



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 National Marine Fisheries Service
 P.O. Box 21668
 Juneau, Alaska 99802-1668

FEBRUARY 2000

January 13, 2000

Clarence G. Pautzke
 Executive Director, North Pacific
 Fishery Management Council
 605 W. 4th Avenue, Suite 306
 Anchorage, Alaska 99501-2252

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JAN 19 2000

N.P.F.M.C

Dear Clarence:

We are in the process of preparing draft proposed rulemaking to implement Amendment 59 to the Fishery Management Plan for the Groundfish Fishery of the Gulf of Alaska (GOA Groundfish FMP). As passed by the Council in June of 1998, Amendment 59 would have closed a 3.1 square nautical mile area off Cape Edgecumbe to fishing for groundfish, halibut and scallops, while commercial and recreational salmon fishing could continue. All anchoring would be prohibited. In consultation with Council staff, the proposed closure area has been renamed the Sitka Pinnacles Marine Reserve.

Originally, the proposed Sitka Pinnacles closure was considered as part of the EFH amendments, which amended all five of the North Pacific fishery management plans. However, the Council split the closure off as a separate amendment package. In the process of developing the draft notice of proposed rulemaking, we have become aware of a jurisdictional problem with Amendment 59. Under the GOA Groundfish FMP, we cannot prohibit fishing for species other than groundfish, nor anchoring by vessels other than vessels fishing for groundfish. A mandatory Federal prohibition on scallop fishing would require a change to the Fishery Management Plan for Scallop Fisheries off Alaska (Scallop FMP), while a similar mandatory Federal prohibition on anchoring by salmon vessels would require an amendment to the FMP for the Salmon Fisheries in the EEZ off the Coast of Alaska (Salmon FMP). We can, however, prohibit halibut fishing through separate regulations implementing the Northern Pacific Halibut Act, without changing any Federal fishery management plan.

In the case of scallop fishing, the lack of a Scallop FMP amendment prohibiting fishing for scallops in the Sitka Pinnacles Marine Reserve would not affect the reserve in any real way, because it contains no known scallop beds. Furthermore, scallop fishing in Southeast Alaska (State Registration Area A) has not been allowed under State regulations since July 23, 1994, the effective date of 5 AAC 38.120, which repealed the fishing season



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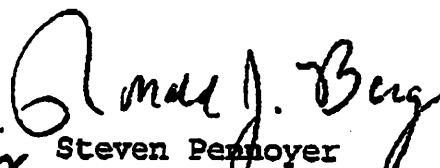
for scallops in Area A. If the Council wishes to request the State to further strengthen the closure, it could propose an agenda change to the State Board of Fish (BOF). According to BOF rules, this request would have to be submitted no later than 45 days before the first or last meeting of its cycle.

The inability to prohibit anchoring by salmon boats under Amendment 59 is more of a concern, because such anchoring was one of the problems identified as leading to potential degradation of the pinnacles habitat. NMFS is working with the State to implement this prohibition with additional State regulations. The State Board of Fish, at its February 14-25 meeting in Sitka, will take up a proposal to prohibit salmon fishing altogether in the proposed reserve, and anchoring by salmon boats will also be considered under that agenda item.

An alternate approach would be to close the area to fishing for scallops and anchoring by salmon boats through separate amendments to the Scallop FMP and the Salmon FMP, accompanied by Federal rulemaking, but we prefer the State to take action, as the State has been delegated responsibility for managing these fisheries.¹ Also, the proposed prohibition on anchoring by salmon vessels in the Sitka Pinnacles Marine Reserve is naturally linked with the State's consideration of whether to close the area to fishing altogether, which would in effect create a small marine reserve, as the proponents of this measure intended.

Therefore, we propose to proceed with a modified Amendment 59 and with rulemaking prohibiting groundfish fishing in the Sitka Pinnacles Marine Reserve; to proceed with rulemaking under the Northern Pacific Halibut Act to prohibit fishing for halibut in the reserve; to continue working with the State on the salmon anchoring prohibition; and to leave it to the Council's discretion whether to work with the State on further action on the scallop question.

Sincerely,


For Steven Penoyer
Administrator, Alaska Region

¹ Amendment 3 to the Scallop FMP, effective July 1998, deferred all management measures (including closed waters) to the State of Alaska.



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National Oceanic and Atmospheric Administration
National Marine Fisheries Service
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February 2, 2000

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Dr. Clarence G. Pautzke
Executive Director
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Dear Clarence:

The National Marine Fisheries Service has approved Amendment 58 to the Fishery Management Plan for the Groundfish Fishery in the Bering Sea and Aleutian Islands Area. This amendment reduces the annual trawl bycatch limits for chinook salmon and would revise the Chinook Salmon Savings Area in the BSAI.

A final rule to implement Amendment 58 will be published soon in the Federal Register.

Sincerely,

Steve Pennoyer
Administrator, Alaska Region



ALEUTIANS EAST BOROUGH

SERVING THE COMMUNITIES OF

■ KING COVE ■ SAND POINT ■ AKUTAN ■ COLD BAY ■ FALSE PASS ■ NELSON LAGOON

25 January, 2000

RECEIVED
JAN 25 2000
N.P.F.M.C.

Steve Pennoyer
Director
Alaska Region, National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99801

Dear Mr. Pennoyer:

The Aleutians East Borough has several comments on the recently filed "Emergency Interim Rule; Revision to the 2000 Interim Harvest Specifications." Our comments concern the mechanism used by the National Marine Fisheries Service (NMFS) to allocate pollock among management areas in the Western and Central Gulf of Alaska. The agency has reallocated 52.5% of the winter total available catch (TAC) from the Western and Central Gulf into a new management area, the Shelikof Strait area. This reallocation has profound effects on the local small boat fleet in the Aleutians East Borough.

Specifically, the formula used to allocate pollock from management areas 610, 620 and 630 into the Shelikof Strait TAC does not account for the pollock biomass present inside Shelikof Strait in areas 620 and 630 and misspecifies the TAC. Second, the formula used to reallocate pollock into the Shelikof Strait TAC assumes an equal contribution of pollock from areas 610, 620, and 630 into Shelikof Strait which is not supported by the available scientific information nor the most recent groundfish survey information. This assumption effectively misspecifies the TAC in the Western and Central Gulf. Third, the process used to determine the TAC allocation in Shelikof Strait has not undergone review within the NMFS plan team stock assessment process, nor the North Pacific Fishery Management Council's Scientific and Statistical Committee process to allow adequate scientific review and public comment.

(1) Comment on the Formula Used to Allocate Pollock to the Management Areas in the Western and Central Gulf of Alaska: Accounting for Biomass Inside Shelikof Strait in Areas 620 and 630.

In the preamble of the Emergency Interim Rule, NMFS states on page 21 that "the Shelikof Strait conservation area TAC apportionment will be determined annually for the A and B seasons during the specifications process. A separate TAC will be determined for this area based on the winter hydroacoustic survey data [from Shelikof Strait]. The GOA TAC for areas 610, and areas 620 and 630 outside of the Shelikof Strait conservation area, will be reduced proportionally by this amount." The specific method for determining the Shelikof Strait TAC in the A season is specified on page 25, footnote 1:

The pollock catch limit [sic] for the Shelikof Strait conservation zone is determined by calculating the ratio of the most recent estimate of pollock biomass in Shelikof Strait (489,900 mt) divided by the most recent estimate of total biomass in the GOA (933,000 mt). This ratio must then be multiplied by the pollock TAC in the A season for the Western and Central areas of the GOA (27,361 mt).

Table 5, on page 25 shows the TAC for areas 610, 620, 630, and Shelikof Strait using this formula.

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The regulations implementing the Shelikof Strait TAC are described at 50 CFR 679.22 (b)(3)(iii)(C), page 37 of the rule: "The TAC is determined by calculating a ratio equal to the most recent estimate of biomass in Shelikof Strait divided by the total pollock biomass in the GOA. NMFS will multiply this ratio by the overall pollock TAC for the GOA and then multiply that sum by the seasonal TAC apportionment to determine the Shelikof Strait apportionment."

The formula described by NMFS and the values listed in Table 5, page 25, indicate that the formula used by NMFS overestimates the amount of pollock that should be allocated from 620 and 630 outside of Shelikof Strait into Shelikof Strait. The formula described reallocates approximately 52.5% of the pollock from 610, 620 outside Shelikof Strait, and 630 outside Shelikof Strait into Shelikof Strait. However, the formula does not account for the fact that areas 620 and 630 contain the subareas 621 and 631. Subareas 621 and 631 are the management areas that comprise Shelikof Strait. Specifically, much of the pollock biomass in the entire 620 and 630 areas is present within subareas 621 and 631.

If the biomass in 620 and 630 is split between inside and outside of Shelikof Strait, then that portion of the biomass that is already found within 621 and 631 should be assigned to the Shelikof Strait TAC. A review of fishery independent and fishery dependent data clearly show that a considerable portion of pollock biomass in 620 and 631 is within subareas 621 and 631. The formula should be corrected to account for the fact that the pollock biomass in 620 and 630 includes part of 621 and 631.

The agency should determine how much pollock in 620 and 630 is within subareas 621 and 631. Since a considerable portion of the 620 and 630 biomass is within subareas 621 and 631 already, less pollock biomass will have to be redistributed from area 610 and area 620 outside of Shelikof Strait, and area 630 outside of Shelikof Strait into Shelikof Strait. Communications between the Aleutians East Borough and NMFS indicate that NMFS is aware of this TAC misspecification and is addressing this concern.

An additional misspecification may occur in the determination of the total Shelikof Strait biomass from the winter hydroacoustic survey data. The 1998 Shelikof Strait survey includes a portion of 620, 621, and 631. The spawning biomass determined from the survey includes any fish observed in area 620. When NMFS calculates the biomass inside Shelikof Strait (areas 621 and 631) any winter biomass observed in area 620 should be removed from the total biomass. Although it appears that there is little pollock observed in area 620 during the winter hydroacoustic survey, any biomass should be subtracted from the Shelikof Strait biomass and the formula should be recalculated.

(2) Comment on the Equal Contribution of Pollock from Areas 610, 620, and 630 into the Shelikof Strait TAC

The rule used by NMFS on page 37 does not specify which management areas in the GOA should contribute to the Shelikof Strait biomass. In fact, the rule could be read to indicate that all of the management areas of the GOA should contribute to the Shelikof Strait biomass. Table 5 and footnote 1 on page 25 show that only areas 610, 620, and 630 are used to reallocate TAC from these areas into the Shelikof Strait TAC. The formula shows that an equal proportion of area 610, 620, and 630 TAC should be reallocated to the Shelikof Strait TAC. This assumes that each of these areas contribute equally to the winter biomass observed in Shelikof Strait. The available scientific evidence does not support this conclusion.

In the preamble to the rule, on page 19, NMFS states that "winter surveys indicate an extensive and relatively predictable spawning aggregation of pollock in the winter period in the Shelikof Strait." On page 20, NMFS goes on to state that "Shelikof Strait is under-utilized relative to the biomass of pollock outside the Strait and, relative to the overall harvest rate, pollock biomass outside the Strait must be over-utilized. This relative over-utilization of pollock outside Shelikof Strait may have a detrimental effect on the availability of pollock to Steller sea lions in those outer regions."

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These statements supporting the TAC reallocation make several assumptions: (1) that most, if not all, of the spawning biomass of pollock is found within Shelikof Strait during the winter months; (2) that the summer bottom trawl survey provides an entirely inadequate depiction of the winter distribution of pollock; (3) that only areas 610, 620, and 630 contribute to the pollock biomass observed in Shelikof Strait during the winter; and (4) that these three areas contribute pollock to the Shelikof Strait biomass in equal proportion.

The agency conducted winter hydroacoustic surveys in the Shumagins (area 610) in 1994, 1995, 1996. All of these surveys show that there is a considerable spawning biomass present in the Shumagins. The 1995 hydroacoustic survey showed approximately 290,000 mt of spawning stock within area 610. This survey was timed to estimate spawning biomass. Winter hydroacoustic surveys in 1994 and 1996 also showed winter spawning aggregations in the Shumagins. Although these surveys were not as complete as the 1995 survey, it is clear that a considerable spawning biomass is consistently present in the Shumagins. The 1994 and 1996 survey show that at least 100,000 mt of biomass are present during the winter in the Shumagins. This biomass is more than sufficient to support the current A season TAC in area 610.

These surveys do not support the assumption that the spawning biomass in the Shumagins (area 610) is principally found in Shelikof Strait. In using a formula that redistributes Shumagin spawning biomass to Shelikof Strait, NMFS has entirely underestimated the contribution of the Shumagin spawning biomass to the area 610 A season TAC. Clearly, based on the Shumagin surveys, NMFS should reassess the amount of A season biomass that the area 610 should contribute to the Shelikof Strait biomass. Fishery dependent data such as catch at age and roe production as a percentage of the average weight of female fish also support the findings of the Shumagin hydroacoustic surveys. We recommend that NMFS significantly reduce, or eliminate, the amount of pollock that is reallocated from area 610 to Shelikof Strait based on hydroacoustic surveys showing significant winter spawning biomass in area 610.

The agency conducted a summer survey in 1999. This survey showed that 71.8% of the pollock biomass observed was present in the Shumagins (area 610). This survey had a high coefficient of variance. During the 1999 NMFS plan team meetings, both NMFS stock assessment scientists and the Aleutians East Borough agreed that given this high variance, it might be appropriate to modify the allocation of pollock. The NMFS plan team recommended allocating pollock based on an average distribution from the past four bottom trawl surveys. The net effect of this allocation scheme was a redistribution of pollock from the biomass observed in the 1999 survey from the Shumagins (area 610) to the Central Gulf (areas 620 and 630). The Gulf of Alaska pollock stock assessment states that "a four-survey average (1990-1999) would capture any changes in average biomass distribution during the 1990s while reducing the potential of overharvest within any area." This allocation scheme resulted in 41.0% of the pollock being allocated to the Shumagins. This allocation scheme changed the allocation in areas 620 and 630 relative to the 1999 trawl survey results. The 620 TAC distribution was increased from 8.6% to 24.4% from the 1999 survey, and the 630 TAC distribution was increased from 18.3% to 32.1% from the 1999 survey.

The reallocation of TAC described in the Emergency Interim Rule would effectively reduce the area 610 apportionment from 41.0% of the TAC to 19.5% of the total Gulf of Alaska TAC during the A season. This is nearly a *four-fold decrease* in the TAC allocation from the distribution indicated in the 1999 summer survey. It seems highly unlikely that the winter biomass decreases four fold from the summer survey to the winter A season. Hydroacoustic surveys show a spawning biomass in the Shumagins, and the 1999 bottom trawl survey showed a high biomass in the Shumagins. Reallocating TAC into Shelikof Strait could result in a significant overharvest of pollock in the Central Gulf relative to the biomass observed in the 1999 trawl survey and the 1995 Shumagin hydroacoustic survey. Since the four-survey allocation scheme has resulted in an effective redistribution from the Shumagins to the Central Gulf, a further reallocation of TAC from the Shumagins into Shelikof Strait is not supported by the available scientific information. We recommend that NMFS review the effects of reallocating TAC from area 610 into Shelikof Strait and reduce, or eliminate, the allocation from area 610.

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The formula used on page 25 of the Emergency rule states that "a separate TAC will be determined for this area [Shelikof Strait] based on the winter hydroacoustic survey data. The GOA TAC for areas 610, and areas 620 and 630 outside of the Shelikof Strait conservation area, will be reduced proportionally by this amount." This assumes that the only regions in the Gulf that are contributing to the winter biomass in Shelikof Strait are the Central and Western Gulf. However, it is quite possible that pollock from the Eastern Gulf migrate into Shelikof Strait during the winter and contribute to the winter biomass observed in the Shelikof Strait hydroacoustic survey.

Past scientific research does indicate that there is some eastward movement of pollock during the winter months. However, it is also clear that there are spawning aggregations in the Shumagins. What is less clear is the migration of eastern Gulf pollock during the winter months. There is some indication that there are spawning aggregations near Prince William Sound. However, it is also possible that some pollock, particularly in area 640, the West Yakutat area, may migrate into Shelikof Strait. It is also possible that pollock observed in Southeast Alaska, Area 650, also migrate into Shelikof Strait. The agency needs to reassess the assumption that only the Western and Central Gulf contribute to the winter spawning biomass in Shelikof Strait. We recommend that NMFS reconsider allocating TAC to Shelikof Strait from only the Western and Central Gulf of Alaska management areas and consider allocations from the eastern Gulf.

The net effect of an allocating TAC from the eastern Gulf would be a reduction of the total amount of TAC that must be reallocated from the Western and Central Gulf of Alaska into Shelikof Strait.

The formula used by NMFS assumes that Area 610, 620, and 630 all contribute equally to the winter biomass observed in Shelikof Strait. The evidence from the 1999 summer trawl survey, the winter hydroacoustic data in the Shumagins, and fishery data do not support this assumption. Clearly, there is ample evidence to show that a considerable spawning biomass is present in area 610. The existing scientific information does not support the assumption that the pollock in area 610 migrate to Shelikof Strait in the same proportion as pollock from areas 620 or 630. The percentage of pollock that contribute to the Shelikof Strait winter biomass is considerably lower than the formula used by NMFS would indicate. We recommend that NMFS eliminate, or significantly reduce, the percentage of pollock TAC in area 610 that is reallocated to Shelikof Strait based upon the best available scientific information available.

(3) The Process Used to Determine the TAC Allocation in Shelikof Strait Did Not Undergo Adequate Scientific and Public Review

The agency indicated that it would change the method used to allocate the TAC in Shelikof Strait at the April council meeting in briefings on the Steller sea lion issue. Last year, NMFS established a catch limit in Shelikof Strait. The decision to create a separate TAC rather than a catch limit in Shelikof Strait is noted in several documents including the Environmental Assessment and the Revised Final Reasonable and Prudent Alternatives. Although the formula used to allocate the TAC is described in these documents, the implications for reallocating TAC were not discussed in the various scientific fora used to allocate TAC in the Gulf of Alaska. Specifically, NMFS did not detail the implications of reallocating TAC into Shelikof Strait during the annual NMFS plan team meetings. Additionally, during the review of the TAC specification process in the council, the actual quota allocated to the Shelikof Strait management area was not specified or discussed by either the council's Scientific and Statistical Committee, or the council's Advisory Panel.

Given the importance of this reallocation to the local fishing fleet in the Aleutians East Borough, it is obvious that NMFS should have more clearly detailed how this TAC would be reallocated. Although the formula to allocate TAC is described, the actual TAC was never computed or described in the numerous NMFS plan team documents. It appears that the first notice to the public of the Shelikof Strait TAC amount was made in a public information bulletin published by NMFS on January 14, only six days before

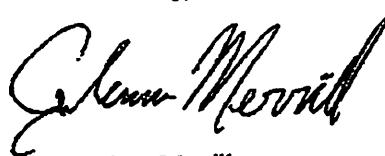
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the start of the fishery. Communications between the Aleutians East Borough and Alaska Region NMFS staff indicate that many fishery managers did not know about the reallocation of TAC into Shelikof Strait much prior to this public notice.

The agency anticipated creating a separate Shelikof Strait TAC several months before the NMFS plan team meetings. The implications of this TAC allocation should have been clearly discussed during the NMFS plan team process, and in front of the council. In fact, page 21 of the Emergency Interim Rule states "the Shelikof Strait conservation area TAC apportionment will be determined annually for the A and B seasons during the specifications process." This was not done. There is no specification of the Shelikof Strait TAC in any of the NMFS plan team documents, nor in any of the council documents describing the TAC setting process. The Shelikof Strait TAC is mentioned in the Steller sea lion information presented to the council but this information was not integrated with the normal TAC specification process that the council uses.

The Aleutians East Borough, and the council rely on the NMFS plan team process to clarify the reasons for setting TAC for fishery species and for determining the actual TAC amounts. The separate TAC setting under the Steller sea lion measures should have been included in the NMFS plan team process. The agency had adequate time to integrate these two separate processes. This would have allowed adequate scientific review of the Shelikof TAC. This would have allowed the Scientific and Statistical Committee to comment on the manner in which a Shelikof TAC should be allocated. We strongly recommend that NMFS include the Shelikof Strait TAC specification process in the NMFS plan team process to provide an opportunity for adequate scientific review and public comment.

Sincerely,



Glenn Merrill
Chief Resource Analyst
Aleutians East Borough

Cc:

Dave Russell, Sen. Stevens
Bill Wolf, Sen. Murkowski
Dave Whaley, Rep. Young
Rick Lauber, North Pacific Fishery Management Council
Penny Dalton, NMFS



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
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February 7, 2000

Mr. Richard B. Lauber
Chairman, North Pacific Fishery
Management Council
605 W. 4th Avenue
Anchorage, AK 99501-2252

SUBJECT: Emergency rule Request to Allocate Bering Sea and Aleutian
Islands Management Area (BSAI) Pacific Cod Among Vessels
Using Hook-and-line or Pot Gear

Dear Rick,

The North Pacific Fishery Management Council (Council) and representatives for catcher/processor vessels using hook-and-line gear have requested NMFS to implement the subject action. The Council's first request for emergency rulemaking in October 1999 was prompted by concerns that increased interest by the crab fleet to fish for Pacific cod with pot gear would undermine traditional gear harvest shares in the BSAI cod fishery. We denied this request because we did not believe that the projected increase in pot gear effort after the anticipated conclusion of the January 15 opening of the C. opilio Tanner crab fishery constituted an emergency. We also had concerns about implementing this allocative action via abbreviated rulemaking that preempted opportunity for public review and comment.

In early January, the Alaska Department of Fish and Game (ADF&G) announced a delay of the C. opilio fishery from January 15 to April 1 due to severe weather conditions and ice cover. This delay provides an unanticipated new opportunity for crab vessels to participate in the Pacific cod fishery. Concerns about erosion of traditional gear harvest shares appear to be aggravated by NMFS's issuance of interim LLP licenses to many pot vessels that ultimately may not qualify pending the outcome of submitted appeals. Further, we understand that pot gear vessels not endorsed to fish for groundfish in federal waters are choosing to fish in State waters. Such harvests continue to be credited against federal quotas and compete with federal water fishermen for available harvest. This information continues to support industry pressure to pursue a timely emergency rule to prevent pot vessels from preempting catcher/processors using hook-and-line gear. In response to these concerns, the Council convened an emergency teleconference mid January and again requested NMFS to implement the fix gear cod allocations by emergency rule.

As of this date and based on current harvest rates of the hook-and-line and pot gear fleet, we project that the 65,000 metric ton (mt) first seasonal allowance specified for the fixed gear fleet will be



reached no later than mid March. When reached, the directed fishery for Pacific cod with hook-and-line or pot gear will be closed until September 1, 2000, when an additional 26,048 mt will become available. Unlike 1999, directed fishing for Pacific cod with fixed gear will be closed during summer months based on the Council's recommended seasonal allocation of available quota. We also project that by the time the fixed gear fishery is closed in mid March, the pot gear fleet would have harvested about 18-19 percent of the annual fixed gear allocation. This level of harvest approximates the 18.3 percent allocation, or 16,570 mt, that would be implemented under the emergency rule.

Given our projections and the fact that we likely could not implement an emergency rule before early - mid March when the fixed gear Pacific cod fishery will be closed due to seasonal harvest limitations, we again have determined an emergency rule is not warranted at this time. We will reconsider this position in the event our projections for harvest rates within the fixed gear fleet are understated and will result in a significant increase in the pot gear harvest share of Pacific cod or if, pending agency approval, the final rule implementing the fixed gear cod allocations could not be effective by September 1. If either of these situations should occur, we will take action to change the proposed rule that currently is under agency review to an emergency rule. The proposed rule is proceeding expeditiously through the NMFS review process and we would anticipate little delay to convert this action to an emergency rule if that were required.

Sincerely



Steven Pennoyer
Administrator, Alaska Region



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February 7, 2000

Richard Lauber, Chairman
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
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Dear Mr. Lauber:

At its June 1998 meeting, the North Pacific Fishery Management Council (Council) received notification from NMFS and the Pacific States Marine Fisheries Commission (PSMFC) that the third-party, Joint Partnership Agreement (JPA) program structure for the North Pacific Groundfish Observer Program (NPGOP) could not be pursued further. The Council voted to extend the current interim observer program through the year 2000, to allow for the development of an appropriate fee-based funding mechanism and other long term adjustments to the program. Progress toward this goal has been delayed, since implementation of the American Fisheries Act (AFA) and Steller sea lion protection measures resulted in the postponement of a discussion on this issue at the October 1998 Council meeting and the absorption of NMFS staff resources.

With the recent NPGOP leadership transition completed and the Council's Observer Advisory Committee reconvening with a new chairman and members, Observer Program focus returns to the resolution of the issue of finding an appropriate funding mechanism for observer coverage and resolving other programmatic problems. NMFS intends to extend the current interim observer program through 2002 to avoid a hiatus in program authority, while a revised program structure is developed. Rulemaking to extend the current program would not include any change to facilitate timely review and implementation. A proposed rule to extend the current interim program is expected to be published by mid 2000 with an effective date of January 2001.

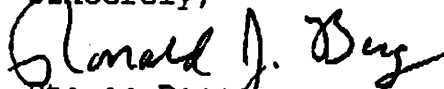
Separate rulemaking could be initiated by the Council to implement changes to the existing observer regulations. NMFS staff continue to develop analyses of short term changes to the program that originally were endorsed for analysis by the Council at its June 1998 meeting. These analyses will be presented to the Council's Observer Committee this March and to the Council at its April 2000 meeting. Pending Council action in June and NMFS approval, these changes could be effective in early 2000.

NMFS also intends to initiate rulemaking that will implement upgrades in the specifications for required software and hardware



equipment that support the ATLAS at-sea observer communications system. The upgrades are necessary to keep up with recent improvements in technology since the implementation of the ATLAS system. The ATLAS system is currently required for catcher/processors and motherships, but is not required for catcher boats. NMFS will propose to extend these requirements to catcher boats participating in the AFA co-op fisheries to facilitate monitoring of catch inside of the Steller sea lion Conservation Area. A proposed rule to upgrade the current hardware and software specifications supporting the ATLAS at-sea communications system and extend the requirements to the AFA catcher boats is expected to be published by mid 2000 with an effective date of January 2001.

Sincerely,



For

Steven Pennoyer

Administrator, Alaska Region

February 7, 2000

Richard Lauber, Chairman
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501

AGENDA ITEM B-2
(Management Report)

AGENDA ITEM C-4
(LLP Amendments)

Dear Chairman Lauber,

This brief report will bring the Council up to date on implementation of the North Pacific Groundfish and Crab License Limitation Program (LLP).

Applications Received

To date, Restricted Access Management (RAM) has received a total of 2,613 applications for licenses under the LLP. This number includes 16 applications that were filed after the December 17, 1999, application deadline and 7 applications that were subsequently abandoned (withdrawn). Note that, as used in this report, the term "applications" refers to claims resulting from the fishing history of a single vessel, so each such "application" may actually result in two licenses (i.e., groundfish and crab), each of which could have more than one endorsement.

Initial Processing of Applications

As of this date, all submitted applications have received initial processing. A summary of the status of those applications is displayed in the following table:

LLP Application Status as of 2/1/00

Status of Application	Number of Applications
Approved [fully-transferable licenses with appropriate endorsements have been issued]	1,419
Pending [eligibility for license, or endorsement(s), not yet demonstrated; interim, <u>non</u> -transferable licenses have been issued]	1,171
Late [Filed after December 17, 1999]	16
Withdrawn	7
Total Applications	2,613

A total of 1,310 letters have been sent to applicants, providing them with a "Notice of Opportunity to Submit Evidence" within 60 days from the date of the letter. In response, 139 applicants have submitted evidence and their applications have been favorably resolved. As displayed in the table above, the remaining 1,171 applications are pending submission of evidence and/or assessment of same.

Denied Applications

Although the claims presented in some applications can not yet be verified, RAM has not yet prepared any formal Initial Administrative Determinations (IADs) to deny them. It is anticipated that a large number of IADs will be prepared by the end of February, starting with denials of last applications.

Transfers

To date, there have been 15 transfers of LLP licenses, all for groundfish.

Fishing Potential for 2000

The set of tables beginning on the next page display the numbers of license endorsements that have been issued by each qualifying "fishery" (area, species, vessel type combination). One evident observation that can be gleaned from these tables is the large number of "interim" (non-transferable) licenses/endorsement. This results from the fact that we are in the early stage of program implementation and a large number of claims are yet to be adjudicated and finalized. Also, if one part of a license (i.e., an endorsement) is yet to be finalized, then all of the license endorsements are labeled as "interim" – in this way, we will avoid transfers of licenses while remaining issues are still pending before the agency.

BSAI Crab Licenses

All LLP Crab Licenses Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	51	43	94	0	0	0	94
60-124	149	101	250	2	0	2	252
>= 125	53	38	91	10	6	16	107
Totals:	253	182	435	12	6	18	453

Notes to all Crab Tables:

- a. Numbers of licenses are not additive across fisheries
- b. "Interim" licenses are issued pending effective date of final agency action
- c. "Permanent" licenses are fully transferable, but subject to future program amendments (e.g., "recency")
- d. Vessel Categories are based on MLOA
- e. For combined crab fishery tables, licenses were counted by distinct license number
- f. Norton Sound has different eligibility criteria

Aleutian Islands Brown King Crab LLP Licenses/Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	3	0	3	0	0	0	3
60-124	22	9	31	0	0	0	31
>= 125	10	4	14	5	1	6	20
Totals:	35	13	48	5	1	6	54

Aleutian Islands Red King Crab LLP Licenses/Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	6	0	6	0	0	0	6
60-124	32	9	41	0	0	0	41
>= 125	9	2	11	2	1	3	14
Totals:	47	11	58	2	1	3	61

BSAI Chinocetes opilio and C. bairdi Crab LLP Licenses/Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	19	2	21	0	0	0	21
60-124	138	90	228	2	0	2	230
>= 125	53	36	89	10	6	16	105
Totals:	210	128	338	12	6	18	356

Bristol Bay Red King Crab LLP Licenses/Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher</u>			<u>Catcher/Processor</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	5	2	7	0	0	0	7
60-124	141	93	234	2	0	2	236
>= 125	53	36	89	9	6	15	104
Totals:	199	131	330	11	6	17	347

Norton Sound Red and Blue King (summer fishery) Crab LLP Licenses/Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	26	36	62	0	0	0	62
60-124	8	0	8	0	0	0	8
>= 125	0	0	0	0	0	0	0
Totals:	33	36	70	0	0	0	70

Pribilof Islands Red and Blue King Crab LLP Licenses/Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	9	4	13	0	0	0	13
60-124	69	47	116	0	0	0	116
>= 125	21	15	36	0	2	2	38
Totals:	99	66	165	0	2	2	167

St. Matthew Blue King Crab Licenses/Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	0	0	0	0	0	0	0
60-124	78	56	134	1	0	1	135
>= 125	35	27	62	6	4	10	72
Totals:	113	83	196	7	4	11	207

BSAI/GOA Groundfish Licenses

All Groundfish LLP Licenses Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	586	914	1,500	34	2	36	1,536
60-124	205	211	416	30	14	44	460
>= 125	49	37	86	35	53	88	174
Totals:	840	1,162	2,002	99	69	168	2,170

Notes to all Groundfish Tables:

- a. Numbers of licenses are not additive across fisheries
- b. "Interim" licenses are issued pending effective date of final agency action
- c. "Permanent" licenses are fully transferable, but subject to future program amendments (e.g., "recency")
- d. Vessel Categories are based on MLOA
- e. For combined groundfish fishery tables, licenses were counted by distinct license number

All BSAI Groundfish LLP Licenses Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	81	68	149	7	1	8	157
60-124	152	137	289	30	14	44	333
>= 125	47	37	84	35	53	88	172
Totals:	280	242	522	72	68	140	662

Aleutian Islands Groundfish LLP Licenses/Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	39	15	54	3	0	3	57
60-124	92	38	130	24	12	36	166
>= 125	28	12	40	32	52	84	124
Totals:	159	65	224	59	64	123	347

All Bering Sea Groundfish Licenses/Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	67	66	133	7	1	8	141
60-124	149	132	281	30	14	44	325
>= 125	46	37	83	34	53	87	170
Totals:	262	235	497	71	68	139	636

All GOA Groundfish LLP Licenses Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	579	910	1,489	34	2	36	1,525
60-124	175	175	350	30	12	42	392
>= 125	31	14	45	27	25	52	97
Totals:	785	1,099	1,884	91	39	130	2,014

West Gulf Area Groundfish LLP Licenses/Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	127	107	234	9	1	10	244
60-124	111	102	213	21	10	31	244
>= 125	29	14	43	24	19	43	86
Totals:	267	223	490	54	30	84	574

Central Gulf (including W. Yakutat) Area Groundfish LLP Licenses/Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	370	498	868	22	2	24	892
60-124	144	135	279	30	12	42	321
>= 125	18	5	23	23	17	40	63
Totals:	532	638	1,170	75	31	106	1,276

Southeast Outside Groundfish Licenses /Endorsements Issued as of 2/6/00

<u>MLOA (ft)</u>	<u>Catcher Vessel</u>			<u>Catcher/Processor Vessel</u>			<u>Totals</u>
	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	<u>Interim</u>	<u>Permanent</u>	<u>Subtotal</u>	
< 60	292	491	783	26	1	27	810
60-124	27	18	45	9	0	9	54
>= 125	2	0	2	6	0	6	8
Totals:	321	509	830	41	1	42	872

FMP Amendment status since December 1999	DATE OF COUNCIL ACTION	Start Regional Review	Submitted to NMFS Headquarters	Notice of FMP amendment published	PR Published in FEDERAL REGISTER	FR Published in FEDERAL REGISTER
Final rule for AFA inshore pollock fees	Statute	Developed by NMFS Headquarters staff			12/21/99 64 FR 71396	2/3/00 65 FR 5278 Effective 2/10/00
Amendment 57 BSAI - Bottom trawl ban for pollock	Jun-98	10/23/1998	11/29/1999	12-10-99 64 FR 69219 EOC 2/8/00	12-29-99 64 FR 73003 EOC 2/14/00	
Amendment 59 GOA - Prohibit fishing on Cape Edgecomb pinnacles	Jun-98	12/3/1999				
Amendment 54/54: Allow indirect vessel ownership in the IFQ hired skipper provisions; add language specific to estates in the definition of a "change" in a corporation or partnership; and change the sablefish use caps to be expressed in numbers of QS units, rather than as a percentage of the QS pool	Oct-98	10/1/1999				
Amendment 60/58/10 - LLP	Oct-98	7/28/1999				
Amendment 4 PR - Scallop LLP	Feb-99	10/8/1999				
Final rule for Amendment 58 (BSAI) Chinook salmon bycatch control NMFS Approval of Amendment on 2- 2-00	Feb-99			11/4/1999 64 FR 68157	12-21-99 64 FR 71390 EOC	
Amendment 6 - Salmon Overfishing	Feb-99	3/30/1999	Staff working to define MSST			
Amendment 66 (BS) - Remove squid from CDQ	Jun-99	8/15/1999				
Amendment 61/61 Management of co-ops and sideboards	Jun-99					
Emergency rule to implement AFA permit application requirements	Jun-99	10/15/1999	12/6/1999			1-5-00 65 FR 380 Effective 12-30-99
Emergency rule to implement AFA sideboards and requirements for co-op management	Dec-99	10/15/1999	1/10/1999			1-28-00 65 FR 4520 Effective 1-21-00 EOC 1-28-00
Amendment 11 - Bairdi rebuilding plan	Oct-99	12/7/1999				
Amendment 64 - BSAI Fixed gear cod allocations	Oct-99	11/26/1999				
Amendment 48/48 Specification streamlining	Apr-98	6/2/1998	TABLED Due to Legal issues			

Regulatory Amendment Action Staff work ongoing or initiated since December 1999	DATE OF COUNCIL ACTION	Start Regional Review	Submitted to NMFS Headquarters		PR Published in FEDERAL REGISTER	FR Published in FEDERAL REGISTER
Regulatory Amendment - Atka mackerel VMS	Jun-98	5/19/1999				
Regulatory Amendment - SRRE MRB retention	Apr-99	9/8/99 (final rule)	11/1/99 (final rule)		8-3-99 (64 FR 42080)	12/6/1999 64 FR 68054 Effective 1-5-00
Steller sea lion conservation measures - proposed rule	Jun-99					
Steller sea lion protection measures - emergency rule	Dec-99	10/26/1999	12/16/1999			1-25-00 65 FR 3892 Effective 1/20/00 EOC - 2/24/00
Scale performance criteria Final Rule	NMFS	1/10/2000			12-2-99 64 FR 67555 EOC 1/3/00	
IFQ cost recovery plan Final Rule	NMFS	2/1/2000	\		12/27/99 64 FR 72301 EOC 1/26/99	
CDQ cost recovery plan	NMFS					
Commercial Operator's Annual Report PR	Jun-99	9/16/1999				
IFQ Omnibus 3 PR	NMFS	5/20/1998				
2000 GOA Interim Specifications	Oct-99	10/22/1999	11/17/1999			1-3-00 65 FR 65 Effective 1/1/00
2000 GOA Final Harvest Specifications	Dec-99	1/20/2000	2/7/2000		12-28-99 64 FR 72572	
2000 BSAI Interim Specifications	Oct-99	10/15/1999	11/17/1999			1-3-00 65 FR 60 Effective 1/1/00
2000 BSAI Final Specifications	Dec-99	1/20/2000	2/7/2000		12-13-99 64 FR 69464	
2000 Recordkeeping & Reporting	Jun-99					
2000 CDQ pollock and assoc. incidental catch allocations	Oct-99	11/4/1999	11/26/1999			12/22/1999 64 FR 71688
2000 Pacific Halibut Management Measures	Jan-00 IPHC/NMFS					
Revise definition of vessel length overall	NMFS					
Crab CDQ season start date	Oct-98					
Technical amendments to LLP	NMFS					

Analyses or regulatory actions tasked to NMFS staff but not yet initiated due to other work priorities	DATE OF COUNCIL ACTION	START REGIONAL REVIEW	SUBMITTED TO DOC		PR PUBLISHED IN FEDERAL REGISTER	FR PUBLISHED IN FEDERAL REGISTER
Regulatory Amendment - Revise IR/IU	Feb-99					
Amendment 52/52 b - Vessel Registration -	Apr-98					
DSR - full retention/donation	Jun-99					
HMAP						
Halibut 4D/4E issues trip limits, location of catch						
Revise timing of motions of reconsideration of appeals	NMFS					
Buyback program: Crab						
Regulatory Amendment - Establish the IFQ Loan Program						
Product Recovery Rates - revision - PR						
UPCOMING EXPECTATIONS FOR NEW STAFF WORKLOAD PRIORITIES						
<p>Opilio and St. Matthews rebuilding plan -- development Groundfish SEIS - staff work EIS development on specific management actions Ongoing ESA analyses Revisions to AFA regulations Observer program analyses and regulations Analyses (new and ongoing) associated with the MSCDQ program Charter Boat GHL Experimental Fishing permits (two applications submitted to NMFS for 2000)</p>						

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VANCOUVER, BC

INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA
AND THE UNITED STATES OF AMERICA

February 2, 2000

RECEIVED
FEB - 2 2000
N.P.F.M.C

Dr. Clarence Pautzke, Executive Director
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Dear Clarence:

I will be attending the Council meeting next week and will provide a briefing on the Commission's Annual Meeting. However, I did want to provide you with specific responses on the items mentioned in your letters of December 15 and 22, 1999.

1. The Council expressed support for permanently extending the IPHC regulation permitting retention, but not sale, of halibut under 32 inches caught with commercial gear in authorized CDQ fisheries in IPHC Area 4E. The Commission reviewed this matter and adopted a two-year extension of its existing regulation, sunseting on December 31, 2000. This extension will permit the improvement and evaluation of a more complete reporting framework for these fisheries, and allow opportunity for integration with potential actions on subsistence by the Council.
2. The Commission expresses concern about the inclusion of an option to permit retention of halibut under 32 inches in the proposed regulatory amendment concerning subsistence. Such an option, if implemented, would create significant problems for the enforcement of the Commission's 32-inch size limit on commercial landings, and would make at-sea enforcement essentially impossible. The IPHC size limit is a biologically-based conservation measure and its enforcement is vital to management of the resource. This option would also create enforcement issues with existing regulations concerning offloading and weighing of all commercial fish at delivery. The Commission requests a copy of the analysis of this measure in order to provide you with its comments prior to the scheduled final action in June, 2000.
3. The Commission received a report on U.S. enforcement activities for the IFQ management program. The report noted that landings of halibut outside of the system and mis-reporting of areas were major issues, the solution of which requires enforcement presence in the field. The reported level of inspection activity has declined every year since the inception of the program in 1995. At no time has the inspection rate reached the target of 20% of vessel offloads identified at the implementation of the IFQ program, and the 1999 figure was only one-quarter of the target. We note that although the NMFS has filled a number of the vacancies in its enforcement program, this steadily declining trend erodes the integrity of the management program. We urge the Council to use its office to ensure that target levels of inspection are achieved, for the protection of the resource and the effectiveness of individual quota management.

4. The United States has reduced halibut bycatch mortality, but has not been able to achieve the levels of reduction identified as targets in 1991. The exact impact of bycatch on the future levels of directed catch will not be known until fish of the year classes subject to bycatch actually recruit to the fishery. However, it is clear that bycatch mortality reductions would result in increased directed catches, both now and in the future. Since halibut recruitment is presently declining, the contribution of all incoming year classes needs to be maximized by reducing bycatch mortality, and the Commission urges the Council to pursue additional reductions.
5. The Commission heard a presentation from a representative of the industry group Groundfish Forum concerning their investigation of procedures under the HMAP initiative. The results of this project appear very favorable to reduction of halibut bycatch mortality. We note that any decision about the HMAP awaits provision of an analysis by Council staff and presentation for review. While making no specific endorsement of the Groundfish Forum's projects, the potential savings in halibut bycatch mortality and consequent access to additional groundfish harvest commend the HMAP for analysis and action. We ask the Council to give all possible consideration to such analysis.
6. The Commission adopted the Council's catch sharing plan for IPHC Areas 4CDE, as proposed in your letter of December 22, 1999.
7. The Commission will make a presentation to the Council concerning the GHL measures being considered at the February meeting and this material is being forwarded under separate cover.
8. The Commission notes that the first Local Area Management Plan has been implemented, for Sitka Sound. We welcome this development and congratulate the parties on achievement of this difficult goal.

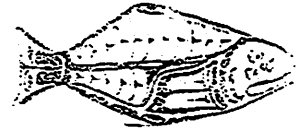
Sincerely,



Bruce M. Leaman
Executive Director

cc: IPHC Commissioners

News Release



January 14, 2000

RECEIVED

JAN 18 2000

N.P.F.M.C

P.O. BOX 95009, SEATTLE, WASHINGTON 98145-2009

HALIBUT COMMISSION COMPLETES 2000 ANNUAL MEETING

The International Pacific Halibut Commission completed its 76th Annual Meeting in Lynnwood, Washington, with Steven Pennoyer of Juneau, Alaska presiding as Chairman. The Commission is recommending to the governments of Canada and the United States catch limits for 2000 totaling 67,500,000 pounds, compared to 74,060,000 pounds in 1999.

The Commission staff reported on the assessment of the Pacific halibut stock in 1999. The only major change in the assessment this year was a lowering of the pre-1993 IPHC setline survey catch rates to account for a bait change, which reduced the population estimates by 20-30% in the eastern and central Gulf of Alaska (Areas 2 and 3A). A continuing decline in size at age has also affected the estimated biomass in Area 2C and Area 3A. The assessment estimates a low recruitment in Area 3A in recent years, implying a rapidly declining biomass in that area. However, trawl surveys indicate a relatively high abundance of sublegal fish in that area, so the assessment may be overly pessimistic. Nevertheless, it is clear that recruitment in all areas has declined from the high levels of 1985-1995. Farther west in Areas 3B and 4, size at age and recruitment have also declined but the lower exploitation rate in those areas has moderated the decline in biomass relative to the central Gulf of Alaska.

Seasons and Catch Limits

The Commission received regulatory proposals for 2000 from the scientific staff, Canadian and United States fishermen and processors, and other fishery agencies. The Commission will recommend to the governments the following catch limits for 2000 in Area 2A (California, Oregon, and Washington), Area 2B (British Columbia), Area 2C (southeastern Alaska), Area 3A (central Gulf), Area 3B (western Gulf), Area 4A (eastern Aleutians), Area 4B (western Aleutians), Area 4C (Pribilof Islands), Area 4D (northwestern Bering Sea), and Area 4E (Bering Sea flats):

fisheries in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E will all commence at 12 noon local time on March 15 and terminate at 12 noon local time on November 15.

In Area 2A, six 10-hour fishing periods for the non-treaty directed commercial fishery are recommended for July 5, July 19, August 2, August 23, September 6, and September 20. All fishing periods will begin at 8:00 a.m. and end at 6:00 p.m. local time, and will be further restricted by fishing period limits. Fishing dates for an incidental commercial catch halibut fishery will be established under United States domestic regulations established by National Marine Fisheries Service (NMFS), and will be concurrent with salmon troll fishing seasons in Area 2A. The remainder of the Area 2A catch-sharing plan, including sport-fishing seasons, will be determined under regulations promulgated by NMFS.

Regulatory Changes and Issues

The Area 2A licensing regulations remained the same as in 1999. The Commission will issue vessel licenses for the sport charter halibut fishery, the directed commercial halibut fishery, and the incidental commercial halibut fishery. The deadline dates for receiving license applications remain the same: April 30 for the directed commercial fishery and March 31 for the incidental commercial fishery. A vessel that has a commercial halibut license cannot be used for sport fishing for halibut.

The Commission changed the regulations applicable to the United States to make the operator or owner of the vessel responsible for offloading all halibut from the vessel once offloading commences. Previously, the processor or buyer was responsible.

The Commission reauthorized for another two years the regulation allowing Community Development Quota (CDQ) fishers in Area 4E to retain undersized halibut caught with commercial gear for personal use (not to sell or barter the halibut). The regulations again require the managers of the authorized CDQ organization that allows persons to harvest halibut in Area 4E CDQ fishery to report annually the total number and weight of undersized halibut to the Commission. The report must include the methodology on how the data were collected and be received by IPHC prior to December 1.

A proposal by the industry to allow filleting on board a vessel of the retained fish for personal use from the IFQ fishery was not adopted by the Commission. NMFS Enforcement, and therefore the Commission, remained concerned that if fillets were allowed on board the vessel as proposed enforcement could be compromised. NMFS Enforcement was asked to work with the industry and IPHC to see if a viable regulation change could be agreed upon and presented at next year's Annual Meeting.

The Commission held extensive discussions on the present and future status of landing and holding live halibut for subsequent sale after the halibut fishing season closes. Although a Commission regulation requiring that fish be offloaded with gills and entrails removed effectively prohibits live fish landing. Canada has specifically chosen to reject this regulation. The existing Commission regulation was implemented to improve fish quality and address

2000 Catch Limits

Area	Catch Limit (pounds)
2A Non-treaty directed commercial (south of 2A-1) fisheries	138,632
2A Non-treaty incidental catch in salmon troll	24,464
2A Treaty Indian commercial	305,000
2A Treaty Indian ceremonial and subsistence (year-round)	10,500
2A Sport - North of Columbia River	188,307
<u>2A Sport - South of Columbia River</u>	<u>163,097</u>
Area 2A total	830,000
2B	10,600,000
2C	8,400,000
3A	18,310,000
3B	15,030,000
4A	4,970,000
4B	4,910,000
4C	2,030,000
4D	2,030,000
<u>4E</u>	<u>390,000</u>
<u>Area 4 total</u>	<u>14,330,000</u>
Total	67,500,000

The catch limits for Regulatory Areas 4C, 4D, and 4E reflect the catch-sharing plan implemented by the North Pacific Fishery Management Council (NPFMC). The NPFMC catch sharing plan in Area 4 allows the Commission to set biologically-based catch limits for Areas 4A, 4B, and a combined Area 4C-D-E. The catch limits for the fisheries in Area 2A reflect the catch-sharing plan implemented by the Pacific Fishery Management Council (PFMC).

The staff reported to the Commission on its investigation of the biological, regulatory, enforcement, and logistical considerations associated with an extended halibut fishing season. Based primarily on concerns about interceptions of migrating fish from different regulatory areas during winter fishing and administrative concerns identified by the Parties, the staff recommended no change to the existing March 15-November 15 season. The Commission therefore made no changes to the existing season for individual quota fishing. However, industry groups presented the Commission with a list of items concerning a potential season extension that they wished to have investigated by Commission staff. The Commission staff will consider these items, in consultation with industry, during the design of its research programs and report to the Commission at its next annual meeting on its progress.

Therefore, the treaty Indian commercial fishery in Area 2A, the Canadian Individual Vessel Quota (IVQ) fishery in Area 2B, and the United States Individual Fishing Quota (IVQ)

sampling concerns, rather than to prohibit live fish landing. The Commission will continue to examine the issue of live fish landing but made no changes to its existing regulation requiring the dressing of fish prior to offloading. The Commission staff will work with Canadian government authorities to ensure that the live fish holding operations in Canada meet Commission requirements concerning conservation and data capture.

Other Actions

The recommended regulations for the 2000 halibut fishery will become official as soon as they are approved by the Canadian and United States Governments. The Commission will publish and distribute regulation pamphlets.

The next Annual Meeting of the Commission will be held in Vancouver, BC. from January 22 to 25, 2001. The Canadian Government commissioner, Richard Beamish, was elected Chairman for the coming year. The United States Government commissioner, Steven Pennoyer, was elected as Vice Chairman. Other Canadian commissioners are Kathleen Pearson and John Secord. The other United States commissioners are Ralph Hoard and Andrew Scalzi. Dr. Bruce Leaman is the Director of the Commission.

- END -

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**ALASKA DEPARTMENT OF FISH AND GAME FEBRUARY 2000
REPORT TO THE NORTH PACIFIC FISHERY MANAGEMENT
COUNCIL**

Fisheries managed under delegated authority of the State of Alaska since the last Council meeting includes crab, salmon, Southeast demersal shelf rockfish, and state waters Pacific cod.

BERING SEA/ALEUTIAN ISLANDS KING AND TANNER CRAB FISHERIES:

Currently, 11 vessels are fishing for golden king crab in the Aleutian Islands west of 174° West Longitude. The harvest of golden king crab through 29 January is 1.22 million pounds from the 2.7 million pound GHL. Last year, 1.7 million pounds were harvested for the entire season running from 9/1/98 until 8/31/99. Catch rate has varied between 5 and 10 crabs per pot and landings are running 50 to 175,000 pounds per week.

Currently there is a single vessel registered for golden king crab in the Pribilof District, though two other vessels are expected to register within the week. The Pribilof District GHL is a 150,000 pounds. The Department has developed ice criteria for the Pribilof and Northern Districts and has delayed this fishery by a few weeks to allow ice to clear the grounds.

SALMON TROLL FISHERY

The winter troll fishery is open from October 11, 1999 until April 14, 2000, or until 45,000 treaty fish are harvested, whichever comes first. Through January 29, about 18,000 Chinook salmon were harvested, with an Alaskan hatchery contribution of about 6%.

SOUTHEAST ALASKA DEMERSAL SHELF ROCKFISH AND OTHER GROUND FISH FISHERIES:

In Southeast Alaska, the remaining fall (December) directed Demersal Shelf Rockfish (DSR) fishery landed 46,048 pounds (round weight). The directed winter DSR fishery, commencing January 1, has landed 197,140 pounds (round weight) to-date. There have been no directed landings of lingcod during this period (December 1-January 31).

STATE WATERS PACIFIC COD FISHERY:

State water Pacific cod fisheries are not expected to open until March, after the completion of the federal fisheries.

The Prince William Sound GHL for 2000 is 2.95 million pounds, which is 25.0 percent of the Eastern GOA total allowable harvest of Pacific cod. The area will open 7-days after the Central GOA closes. The 1999 harvest was 389,463 pounds from a GHL of 930,000 pounds.

Cook Inlet has not yet achieved its initial step-up beyond the original percentage allocation. The GHL for 2000 is 2.16 million pounds, which is 2.25 percent of the Central GOA total allowable harvest of Pacific cod. The Cook Inlet Area will open 24 hours following the closure of the Central GOA. The 1999 harvest totaled 1.5 million pounds from a GHL of 2.6 million pounds.

Kodiak achieved its final step-up in 1999. The GHL for 2000 is 12.0 million pounds, which is 12.5 percent of the Central GOA total allowable harvest of cod. The Kodiak Area will open 7-days following the closure of the Central GOA. The 1999 harvest was 10.8 million pounds and the GHL was 11.7 million pounds.

The Chignik Area did not reach its final step-up in 1999. The GHL for 2000 is 6.7 million pounds, which is 7.0 percent of the Central GOA total allowable harvest of Pacific cod. The Chignik Area will open on April 15. The 1999 harvest was 6.4 million pounds and the GHL was 8.2 million pounds.

The South Alaska Peninsula achieved its final step-up in 1999. The GHL for 2000 is 15.2 million pounds, which is 25 percent of the Western GOA total allowable harvest of Pacific cod. The South Alaska Peninsula Area will open 7-days following the closure of the Western GOA. The 1999 harvest was 11.9 million pounds and the GHL was 13.0 million pounds.