transfers themselves are already reported in IPA and ICA reports.*
- *Collecting information solely for the sake of having data is not a sufficient justification for retaining costly EDRs for only a few programs. Reducing regulatory burdens and costs is necessary for the fisheries sector.*
- *EDRs are not necessary for the successful management of fisheries; currently, only three programs utilize EDRs and the Council successfully manages many fisheries that do not have EDRs. It is difficult to find direct management decisions that are based on EDR-informed analysis.*

- *The NMFS proposed changes to the Purpose and Need statement alter the action drastically and negate the many problems the Council identified when the statement was originally adopted so the AP supports retaining the original Purpose and Need Statement.*
- *The fuel survey imposes a daily cost on vessels and is an unnecessary expense. It is seldom utilized for fisheries management purposes. Vessel time would be better spent on operations, safety, and fishing activities.*

## **C6 Motion #2**

The AP recommends the Social Science Plan Team reconvene to develop recommendations on a more holistic approach to Economic Data Reporting that includes all federally managed fisheries. This should take into consideration information that is able to be collected through other mechanisms as to not duplicate burden on the industry or be subject to cost recovery.

*Amendment 1 passed 20-0*

*Main Motion as amended failed 9-11*

### *Rationale in Support of Failed Amended Main Motion:*

- *The document and this action has shown an importance of economic data but an inconsistent application. The SSC has noted numerous times the preference for developing a more holistic approach to data collection that encompasses all fisheries and/or LAPPs.*
- *Socio-economic considerations drive a lot of industry advocacy. Having socio-economic data is a tool that decision makers and industry can use to demonstrate the need, hardship, burden or benefit of management actions.*
- *Some of the data from EDR's can be replaced through other mechanisms. Having the Social Science Plan Team develop a framework of data needs to compensate for the loss of EDR's and provide a holistic approach to all federal fisheries would then allow a process to recognize where data already exist and the best mechanisms to collect the rest. It may be through trade organizations or other adjacent industry support groups.*
- *Many management decisions rely on committees and Plan Teams for recommendations and the SSPT has not met since 2023. The AP expressed concerns about the resources available in the agency and among council staff to conduct any new actions at this time. But the SSPT has a committee framework and process that can be executed. Staff and agencies are constrained but we can allow the agency to prioritize as possible.*

### *Rationale in Opposition to Failed Amended Main Motion:*

- *There have been previous efforts to examine a holistic approach which have not produced a workable solution, understanding the previous actions taken should be well understood before*



*tasking additional work on this - especially with severely reduced resources (human and financial)*

## **D2 Motion**

The AP recommends the Council adopt the following Purpose and Need and suite of Alternatives

### **Purpose and Need**

The purpose of this action is to amend the IFQ program regulations in response to recommendations made in the 2024 IFQ Program Review. The proposed changes include both CQE and IFQ fisheries as delineated below.

The purpose of this action is to amend the IFQ program regulations in response to recommendations made in the 2024 IFQ Program Review. The proposed changes include both CQE and IFQ fisheries as delineated below.

The CQE program is intended to facilitate access to the halibut and sablefish IFQ fisheries for residents of rural communities and to anchor that access in the qualifying communities. Access to capital, eligibility requirements, and regulatory challenges have limited the effectiveness of the CQE program. Similar to Adak, many GOA communities face challenges implementing this program. With this action, the Council aims to lower the barriers to participation in the CQE program and increase entry level opportunities for fishermen residing in these small fishery dependent communities.

Along with facilitating CQE participation, the Council aims to increase entry level opportunity and participation by coastal residents in the IFQ fisheries. Increasing unload flexibility, both spatially and geographically, may facilitate that participation by providing greater access to markets for small scale fishermen operating in remote areas. Allowing days working on a tender to count toward earning a TEC and establishing a minimum age for days qualifying toward a TEC that reflects common practice will also facilitate entry for residents of fishery dependent communities. The Council seeks to address these barriers to entry without compromising program enforcement or accountability.

Alternative 1. No action

(Action alternatives are not mutually exclusive)

Alternative 2. Assign CQE quota to the managing entity for in-season management and assignment of quota (eg, adopt CDQ management and assignment of quota)

Alternative 3. Allow time tendering in any federal or state commercial fishery off Alaska to count toward the 150-day transfer eligibility certificate (TEC) requirement to receive annual IFQ.

Alternative 4. Waive TEC requirement for individuals fishing annual IFQ derived from CQE-held quota share.

Alternative 5. Establish a minimum age of in regulation to be eligible to receive IFQ or QS by transfer.

Options:

A. 12

B. 16

C. 18

Suboption: To receive IFQ or QS an individual under 18 must identify an adult ( $\geq 18$ ) legally responsible for their actions.

Alternative 6: Expand designated unload areas for tenders receiving IFQ or CQE fish

Alternative 7: Waive the PNOL and restricted unload hours for IFQ/CQE deliveries of  $\leq 2000$  pounds

*Motion passes 20-0*

Rationale in Support of Main Motion

- *During the IFQ program review in 2024 there were a number of identified items of interest to be addressed in a potential omnibus amendment package. These alternatives address these items as well as other related issues that have been brought forward through public comments.*
- *The AP intentionally did not take action on the issues with Beneficiary transfer based on stakeholder discussions which noted that many people holding this asset are standing by for a better market opportunity or even standing by waiting for someone to buy their quota or pass on to a family member who becomes eligible for a TEC. Though RAM could not confirm the exact amount, it is likely not a substantial amount of quota that is being stranded.*
- *Specific to Alternative 2: For a CQE to transfer quota to a CQE resident they must do so through RAM. In the event they are unable to fish that quota the IFQ must be transferred back to the CQE then again to another eligible CQE Community Resident. This is a slow process and can take weeks. CQE fisheries are often executed in a short window in summer months during good weather. CQE quota has often gone unfished due to these transfer restrictions. Public comment noted this as a major issue in the CQE program. CQE communities need in-season flexibility, and for in-season reassignment to not require action by NMFS. A CQE has a regulated management structure that could be held liable if a framework is created for transfer within the CQE.*
- *Specific to Alternative 3: This was also recommended in the action for CR program C share quota. Tending requires a commercial fishing crew member license and often requires skills similar to those on harvesting vessels. The TEC is an important component to the IFQ program and ensures crew members have preferential access to quota, but all fishing activity, including tending should be included in the eligibility requirements.*
- *Specific to Alternative 4: One of the largest barriers in the CQE program is the requirement for a Transfer Eligibility Certificate (TEC). In order to qualify for a TEC, an individual must have 150 days of harvesting experience on a US commercial fishing vessel. In some communities this is still possible, but in many, especially the CQE eligible communities, there are no longer any commercial fishing vessels or local opportunity to gain commercial fishing experience. Commercial fishing opportunities have largely disappeared but most residents have experience harvesting species such as halibut for subsistence in manners similar to the commercial fishery.*

*To uphold the intent of the TEC, this would only apply to CQE quota being fished by a CQE eligible resident.*

- *Specific to Alternative 5: Many fishing vessels are family operations and many minors begin commercial fishing at young ages alongside family members. The minimum age to be eligible to receive IFQ or QS by transfer should reflect common practice with kids gaining experience and earning their TEC long before age 18. Vessel caps still limit how much quota can be fished from one boat and the quota holder, no matter how young, still needs to be on the boat for IFQs to be harvested. Legal concerns could be addressed by requiring a parent or legal guardian to co-sign quota share transfer papers and/or other legal documents. This alternative to allow younger ages was noted by multiple AP members as being particularly important.*
- *Specific to Alternative 6: The Council should consider expanding processing and marketing access for residents of rural and isolated communities. IFQ halibut and sablefish currently may only be sold to IFQ registered buyers and can only be picked up by tenders if that tender is in a “designated” IFQ landing area. Retraction in the processing sector and aging waterfront infrastructure in small coastal towns is leaving many IFQ and CQE fishermen without accessible processing and marketing options. Expanding the designated IFQ landing areas where tenders can pick up fish will help make IFQ and CQE fishing from isolated communities possible.*
- *Specific to Alternative 7: This was noted in public comment both written and oral. Providing three-hour prior notice of landing is difficult for small boats operating in areas without cell coverage, and the 6 am to 6 pm window for unloading IFQ or CQE fish can prevent a small boat from efficiently unloading at night and being back out fishing the next day, which is standard practice during the summer months. Though this is not identified in the existing discussion paper, the change would be consistent with meeting the goals of the CQE program to restore access to rural community residents.*

#### **D4 Motion**

The Advisory Panel recommends the Council select Option 2 and take no further action on the Groundfish Programmatic. As a result, the AP notes that the Council will need to update the IRA workplan and resume the Triennial Groundfish Management Policy Review Process.

*Motion passes 20-0*

#### *Rationale in Favor of Main Motion*

- *Resuming work on the Programmatic is a huge undertaking demanding a lot of agency staff involvement. As the agency streamlines its activities, there are fewer resources (human and financial) available for this type of work.*

- *The Programmatic is not required, and it is not done by other regional management councils.*
- *Continuing the Triennial Groundfish Management Policy Review allows the Council to review and change goals and objectives without an updated Programmatic.*
- *No further action is responsive to broad public comment which cuts across different stakeholder groups including various groundfish fisheries and tribes.*
- *Off-ramping from the Programmatic will allow the Council to redirect resources toward a more practical and accountable path.*
- *AP members voiced a clear desire for a no-steps-backward commitment, in support of public comment and reiterated their support for the Council to strengthen its responsibilities to tribes, communities and the Bering Sea ecosystem*