NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
AGENCY REPORT

A. OVERVIEW

Many of the North Pacific Council's actions in 2001 were related to developing supplemental environmental impact assessments (SEIS). A draft Alaska Groundfish Fisheries Programmatic SEIS (DPSEIS) (http://www.fakr.noaa.gov/sustainablefisheries/seis/default.htm) has been under development since 1999. Previous EISs were developed when the Gulf of Alaska Groundfish Fishery Management Plan (GOA FMP) was implemented in 1979 and the Bering Sea/Aleutian Islands Groundfish FMP in 1982.

The DPSEIS will serve as the central environmental planning document for both FMPs. First, a need was recognized to prepare a reference document that accurately describes the current management regime in Alaska and current knowledge about the physical, biological, and human environment in order to assess impacts to the environment caused by past and current fishery activities. Significant changes have occurred in the environment since the original environmental impact statements were published approximately 20 years ago. While many EISs and environmental assessments (EAs) have been prepared over the ensuing years, none examined the FMPs in their entirety. The National Environmental Policy Act (NEPA) requires preparation of an EIS (or SEIS) when such environmental changes have occurred. This SEIS is intended to bring both the decisionmaker and the public up-to-date on the current state of the environment. In addition, the programmatic SEIS will also serve as the environmental baseline that will be used to shape future management's policy and a future range of potential management actions. The second purpose of this SEIS is to explain to decisionmakers and the public the effects of the current management regime, as well as different management regimes, on the human environment in order that they might assess whether a different management regime should be implemented.

A number of pressing issues face managers and participants in the Alaska groundfish fisheries. The range of issues includes the effects of the groundfish fisheries on the decline of Steller sea lions and other protected species, the effects of fishing gear on benthic habitat, excess fishing and processing capacity, and the effects of fish removals on the North Pacific marine ecosystem. Other notable issues include maintaining sustainable fisheries, reducing bycatch and waste, improving data gathering and enforcement of regulations, and providing economic stability for fishing communities. These ongoing issues have been prioritized by NMFS and the North Pacific Fishery Management Council (Council) for purposes of research and management focus.

The Council has also adopted an SEIS for Steller sea lions (http://www.fakr.noaa.gov/sustainablefisheries/seis/sslpm/default.htm). The range of the Steller sea lion overlaps the waters where the fisheries are conducted. Under the Endangered Species Act, Steller sea lion west of Cape Suckling, Alaska, are listed as endangered; east of Cape Suckling they are listed as threatened. In the core region from the Kenai Peninsula to Kiska Island, counts of adult and juvenile Steller sea lions have declined by about 80% since the population size was estimated in the late 1950s. In 2000, a Biological Opinion prepared under Section 7 of the Endangered Species Act on all aspects of these fisheries concluded that fisheries for pollock, Pacific cod, and Atka mackerel, jeopardize the continued existence of Steller sea lions and adversely modify their critical habitat due to competition for prey and modification of their prey field. The fisheries must be modified and brought into compliance with all federal laws. Several alternative fisheries management proposals have been developed. Changes in management measures vary the degree and direction of impacts the fisheries have on marine mammals, seabirds, prohibited species, target fish species, and the marine habitat. The changes also have impacts on fishers, processors, and coastal communities. Enforcement considerations and management complexity are inextricably tied to regulations. This SEIS evaluates

alternatives to mitigate potential adverse effects as a result of competition for fish between Steller sea lions under a no action alternative as well as other alternatives that would substantially reconfigure these fisheries. Impacts are disclosed, both significantly positive and significantly negative as required by the National Environmental Policy Act. A revised biological opinion was also prepared.

The purpose of this supplemental environmental impact statement is to: (1) provide information on potential environmental impacts that could occur from implementing a suite of fisheries management measures such that the western population of Steller sea lions existence is not jeopardized nor its critical habitat adversely modified by the groundfish fisheries in the Gulf of Alaska (GOA) and the Bering Sea and Aleutian Islands (BSAI); and (2) meet NEPA goals of fostering excellent actions and better decisions that are based on understanding the environmental consequences of actions.

Between 2000-02, the Council also devoted much of its attention to Pacific halibut management. The Council defined subsistence standards for halibut in waters off Alaska (http://www.fakr.noaa.gov/npfmc/Committees/Halibut%20Issues/SubsistenceII.pdf). It adopted a rural community standard for primary eligibility as defined in the Alaska National Interest Land Claims Act and used the State of Alaska BOF findings of halibut customary and traditional use (C&T) which included 117 communities. Subsistence uses are identified as customary and traditional uses of fish and game by rural Alaska residents. The State defines a rural area as a community or area of the state in which the non-commercial, C&T use of fish or game for personal or family consumption is a principal characteristic of the economy of the community or area. The Council further included members of 120 Alaska federally recognized Tribes with a finding of C&T use of halibut who: 1) reside in or move to an urban area and will be allowed to return to their area of tribal membership to fish; and/or 2) live in an area that has become or in the future becomes urban and will be allowed to fish in any designated rural area.

Legal gear was defined as set and hand-held gear of not more than 30 hooks, including longline, handline, rod and reel, spear, jigging and hand-troll gear. It added two communities to an exemption that allows retention of halibut less than 32 inches when halibut fishing under the community development quota (CDQ) fishery. Those two communities would also be allowed to retain legal-sized halibut caught while commercially fishing statewide and not count them against CDQs. Sale was prohibited, but trade was limited to an annual maximum of $400 per fisherman. Non-monetary trade was allowed with anyone. Daily limits of 20 halibut per fisherman per day were adopted for most waters, except for Area 4E and the Pribilof Islands (Area 4C) which have no limits. Cooperative agreements between Tribal, the State of Alaska, Federal government and other entities may be developed for harvest monitoring and other management issues.

The Council further requested the Alaska Board of Fisheries to recommend changes to the proposed regulations for gear, daily limits, reporting requirements, C&T designations for Tribes or rural communities, and non-rural area definitions for halibut fishing areas. The Board forwarded its recommendations in June 2001. In April 2002, the Council adopted a preferred alternative that relaxes halibut subsistence fishing restrictions in IPHC Regulatory Areas 4C, 4D, and 4E and places additional restrictions in Areas 2C, 3A, 3B, 4A, and 4B (http://www.fakr.noaa.gov/npfmc/Amendment%20Analysis/Halibut%20Subsistence%20Public%20Review.pdf). These changes are intended to better reflect local halibut subsistence fishing needs to feed families in all regulatory areas and balance concerns for rockfish and ling cod stocks in four local areas adjacent to more densely populated centers in Areas 2C and 3A. A community harvest permit system was adopted for certain communities and Tribes that have traditionally fished for halibut in Areas 2C and local areas in Area 3A as a mitigation measure. The Council also extended an exemption that allows the retention of legal-sized halibut caught for subsistence purposes while CDQ fishing in more than 60 western Alaska communities. Those subsistence halibut must be marked. Subsistence regulations are expected to go into effect

by early 2003.

The Council has discussed the expansion of the halibut charter fleet since 1993, when the rapid increase in charter vessel effort in some small Alaskan communities gave rise to concerns about localized depletion of the halibut resource and the potential reallocation of greater percentages of the CEY from the IFQ fishery to the charter vessel fishery. In 1997, the Council approved recording and reporting requirements for the halibut charter fishery and adopted a guideline harvest level (GHL) program for the guided sport fishery in Areas 2C and 3A off Alaska. The GHLs were based on the charter sector receiving 125 percent of its 1995 harvest. The GHL would establish an estimated amount of halibut harvests that may be taken annually in the charter vessel fishery. The system of harvest reduction measures would provide for a series of measures to take effect incrementally in the event that harvests exceed the GHL, and which would be relaxed once catch is under the GHL. NMFS recommended that the Council further adopt the specific management measures to implement the GHL. The Council adopted those measures in 2000 and modified the GHL allocation to 13.05% of the combined charter and commercial quota in area 2C or 1,432,000 lb net weight; and 14.11% of the combined charter and commercial quota in area 3A or 3,650,000 lb net weight. The GHL is not yet in effect, pending Secretarial approval (http://www.fakr.noaa.gov/prules/HalibutGHLPR.pdf).

In 2001, the Council adopted an individual fishing quota (IFQ) program that would replace the GHL program approved by the Council in 2000, and currently under Secretarial review. No changes were made to the 2-fish daily bag limit or 2-day possession limit for charter anglers. The charter IFQ program could be implemented as early as 2004 if adopted by the Secretary. Major features of the approved program are described at http://www.fakr.noaa.gov/npfmc/Committees/Halibut%20Issues/401IFQmotion.pdf.

In 2001, the Council also adopted a problem statement and objectives and initiated analysis of elements and options for rationalizing the Bering Sea/Aleutian Islands crab fisheries based on committee recommendations. A discussion paper related to management issues for rationalizing the crab fisheries was reviewed and final action is scheduled for 2002. The Council will select from IFQ and cooperative alternatives for rationalizing the fisheries, including allocations to both harvesters and processors.

B. MANAGEMENT ACTIONS

1) Bering Sea and Aleutian Islands Groundfish Specifications

The Council adopted final groundfish specifications for the 2002 Bering Sea and Aleutian Islands (BSAI) groundfish fisheries, including Acceptable Biological Catch (ABC), Total Allowable Catch (TAC), and Prohibited Species Catch (PSC) limits and apportionments (http://www.fakr.noaa.gov/frules/ssltacer.pdf). Abundance of Bering Sea and Aleutian Islands groundfish is high overall, but flatfish stocks are projected to decline in the future due to poor recruitment. None of the groundfish stocks are overfished or approaching an overfished condition.

The Council recommended that TAC levels for many species be set well below allowable ABC levels. Lower TACs were set for pollock, Pacific cod, yellowfin sole, Greenland turbot, arrowtooth flounder, rock sole, flathead sole, Alaska plaice, other flatfish, and other species. The pollock stock in the Eastern Bering Sea is at near record high levels. Projected 2002 biomass of age 3+ pollock in the Eastern Bering Sea stock was estimated at nearly 10 million mt. Biomass has remained strong with recruitment of a strong 1996 year-class. The maximum allowable ABC, based on an MSY fishing rate, is 2.11 million mt. The Council recommended a more conservative 1.485 million mt TAC for Eastern Bering Sea pollock. The pollock TAC for the Aleutian Islands area was set at bycatch amounts only (1,000 mt), and 100 mt for the Bogoslof district.

The other red rockfish complex was split into separate species to reduce the potential for overfishing. Again this year, the Council recommended separate ABCs for northern rockfish, shortraker rockfish, and rougheye rockfish. The Council also recommended that sharpchin rockfish, which were previously included in the other red rockfish complex, be moved into the other rockfish complex.

Alaska plaice was also split out from the other flatfish category and assigned a separate ABC and TAC. The Council recommended a 12,000 mt TACs for plaice, and a 3,000 mt TAC for the remaining other flatfish complex.

Recommended apportionments of prohibited species catch (PSC) limits for 2002 trawl fisheries and non-trawl fisheries were adopted. The Council adopted halibut trawl limits of 3,675 mt and 900 mt for non-trawl fisheries. PSC limits for herring, red king crab, bairdi crab, and opilio crab are based on biomass. For 2002 trawl fisheries, crab PSC limits will be 97,000 red king crab, 980,000 bairdi crab in Zone 1 and 2,970,000 bairdi crab in Zone 2, 4,350,000 opilio crab, and 3,675 mt of halibut mortality. The Council again recommended that pot gear, jig gear, and sablefish hook-and-line fisheries be exempt from the non-trawl PSC program for 2002. Rollovers of unused PSC would be allowed. The Council further recommended that the amount for arrowtooth flounder non-specified reserve for CDQ be increased from 15% to 50%.

2) Gulf of Alaska Groundfish Specifications

The Council approved a Gulf of Alaska (GOA) total Acceptable Biological Catch (ABC) for 2002. Overall, the status of the stocks is declining. The sum of the recommended ABCs is 394,780 mt, a decrease of 12 percent from the 2001 ABC of 447,710 mt, principally due to a decline in pollock (-45%) and Pacific cod (-15%) stocks. The sum of the 2002 TACs is 237,890 mt, a decrease of 17 percent from 285,994 mt in 2001. The Pacific cod quota was reduced nearly 24 percent to account for the State waters fishery. The Council also adopted a harvest policy that uses the average of the last three trawl surveys instead of just the last survey in making the area apportionments for the cod ABC and TAC. The distribution of pollock in the central and western regulatory areas of the Gulf of Alaska was set by seasonal biomass distribution, area apportionments; and seasonal allowances of annual TAC in 2002 are listed below. The Council adopted prohibited species catch limits of 2,000 mt for halibut trawl fisheries and 300 mt for non-trawl fisheries.

3) Management of non-target species

The stock assessment authors, Plan Teams, SSC, and Council have been moving towards splitting out species from their associated assemblages for ABC determinations over the last several years. Two proposed management actions in draft Amendments 63/63 would revise the BSAI and GOA FMPs to separate the "other species" category into separate groups and allow the Council to recommend overfishing levels (OFL), allowable biological catches (ABC) and total allowable catches (TAC) for "other species" in the GOA FMP. The level (assemblage, group, genera, or species) to set annual specifications for the BSAI squid and "other species" category and the GOA "other species" category is the subject of continued discussions.

Council staff has also begun a review of groundfish species listed in the annual Report to Congress on the status of overfished stocks. The status of each stock is classified as "not overfished, overfished, approaching an overfished condition, or status unknown," in addition to noting whether or not the fish are being exploited at rates that exceed established thresholds. The report further attempts to identify the status of major and minor stocks for each region. Problems exist with the report's tables regarding NPFMC stocks. First, the report lists stocks that are not included in our Groundfish FMPs. Second, the report continues to inappropriately define

stocks as 'major' or ' minor.'

4) Steller Sea Lion Measures

The Council adopted emergency rule measures for the second half of 2001. The current emergency rule expires July 17, but will implement the closed areas contained in the Biological Opinion on June 10 at noon, unless modified by subsequent rules. The Council urged NMFS to implement the modified emergency rule measures by June 10, or as soon as possible thereafter. The Council's recommended emergency rule includes a series of closure areas and season changes that will increase protection for Steller sea lions and reduce impacts to fisheries and coastal communities. These measures would be in addition to most of the measures contained in the emergency rules governing the first half of 2001.A map of these areas are available at http://www.fakr.noaa.gov/npfmc/Committees/ssl/ssl.htm. Additionally, the Board of Fisheries responded to the Council's request to enact fishery management changes designed to protect Steller sea lions. Essentially, the Board delegated authority to ADF&G to mirror federal regulations adopted for pollock, cod, and mackerel fisheries. In addition, haulouts of Cape Barnabas and Caton Island were opened to fishing with pot gear within 0-3 nm, and the season for Pacific cod in the Chignik area was changed to begin on March 1.

5) American Fisheries Act

The Council approved Amendment 69, which would amend the regulations implementing the American Fisheries Act (AFA) to allow vessels to lease their pollock quota to AFA qualified vessels outside their co-ops. This amendment will be processed separately from the larger AFA rulemaking now in progress, but
could be in place for next year's fisheries. The Council also approved extension of an emergency rule which would extend the current AFA provisions for the remainder of 2001. At this meeting the Council also reviewed a draft AFA report to Congress and the Secretary of Commerce, which will provide details on various implementation issues and impacts of the AFA, as directed by the language of the Act. Copies of that
report are available from the Council office, and we will be accepting comments and suggestions from the public until July 16. The report will then be finalized, and reviewed once more by the Council at its October meeting, prior to submittal to Congress. The Council also approved development of an amendment which could change the single geographic location restrictions currently in place, such that AFA inshore floating
processors would be able to process BSAI pollock in more than one location in the BSAI during the year. It is uncertain at this time whether this amendment will be developed in time for Council action and implementation for the start of the 2002 fishing season.

The Council also revisited the issue of groundfish processing sideboards, and reviewed suggestions from industry on alternatives to processing sideboards (originally based on processing history) that will become part of an analysis for Council action in 2002. Included in that package are proposed adjustments to the Improved Retention/Improved Utilization (IR/IU) program for flatfish that is scheduled to go into effect in 2003. Also included for consideration are LLP recency requirements for non-AFA trawl catcher processors, reductions in the BSAI halibut trawl PSC caps, and further development of the halibut mortality avoidance
program (HMAP). Final action is scheduled for 2002.

6) GOA Rationalization

In 2001, the Council adopted a problem statement and objectives in 2001 which resulted from a series of committee meetings at which industry and public members recommended management approaches. A discussion paper related to management issues for rationalizing the Gulf of Alaska groundfish fisheries was reviewed in early 2002 and additional committee work is scheduled. A comprehensive approach (all species) approach is expected. The Council will likely examine both IFQs and cooperatives as rationalization methods, including allocations to both harvesters and processors.

7) Seabird Avoidance

The Council adopted revisions to seabird avoidance measures in groundfish and halibut hook and line fisheries. Changes were based, in part, on research results from a two-year study conducted by the Washington Sea Grant Program (WSGP) on the effectiveness of seabird avoidance measures in the longline fisheries off Alaska. The Council's preferred alternative (Alternative 4), includes revisions based on WSGP recommendations and considerations for smaller vessels. The WSGP study recommended the following regulatory measures for all Alaska longline vessels: 1) paired streamer lines deployed during the setting of gear, and 2) eliminate the direct discharge of residual bait and offal from the stern of the vessel while setting gear. Material standards and performance standards for streamer lines are specified. Other recommendations are made for gear, methods, and operations which should not be allowed as seabird avoidance measures. The Council's preferred revisions to this alternative focused on required measures with performance and materials standards, and additional modifications made for small vessels. A report is available at www.fakr.naooa.gov/protectedresources/seabirds/newsitems.

8) Essential Fish Habitat

The Magnuson-Stevens Act mandates that any FMP must include a provision to describe and identify essential fish habitat (EFH) for the fishery, minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat. Essential Fish habitat has been broadly defined by the Act to include "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity."

The Council reviewed a report on the status of the EFH which discussed the need to create an EIS for each FMP. The Council also reviewed a report from the newly appointed EFH steering committee. The committee will aid in developing alternatives based on significant issues identified from the scoping process. The Council's Ecosystem Committee was reconstituted and began meetings to assist in the Council's development of ecosystem-based management.

Background Information can be viewed on the following websites:
http://www.fakr.noaa.gov/habitat/efh.htm
http://www.nmfs.noaa.gov/habitat/efh/
http://www.nmfs.noaa.gov/habitat/habitatprotection/essentialfishhabitat.htm

http://www.fisheries.org/publications/AFSBooks/webfinal/x540.22.htm

8) Vessel Monitoring Systems

On January 1, 2002, an emergency interim rule (67 FR 956) was issued by NMFS to implement Steller sea lion protection measures and 2002 harvest specifications. All vessels using pot, hook-and-line or trawl gear in the directed fisheries for pollock, Pacific cod or Atka mackerel are now required to have an endorsement on their federal fisheries permit. Section 679.7(a)(18) requires all vessels using pot, hook-and-line or trawl gear that are permitted to directly fish for Pacific cod, Atka mackerel or pollock to have an operable VMS by June 10, 2002. This requirement is necessary to monitor fishing restrictions in Steller sea lion protection and forage areas.

C. RECENT PUBLICATIONS

Stock Assessment and Fishery Evaluation (SAFE) Report for the Groundfish Resources of the Gulf of Alaska (November 2001).

Stock Assessment and Fishery Evaluation (SAFE) Report for the Groundfish Resources of the Bering Sea/Aleutian Islands (November 2001).

Stock Assessment and Fishery Evaluation (SAFE) Report for the King and Tanner Crab Fisheries of the Bering Sea and Aleutian Islands Regions (September 1998).

Economic Status of the Groundfish Fisheries off Alaska 1997. (November 2001).

Ecosystem Considerations for 1999. (November 2001).

All documents are available from the North Pacific Fishery Management Council upon request.
Many of these documents are posted as PDF files on the Council web site http://www.fakr.noaa.gov/npfmc