

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke
Executive Director



ESTIMATED TIME 3 HOURS

DATE: November 29, 1999

SUBJECT: Steller Sea Lions

ACTION REQUIRED

- (a) Receive status report on litigation.
- (b) Comment on Proposed Rule for 2000 (or on pending emergency rule).
- (c) Discuss adaptive management strategies and results of evening workshop.

BACKGROUND

In October the Council reviewed NMFS's modified RPAs which resulted from a revised Biological Opinion and the judicial remand by Judge Zilly on August 6. At that time you expressed an intent to review the status of the litigation in December, and possibly provide comment on an anticipated proposed rule to implement the revised RPAs. These measures will have to be implemented by an Emergency Rule (ER) following this Council meeting, to be followed by a formal proposed and final rulemaking. NMFS apparently will be looking to the Council to formally request such emergency action. While the Council will be reviewing RPAs at this meeting, and perhaps providing input to NMFS regarding those RPAs, it is not likely that any significant changes to those RPAs can be accommodated in the emergency rulemaking. NMFS staff will be reporting on the status of the litigation and the proposed RPAs, including a comparison of the original RPAs from last fall, the June 1999 RPAs approved by the Council, and those brought forward by NMFS in October 1999.

An evening workshop is scheduled for Thursday, December 9 of this week to discuss the issue of adaptive management strategies relative to sea lions. NMFS staff will also report on the results of this workshop and how they are approaching this aspect of the sea lion issue.

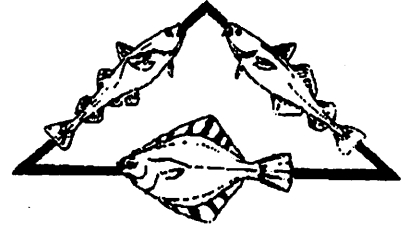
Alaska Groundfish Data Bank

P.O. Box 2298 • Kodiak, Alaska 99615

TO: RICK LAUBER, CHAIRMAN
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

RE: COMMENTS ON GULF SEA LION
PROTECTIVE MEASURES

DATE: DECEMBER 1, 1999



COMMENTS ON GULF OF ALASKA SEA LION PROTECTIVE MEASURES FOR THE YEAR 2000

AGENDA ITEM C-4(b)

The Gulf members of Alaska Groundfish Data Bank are extremely disappointed, to say the least, that the National Marine Fisheries Service chose to close the eight Gulf haul-outs left open in 1999.

Of particular concern are the Ikolik haul-out and the Rugged Island haul-out.

IKOLIK: The Kodiak pollock fleet requested that Ikolik haulout remain open to the fleet for safety reasons. We note the following:

1. The Shelikof area is notorious for the quickness and ferocity of its storms. These are small area disturbances that are too small to be tracked or forecasted.
2. The sea lion protective measures for the year 2000 require a separate TAC for Shelikof Strait in the A and B seasons. It is inevitable that vessels will fish Shelikof in order to maintain their share. And it is inevitable that without a safe fishing area that vessels will be lost. Off the top of our collective memories we were able to list seven vessels which have gone down in Shelikof Strait.
3. The Magunson-Stevens Act National Standard 10 states that "Conservation and management measures shall, to the extent practicable, promote the safety of human life at sea."
4. The Bering Sea pollock vessels 99 Feet or Less in length are exempt from the restrictions in the CVOA. Certainly this same exemption could be justified for Ikolik.

RUGGED ISLAND: The Rugged Island haulout is the only source of pollock for Seward. The Seward pollock fishery occurs in the A and B season. Seward did not have a pollock plant until 1998 and there was not any pollock fishing at Rugged Island until 1998. The sea lion declines on the Rugged Island Haul-out prior to 1998 cannot be attributed to fishing at Rugged Island since there was no pollock fishing at Rugged Island until 1998.

Closing the Seward pollock operation and denying the winter work of processing pollock to the community seems punitive and excessive.

BARNABAS AND LONG ISLAND: As AGDB members understand it, these two haul-outs are important control sites for the University of Alaska's Sea Lion research project in the Kodiak Area. This research project includes sea lion counts and scat analysis through out the year as well as looking at fished and unfished sites, the availability of food items at haul-outs through out the year and oceanography.

AGDB members hopes that the Protective Species Division will do everything possible to assure the University's research can be carried out as planned.

Sea Lion Comments -- page 2 of 2 - sent December 1, 1999 to NPFMC

OPENING DATES: AGDB requests that the C season pollock opening in the Central Gulf be August 25 instead of August 20. This is a compromise date negotiated between the processors. Those who process or tender salmon preferred September 1 and those who do not process salmon preferred August 20. This compromise helps spread out the work force and give all operations a fairer start.

NOTES:

1. **VESSEL SIZE:** The average length of Kodiak pollock vessels is 79 feet LOA (ADF&G data).
2. **TRIP LIMITS:** Gulf vessels are allowed to take no more than 300,000 lbs. of pollock per trip. Most of the Gulf vessels pack 200,000 to 250,000 lbs of pollock.
3. **FLEET DISTRIBUTION:** At any one time a third of the pollock fleet is fishing, a third are traveling to port to deliver and a third are traveling to the fishing grounds. The usual number of vessels in the Kodiak pollock fleet is 50, which means that at any one time only 17 vessels are actually fishing pollock.

3. **SEA LION PROTECTIVE MEASURES:** It should not be forgotten that the sea lion protective measures are based on an untested hypothesis that the pollock fishery creates localized depletion serious enough to cause a top predator to starve to death.

This raises the question: is the likelihood of the "localized depletion" hypothesis being correct that risking human lives and depriving a community of work justifiable?

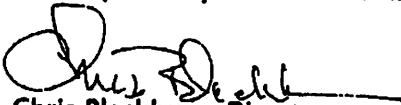
4. **ECOSYSTEM CONSIDERATIONS:** Though "considering the whole ecosystem" has become a desirable goal, the sea lion protective measures do not consider the ecosystem. There appears to be no consideration of the other predators on pollock. Stomach analysis of Gulf of Alaska Arrowtooth Flounder and of Pacific halibut in 1990 indicated that 66% of the Arrowtooth diet by weight was pollock and 28% of the Pacific halibut diet by weight was pollock. (Yang, Mei-sun. 1993. Food Habitats of the commercially important Groundfishes in the Gulf of Alaska in 1990. NOAA Technical Memorandum NMFS-AFSC-22).

Both Pacific halibut and arrowtooth flounder have dramatically increased while sea lions decreased. In 1990 the pollock exploitable biomass was 891,000 MT, the exploitable Arrowtooth biomass was 1,144,242 MT and is now 1592,000 MT. There does not appear to be a reliable exploitable Pacific halibut biomass number -- however Pacific halibut has also been increasing.

If access to pollock is the cause of sea lion declines, then all sources of pollock mortality should be considered. It is likely that the commercial fishery removals are a minor source of removals compared to the removals by predators. In which case, leaving haulouts open or closed would have little or no effect on the availability of pollock to sea lions.

CO-OPS: Gulf pollock fishermen cannot help noticing that their ability to fish is much diminished while the Bering Sea Co-ops allow the Bering Sea pollock fishermen to fish almost unimpeded by Sea Lion measures due to the formation of co-ops. We urge the North Pacific Fishery Management Council to continue letting NMFS know that Co-ops in the Gulf of Alaska are the best method of dealing with sea lion protective measures.

Thank you for your consideration of our comments.


Chris Blackburn, Director
Alaska Groundfish Data Bank

REFERENCES

(Yang, Mei-sun. 1993. Food Habitats of the commercially important Groundfishes in the Gulf of Alaska in 1990. NOAA Technical Memorandum NMFS-AFSC-22).

Summary of Reasonable and Prudent Alternatives

Principle: Protection of prey resources around rookeries and major haulouts.

Guideline: Required spatial separation of pollock trawl fishing and Steller sea lion foraging areas adjacent to rookeries and haulouts.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> ● Closure of Aleutian Islands. ----- ● Closure of 24 rookeries and haulouts in the EBS. In addition, NMFS closed Cape Sarichef to 10 nm. ----- ● Closure or partial closure of 45 rookeries and haulouts in the GOA, with 8 sites left open. 	<ul style="list-style-type: none"> ● Closure of Aleutian Islands. ----- ● Closure of 25 rookeries and haulouts in the EBS (includes Cape Sarichef to 20 nm). ----- ● Closure or partial closure of 44 rookeries and haulouts in the GOA, with nine sites open or partially closed. 	<ul style="list-style-type: none"> ● Closure of Aleutian Islands. ----- ● Closure of 25 rookeries and haulouts in the EBS (includes Cape Sarichef to 20 nm). ----- ● Close 48 rookeries and haulouts in the GOA, with five sites remaining open to limited fishing (two sites in waters of the State of Alaska, two sites where research on fishery effects will be conducted, and one site with alternative protective measures).

Summary of Reasonable and Prudent Alternatives

Gulf of Alaska - Protection around rookeries and haulouts

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
44 closed areas	44 closed areas	44 closed areas
Pt. Elrington, The Needles - open	Open Jan. 20 to May 1	Work with the State of Alaska
Rugged Island - open	Open Jan. 20 to May 1	Open Jun. 1 to Nov. 1
Cape Barnabas, Gull Point - open	Open	Open only as part of fishery experiment
Point Ikolik - open	Open	Open Jun. 1 to Nov. 1
Mitrofanina Island - open	Open Jan. 20 to Apr. 30, Sep. 1 to Nov. 1, with 60-ft. vessel limit	Closed
Spitz Island - closed	Open Jan. 20 to Apr. 30, Sep. 1 to Nov. 1, with 60-ft. vessel limit	Open Jan. 20 to Jun. 1
Sea Lion Rocks - open	Open with 60-ft. vessel limit	Open with 60-ft. vessel limit

Summary of Reasonable and Prudent Alternatives

Principle: *Protection of prey resources around rookeries and major haulouts.*

Guideline: Established criteria for identification of sites to be protected:

- Nov 1 to June 1 - at least 75 sea lions in a single count since 1979,
- June 1 to Nov 1 - at least 200 sea lions in a single count since 1979.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> • Council's motion based on criteria established in the Biological Opinion 	<ul style="list-style-type: none"> • Council's motion based on criteria established in the Biological Opinion. 	<ul style="list-style-type: none"> • RFRPAs based on criteria established in the Biological Opinion.

Principle: *Protection of prey resources around rookeries and major haulouts.*

Guideline: Established the size of protection zones around rookeries and haulouts:

- 20 nm in the EBS,
- 10 nm in the GOA, and
- 10 nm in the Aleutian Islands.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> • Council's motion based on criteria established in the Biological Opinion, plus the closure of the Aleutian Islands. 	<ul style="list-style-type: none"> • Council's motion based on criteria established in the Biological Opinion, plus the closure of the Aleutian Islands. 	<ul style="list-style-type: none"> • RFRPAs based on criteria established in the Biological Opinion, plus the closure of the Aleutian Islands.

Summary of Reasonable and Prudent Alternatives

Principle: Temporal dispersion

Guideline: Required prohibition of all pollock trawling fisheries in the period from November 1 through January 20 in the Bering Sea and Gulf of Alaska.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> Council's motion required closure of pollock trawl fisheries in the EBS and the GOA from November 1 to January 20. 	<ul style="list-style-type: none"> Council's motion required closure of pollock trawl fisheries in the EBS and the GOA from November 1 to January 20. 	<ul style="list-style-type: none"> RFRPAs required closure of pollock trawl fisheries in the EBS and the GOA from November 1 to January 20.

Principle: Temporal dispersion

Guideline: Distribute the pollock trawl harvest into at least four seasons (two in the period from January through May and two in the period from June through October).

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> Council motion established four seasons for the GOA, four seasons for catcher/processor and inshore sectors in the EBS, and two seasons for mothership and the Community Development Quota (CDQ) sectors in the EBS. 	<ul style="list-style-type: none"> Council motion established four seasons for the GOA, four seasons for catcher/processor and inshore sectors in the EBS, and two seasons for mothership and the Community Development Quota (CDQ) sectors in the EBS. 	<ul style="list-style-type: none"> NMFS establishes four seasons for the GOA, four seasons inside the critical habitat/catcher-vessel-operation-area (SCA) in the EBS, and two seasons outside the SCA in the EBS.

Summary of Reasonable and Prudent Alternatives

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999																														
<ul style="list-style-type: none"> ● <u>Bering Sea</u> <ul style="list-style-type: none"> - Quarterly system with seasons starting <ul style="list-style-type: none"> January 20 February 20 August 1 September 1 - 5-day stand-down A-B - Motherships - single A/B beginning Feb. 1, and single C/D beginning Sep. 1 - CDQ - single A/B season, and single C/D season ● <u>Gulf of Alaska</u> <ul style="list-style-type: none"> - Quarterly system with seasons starting <ul style="list-style-type: none"> January 20 June 1 September 1 No later than October 1, no sooner than 5 days after close of C season 	<ul style="list-style-type: none"> ● <u>Bering sea</u> <ul style="list-style-type: none"> <u>Inshore</u> <ul style="list-style-type: none"> A - Jan. 20 to Feb. 15 B - Feb. 22 to Apr. 17 C - Jun. 1 to TAC (coops) Aug. 1 to TAC (open) <u>Mothership</u> <ul style="list-style-type: none"> A/B - Feb. 1 to Apr. 15 C/D - Sep. 1 to Nov. 1 <u>C/P</u> <ul style="list-style-type: none"> A - Jan. 20 to Feb. 15 B - Feb. 22 to Apr. 17 C - Jul. 10 to Aug. 31 D - Sep. 1 to Nov. 1 <u>CDQ</u> <ul style="list-style-type: none"> A/B - Jan. 20 to Apr. 15 C/D - Apr. 15 to Nov. 1 ● <u>Gulf of Alaska</u> <table style="margin-left: 20px; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Season</th> <th style="text-align: left; border-bottom: 1px solid black;">Start</th> <th style="text-align: left; border-bottom: 1px solid black;">End</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Jan. 20</td> <td>Mar. 1</td> </tr> <tr> <td>B</td> <td>Mar. 15</td> <td>May 31</td> </tr> <tr> <td>C</td> <td>Aug. 20</td> <td>Sep. 15</td> </tr> <tr> <td>D</td> <td>Oct. 1</td> <td>Nov. 1</td> </tr> </tbody> </table> 	Season	Start	End	A	Jan. 20	Mar. 1	B	Mar. 15	May 31	C	Aug. 20	Sep. 15	D	Oct. 1	Nov. 1	<ul style="list-style-type: none"> ● <u>Bering Sea</u> <ul style="list-style-type: none"> <u>Inside SCA</u> <ul style="list-style-type: none"> A - Jan. 20 to Apr. 1 B - Apr. 1 to June 10 C - Jun. 10 to Aug. 20 D - Aug. 20 to Nov. 1 <u>Outside SCA</u> <ul style="list-style-type: none"> A/B - Jan. 20 to Jun. 10 C/D - Jun. 10 to Nov. 1 ● <u>Gulf of Alaska</u> <table style="margin-left: 20px; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Season</th> <th style="text-align: left; border-bottom: 1px solid black;">Start</th> <th style="text-align: left; border-bottom: 1px solid black;">End</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Jan. 20</td> <td>Mar. 1</td> </tr> <tr> <td>B</td> <td>Mar. 15</td> <td>May 31</td> </tr> <tr> <td>C</td> <td>Aug. 20</td> <td>Sep. 15</td> </tr> <tr> <td>D</td> <td>Oct. 1</td> <td>Nov. 1</td> </tr> </tbody> </table> 	Season	Start	End	A	Jan. 20	Mar. 1	B	Mar. 15	May 31	C	Aug. 20	Sep. 15	D	Oct. 1	Nov. 1
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Summary of Reasonable and Prudent Alternatives

Principle: Temporal dispersion

Guideline: Limit combined total allowable catch (TAC) in the winter and spring period to a maximum of 45% of the annual TAC.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> Council motion recommended reducing the portion of the annual TAC taken in the winter and spring period to 40%. 	<ul style="list-style-type: none"> Council recommended reducing the portion of the annual TAC taken in the winter and spring period to 40%. 	<ul style="list-style-type: none"> NMFS action reduces the portion of the annual TAC taken in the winter and spring period to 40%.

Principle: Temporal dispersion

Guideline: Allocate single-season TACs to be no more than 30% of the annual TAC.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> Council motion recommended limiting the portion of the annual TAC taken in each fishing season to no more than 30%. 	<ul style="list-style-type: none"> Council motion recommended limiting the portion of the annual TAC taken in each fishing season to no more than 30%. 	<ul style="list-style-type: none"> NMFS action uses the 30% cap each season in the GOA and inside the SCA in the EBS.

Summary of Reasonable and Prudent Alternatives

Principle: Temporal dispersion

Guideline: Prevent concentration of pollock catch at the end of one season and the beginning of the next season which, in effect, could result in a single pulse of fishing.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> • Council motion recommended separation of fishing seasons based on brief stand-down periods in the EBS and relatively longer stand-down periods in the GOA. 	<ul style="list-style-type: none"> • Council motion recommended separation of fishing seasons based on brief stand-down periods in the EBS and relatively longer stand-down periods in the GOA. 	<ul style="list-style-type: none"> • NMFS action establishes evenly spaced seasons in the SCA of the EBS to ensure temporal dispersion in areas most important to sea lions, while allowing greater flexibility for industry in areas outside the SCA in areas of less importance to sea lions. NMFS action also adopts seasonal schedule for the GOA as recommended by Council.

Summary of Reasonable and Prudent Alternatives

Principle: Temporal dispersion

Guideline: Limit rollover of portions of seasonal TACs to situations only where necessary to account for premature fisheries closure resulting from inaccuracies associated with monitoring of seasonal catches.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> • Council recommended allowance for rollovers as long as the seasonal caps and areal apportionments are observed. 	<ul style="list-style-type: none"> • Council recommended allowance for rollovers as long as the seasonal caps and areal apportionments are observed. 	<ul style="list-style-type: none"> • NMFS action allows for rollovers as long as seasonal caps and areal apportionments are observed.

Summary of Reasonable and Prudent Alternatives

Principle: Spatial dispersion

Guideline: Allocate percent TAC to areas defined by critical habitat (CH) and broad management districts based on the pollock biomass distribution.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> • Information on distribution of pollock in A and B seasons in the EBS not considered sufficiently reliable to allocate TAC. Council motion did not make recommendation on caps for C and D seasons in the EBS. <p style="text-align: center;">-----</p> <ul style="list-style-type: none"> • Motion recommended cap for amount of pollock that could be taken out of Shelikof Strait. 	<ul style="list-style-type: none"> • Council motion recommended 25% and 35% caps in 1999 C and D seasons (respectively), and 15% and 25% caps in 2000 (and beyond) C and D seasons (respectively) in the EBS. <p style="text-align: center;">-----</p> <ul style="list-style-type: none"> • Motion recommended creation of Shelikof Strait management area (with its own TAC) to utilize existing information on stock distribution in the GOA. 	<ul style="list-style-type: none"> • NMFS action establishes 50% cap for combined A- and B-season pollock TACs from the SCA, and uses 50% figure to determine SCA caps for each season singly. Action also uses 15% and 25% figures to determine SCA caps in the C and D seasons (respectively) in the EBS. <p style="text-align: center;">-----</p> <ul style="list-style-type: none"> • Action creates Shelikof Strait management area (with its own TAC) to utilize existing information on stock distribution in the GOA.

Summary of Reasonable and Prudent Alternatives

Principle: Spatial dispersion

Guideline: Absent good scientific estimates of pollock biomass distribution, place a maximum limit on the percent of TAC allocations from CH areas for each season.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> • Council motion recommended a cap of 62.5% in the SCA during the 1999 A and B seasons in the EBS (when biomass distribution not known). 	<ul style="list-style-type: none"> • Council motion recommended a cap of 50% in the SCA during the 2000 (and beyond) A and B seasons in the EBS (when biomass distribution not known). 	<ul style="list-style-type: none"> • NMFS establishes a cap of 50% in the SCA during the A and B seasons in the EBS (when biomass distribution not known).

Principle: Spatial dispersion

Guideline: Allow for the possibility of further reduction of percent of TAC in specific critical habitat areas.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> • No Council recommendation. 	<ul style="list-style-type: none"> • No Council recommendation. 	<ul style="list-style-type: none"> • The percentage of TAC is fixed inside and outside critical habitat to minimize competition between Steller sea lions and the pollock fisheries. Changes will only occur only if they allow at least equivalent protection.

Summary of Reasonable and Prudent Alternatives

Principle: Spatial dispersion

Guideline: Prevent redistribution of TAC from areas outside of critical habitat to areas inside of critical habitat.

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> • No Council recommendation. 	<ul style="list-style-type: none"> • No Council recommendation. 	<ul style="list-style-type: none"> • The percentage of TAC is fixed inside and outside critical habitat to minimize competition between Steller sea lions and the pollock fisheries. Changes will only occur only if they allow at least equivalent protection.

Summary of Reasonable and Prudent Alternatives

Principle: Spatial dispersion

Guideline: Base spatial distribution of the TAC on existing study or management areas. In addition, in the southeastern Bering Sea, the CVOA and southeastern Bering Sea foraging area should be combined to form one CVOA-CH complex (referred to here as the SCA [Sea Lion Conservation Area]).

Motion (with modification) December 1998	Motion June 1999	RFRPAs October 1999
<ul style="list-style-type: none"> ● Council motion recommended establishment of the SCA with spatial distribution of catch based on areas inside and outside the SCA in the EBS. Council motion did not include measures to disperse catch spatially outside of the SCA in the EBS. <p style="text-align: center;">-----</p> <ul style="list-style-type: none"> ● Motion also recommended use of existing management areas plus a new Shelikof Strait area in the GOA. 	<ul style="list-style-type: none"> ● Council motion recommended spatial distribution of catch based on areas inside and outside the SCA in the EBS. Council motion did not include measures to disperse catch spatially outside of the SCA in the EBS. <p style="text-align: center;">-----</p> <ul style="list-style-type: none"> ● Motion also recommended use of existing management areas plus a new Shelikof Strait area in the GOA. 	<ul style="list-style-type: none"> ● NMFS action disperses catch spatially inside and outside the SCA in the EBS. NMFS believes that spatial dispersion outside the SCA will occur as a function of general fishing practices as modified by the American Fisheries Act. <p style="text-align: center;">-----</p> <ul style="list-style-type: none"> ● NMFS action also uses existing management areas plus a new Shelikof Strait area in the GOA.

**COUNCIL'S JUNE 1999 MOTION
 PERCENT APPORTIONMENTS AND TONS OF POLLOCK
 BY SEASON WITHIN THE SCA (CH/CVOA)**
See Lin Conservation Area

	A	B	C	D
Inshore	56%	56%	27%	45%
C/P	33%	33%	0%	0%
Mothership	50%		0%	
CDQ	82.5%			37%

	A	B	C	D
Inshore	72,419	32,918	38,090	63,484
C/P	34,140	15,518	0	0
Mothership	18,810		0	
CDQ	40,838			22,385

RERPA SEASONAL APPORTIONMENTS IN THE BSAI POLLOCK FISHERY

		maximum 40%		60%*	
Outside SCA	Closed	maximum of 40% of annual TAC minus catch taken inside the SCA		60% of annual TAC minus catch taken inside the SCA	Closed
Inside SCA		maximums of 20% annual TAC for A+B combined, and 15% for A and B singly		maximum of 4.5% of annual TAC	maximum of 7.5% of annual TAC
Starting date	A	B	C	D	
	Jan 20	Apr 1	Jun 10	Aug 20	Nov 1

RFRPA POLLOCK ALLOCATIONS UNDER PROPOSED RULE FOR 2000

Sector	Season	Annual TAC	TAC - CDQ	Bycatch -5%	Sector Allocation	Seasonal Apportion	Seasonal DFA	Motion % in SCA	SCA ratio (RPAs)	Sector % of DFA	Pollock SCA (mt)
Inshore	A	1,100,000	90%	95%	50%	40%	188,100	56%	75%	42%	79,002
	B	1,100,000	90%	95%	50%	40%		56%	25%	14%	26,334
	C	1,100,000	90%	95%	50%	60%	282,150	36%	37.5%	13.5%	38,090
	D	1,100,000	90%	95%	50%	60%		36%	62.5%	22.5%	63,484
subtotal						470,250					206,910
C/P	A	1,100,000	90%	95%	40%	40%	150,480	33%	75%	24.75%	37,244
	B	1,100,000	90%	95%	40%	40%		33%	25%	8.25%	12,415
	C	1,100,000	90%	95%	40%	60%	225,720	0%	37.5%	0%	
	D	1,100,000	90%	95%	40%	60%		0%	62.5%	0%	
subtotal						376,200					49,658
MS	A	1,100,000	90%	95%	10%	40%	37,620	50%	75%	37.5%	14,108
	B	1,100,000	90%	95%	10%	40%		50%	25%	12.5%	4,703
	C	1,100,000	90%	95%	10%	60%	56,430	0%	37.5%	0.0%	
	D	1,100,000	90%	95%	10%	60%		0%	62.5%	0.0%	
subtotal						94,050					18,810
CDQ at 45/55	A	1,100,000			10%	45%	49,500	83%	75%	62%	30,690
	B	1,100,000			10%	45%		83%	25%	20.5%	10,148
	C	1,100,000			10%	55%	60,500	37%	37.5%	14%	8,470
	D	1,100,000			10%	55%		37%	62.5%	23%	13,915
subtotal						110,000					63,223
Total				49,500			1,050,500				338,601

CDQ at 40/60	A	1,100,000			10%	40%	44,000	83%	75%		27,225
	B	1,100,000			10%	40%		83%	25%		9,075
	C	1,100,000			10%	60%	66,000	37%	37.5%		9,158
	D	1,100,000			10%	60%		37%	62.5%		15,263
subtotal						110,000					60,720

		Amount (mt)	Percent of DFA
CDQ at 45/55	161,043	Amount in SCA in A season	15.3% portion in SCA in A season
	53,599	Amount in SCA in B season	5.1% portion in SCA in B season
	46,560	Amount in SCA in C season	4.4% portion in SCA in C season
	77,399	Amount in SCA in D season	7.4% portion in SCA in D season
	338,601	total amount in SCA	32.2% total amount in SCA

		Amount (mt)	Percent of DFA
CDQ at 40/60	157,578	Amount in SCA in A season	15.0% portion in SCA in A season
	52,526	Amount in SCA in B season	5.0% portion in SCA in B season
	47,248	Amount in SCA in C season	4.5% portion in SCA in C season
	78,746	Amount in SCA in D season	7.5% portion in SCA in D season
	336,098	total amount in SCA	32.0% total amount in SCA

		Amount (mt)	Percent of annual TAC
CDQ at 45/55	161,043	Amount in SCA in A season	14.6% portion in SCA in A season
	53,599	Amount in SCA in B season	4.9% portion in SCA in B season
	46,560	Amount in SCA in C season	4.2% portion in SCA in C season
	77,399	Amount in SCA in D season	7.0% portion in SCA in D season
	338,601	total amount in SCA	30.8% total amount in SCA

		Amount (mt)	Percent of annual TAC
CDQ at 40/60	157,578	Amount in SCA in A season	14.3% portion in SCA in A season
	52,526	Amount in SCA in B season	4.8% portion in SCA in B season
	47,248	Amount in SCA in C season	4.3% portion in SCA in C season
	78,746	Amount in SCA in D season	7.2% portion in SCA in D season
	336,098	total amount in SCA	30.6% total amount in SCA

Original Council Motion from June 1999

Sector	Season	Annual TAC	TAC - CDQ	Bycatch -5%	Sector Allocation	Seasonal Apportion	Seasonal DFA	Sector % of DFA	Pollock SCA (mt)
Inshore	A	1,100,000	90%	95%	50%	27.5%	129,319	56%	72,419
	B	1,100,000	90%	95%	50%	12.5%	58,781	56%	32,918
	C	1,100,000	90%	95%	50%	30.0%	141,075	27%	38,090
	D	1,100,000	90%	95%	50%	30.0%	141,075	45%	63,484
<i>subtotal</i>							470,250		206,910
C/P	A	1,100,000	90%	95%	40%	27.5%	103,455	33%	34,140
	B	1,100,000	90%	95%	40%	12.5%	47,025	33%	15,518
	C	1,100,000	90%	95%	40%	30.0%	112,860		
	D	1,100,000	90%	95%	40%	30.0%	112,860		
<i>subtotal</i>							376,200		49,658
MS	A	1,100,000	90%	95%	10%	40.0%	37,620	50%	18,810
	B	1,100,000	90%	95%	10%				
	C	1,100,000	90%	95%	10%	60.0%	56,430		
	D	1,100,000	90%	95%	10%				
<i>subtotal</i>							94,050		18,810
CDQ at 45/55	A	1,100,000			10%	45.0%	49,500	82.5%	40,838
	B	1,100,000			10%				
	C	1,100,000			10%	55.0%	60,500	37%	22,385
	D	1,100,000			10%				
<i>subtotal</i>							110,000		63,223
Total				49,500			1,050,500		338,601

**REFRPA GUIDELINES
PERCENT APPORTIONMENTS OF POLLOCK
BY SEASON AND AREA**

Seasonal TAC apportionment and harvest limits within the SCA (in percent)					
		A/B (40% of annual DFA)		C/D (60% of annual DFA)	
Sector	A-SCA limit	B-SCA limit	C-SCA limit	D-SCA limit	
Inshore	42%	14%	13.5%	22.5%	
C/P	24.75%	8.25%	0%	0%	
Mothership	37.5%	12.5%	0%	0%	
CDQ*	62%	20.5%	14%	23%	

***CDQ is allocated 45 percent of DFA in the A/B and 55 percent of DFA in the C/D.**

**BSAI APPORTIONMENTS OF POLLOCK (MT)
BY SEASON AND AREA
BASED ON RFRPA GUIDELINES**

Sector	2000 DFA	Seasonal DFA		Seasonal SCA Harvest Limits			
		A/B	C/D	A-	B-	C-	D-
Inshore	470,250	188,100	282,150	79,002	26,334	38,090	63,484
C/P	376,200	150,480	225,720	37,244	12,415	0	0
Mothership	94,050	37,620	56,430	14,108	4,703	0	0
CDQ	110,000	49,500	60,500	30,690	10,148	8,470	13,915
Total	1,050,500	425,700	624,800	161,043	5,599	46,560	77,399

*This assumes a 2000 pollock TAC of 1,100,000 and an ICA of 5 percent (49,500 mt). CDQ is allocated 45 percent of DFA in the A/B and 55 percent of DFA in the C/D.

Council emergency rule motion of December 13, 1999

There is considerable scientific uncertainty regarding the relationships between the pollock fisheries and the Western population of Steller sea lions. This uncertainty lies at the heart of the concerns expressed by the AP and the SSC. The Council recognizes and shares these concerns. This uncertainty has placed the industry at risk, and forced the Council to react to Endangered Species Act concerns in a very compressed time frame and make critical decisions based on incomplete and conflicting data. This is not acceptable.

Nonetheless, as the SSC has noted, the Endangered Species Act involves a fundamental shift in the burden of proof and some basic facts are clear: 1) The Western population of Steller sea lions is greatly reduced; 2) the Western population has been listed as endangered; 3) pollock forms a large part of the contemporary diet of Steller sea lions; and 4) pollock fisheries remove and disperse potential prey. In view of the importance of the pollock fisheries, the Council is compelled to take immediate action to address the Endangered Species Act issues. Therefore, the Council adopts the following measures for emergency action in 1999:

A) Aleutian Islands

Close the Aleutian Islands area to directed pollock fishing.

B) Bering Sea

1. Establish a quarterly system of seasonal sector allocations (between A, B, C, and D seasons¹). Seasons to start on January 20, February 20, August 1 and September 15, respectively.
 - a) No pollock fishing between November 1 through January 19.
 - b) CH/CVOA = excluding NW corner
2. The combined A+B harvest for the non-CDQ fisheries is set at 40% of the annual non-CDQ TAC.
3. Set the A and B seasonal allocations at 27.5% and 12.5%, respectively, of each sector allocation in the non-CDQ fisheries.
4. No more than 30% of the annual TAC may be harvested in any single season.
5. Five day closed period between the A and B seasons.
6. Allow rollover from one season to the next if it doesn't boost the following season over the 30% of annual TAC seasonal limit.
7. Establish seasonal harvest measures from inside Bering Sea critical habitat as follows:

¹ Terminology for seasons in the Bering Sea has been changed from A1, A2, B, and C seasons to A, B, C, and D seasons.

Catcher/processor Sector:

- a) Neither A or B harvest in CH/CVOA (except NW corner) may exceed 40% of the respective A or B apportionments for the catcher/processor sector.
- b) Prohibited from fishing in CH/CVOA in the C and D seasons.

Catcher Vessels Delivering to Motherships:

- a) A single A/B season beginning February 1. 50% may come from the CH/CVOA.
- b) A single C/D season starting September 1. 50/50% inside/outside CH/CVOA

Inshore sector:

- a) In the C and D seasons, no size restrictions on CVs, fishing in CH limited to 80% of the inshore sector seasonal allocations.
- b) Vessels delivering onshore that are 99 ft LOA or less shall not be excluded from the CH/CVOA during Sept 1 through March 31 during any time that the Bering Sea onshore pollock season is open.
- c) Of the overall A/B inshore cap, no more than 70% shall come out of the CH/CVOA.

CDQ Sector:

- a) Harvests in A and B seasons, combined, may not exceed 45% of the CDQ allocation. Stand-down provisions do not apply.
- b) Harvests in C and D seasons to be conducted as under present regulations.
- 8. Existing stand-down requirements of the A/B season shall be removed.
- 9. Exempt Cape Sarichef from sea lion closures.

C) GOA

- 1. Seasons:

Establish the following seasons and allocations:

Season	Start Date	Allocation
A	Jan. 20	30%
B	June 1	20%
C	Sept. 1	25%
D	No later than 10/1; no sooner than 5 days after close of C season	25%

- 1a. Rollover allowed, subject to 30% rule, and November 1st closure still applies.
2. Limit the A season harvest from the Shelikof critical foraging area in accordance with the method described in the Final Biological Opinion (p. 122), i.e.: (Shelikof survey estimate/Total GOA survey estimate) * A season TAC.
3. Pollock Trawl Exclusion Zones:

Adopt the pollock trawl exclusion zones proposed by NMFS in the Biological Opinion with the following exceptions for 1999:

Cape Barnabas; Gull Point; Rugged Island; Point Elrington; Cape Ikolik; Needles; Mitrofanina; and Sea Lion Rocks.
4. Trip limits: Establish a 300,000 lb. trip limit for directed pollock fishing in the W/C GOA.

D. Other Actions

These measures are being adopted as an Emergency Order in accordance with the MSFCMA. They will be in effect for 180 days. In reviewing the possible extension of these measures for an additional 180 day period, the Council will pay great attention to NMFS' response to the following:

1. The Council request that NMFS, in consultation with the Council, the Marine Mammal Commission, ADF&G, and other relevant management agencies, coordinate an independent scientific review of the biological data, Biological Opinion, and other relevant information relating to factors affecting Steller sea lions and their prey. The purpose of the scientific review is to provide guidance to the Council as it prepares to address the long-term aspects of the Steller sea lion situation through the plan amendment process. The Council requests that the scientific peer review be completed by April 1, 1999.
2. The Council requests that NMFS reconstitute the Steller Sea Lion Recovery Team to address concerns such as those expressed by the SSC to ensure that the Council has an appropriate additional source of advice as the Council prepares for long-term treatment of Steller sea lion issues.

3. The Council requests that NMFS prepare and submit a budget proposal for the FY 2000 budget for a sustained research program to investigate: The efficacy of the emergency actions adopted by the Council; sea lion dietary foraging patterns; sea lion/fishery interactions; and current trends in sea lion population dynamics.
4. It is the intent of the Council that the NMFS move as quickly as possible to develop National Standards for Vessel Monitoring Systems (VMS) so that such systems can be required on fishing vessels engaged in the trawl fisheries of the Bering Sea and Gulf of Alaska. Furthermore, it is also Council intent that in developing the National Standards that the NMFS consult with affected states, Councils and other Federal and enforcement agencies with the intent that the U.S. Coast Guard and other regional enforcement agencies have timely and efficient access to VMS data.

The Council recognizes that these management measures represent an incremental step, and are for 1999 only. To fully comply with both the ESA and MSFCMA requirements, amendments to the BSAI and GOA FMPs will be necessary. Such FMP amendments may need to consider additional measures to satisfy statutory requirements.

Council June 1999, permanent rule recommendation

General Considerations

- November 1 to January 19 closure in BSAI with extension to GOA
- Seasonal caps at 30% of annual TAC
- 40/60 split in BSAI between A/B and C/D seasons²
- Rollovers allowed consistent with seasonal cap and areal apportionments (CHCVOA)
- Retain closure of Aleutians area

Gulf of Alaska

Season dates and TAC apportionments

Season	TAC Apportionment	Start Date	Close Date
A	30%	Jan 20	Mar 1
B	15%	Mar 15	May 31
C	30%	Aug 20	Sep 15
D	25%	Oct 1	Nov 1

Provide for a seasonal exclusive area requirement for catcher vessels fishing between the BSAI and GOA

Catcher vessels would be prohibited from engaging in directed fishing for pollock in both the BSAI and GOA during the following season pairs:

Bering Sea A	GOA A
Bering Sea B	GOA B
Bering Sea C	GOA C
Bering Sea D	GOA D

with exemption for vessels less than 125' in areas 620 (east of 157 degrees) and 630 (area 610 still exclusive).

Trip limits in the GOA

Catcher Vessel Trip Limits

Option 2: 300,000 lb trip limit for W, C and E Gulf of Alaska

(Council intent is that this be managed such that the average of all trips over a season be less than 300,000 lbs)

Tender vessel trip limits

Option 4 (as amended): 600,000 lb trip limits for tender vessels in area 610 and 620 west of 157°° with a prohibition on tendering in areas 620 east of 157°°, 621, 630, 631 and 640.

² Terminology for seasons in the Bering Sea has been changed from A1, A2, B, and C seasons to A, B, C, and D seasons.

Spatial dispersion in the GOA

Separate TAC in Shelikof Strait with proportionate reduction in TACs for areas outside the Strait in the A and B seasons only.

Pollock no-trawl zones in the GOA

Implement RPA proposed pollock trawl exclusion zones with eight existing exemptions (as amended below).

- a. Pt. Elrington, Rugged Island and The Needles would be closed to pollock fishing May 1 - January 20.
- b. Sea Lion Rocks would stay open with a 60 ft boat limit.
- c. Spitz Island and Mitrofanina open Jan 20 - April 30 and Sept - Nov 1 with a 60 ft boat limit.

The Council also passed two motions:

- (1) request NMFS to monitor removals from the 8 areas and report no later than February 2000 on rates of removal and provide any recommendations stemming from that information, and
- (2) to write a letter to the BOF summarizing all Council actions related to this agenda item, and request any appropriate complementary actions, and express support for proposed BOF action with regard to 40% reduction in Prince William Sound.

Bering Sea

Temporal Dispersion Package

Inshore Sector Seasons

- A season -- Jan 20 - Feb 15
- Stand-down 7 days
- B season -- Feb 22 - April 17
- C season 1999 -- August 1 until quota achievement
- C-D stand-down 7 days inside CH/CVOA
- C season 2000 and forward -- June 1 start date for co-ops (August 1 for open access)
- D season -- C closure, plus 7 days till Nov 1.

Mothership Sector Seasons

- A and B, single season -- Feb 1 - April 15
- No stand-down between A and B; no stand-down outside CH/CVOA with max daily catch rate of 2,000 mt. from Feb. 15-22.
- C and D season, single season -- Sept 1 - Nov 1

Catcher Processor Sector Seasons (including 7 catchers)

- A season -- Jan 20- Feb 15
- Stand-down 7 days in CHCVOA; no stand-down outside CHCVOA with max daily catch rate of 2,000 mt from Feb 15-22.
- B season -- Feb 22-April 17
- C season -- July 10 - August 31
- No stand-down
- D season -- Sep 1- Nov 1

CDO Sector Seasons

A and B single season -- Jan 20 - April 15

Stand-down 7 days in CHCVOA; no stand-down outside CHCVOA with max daily catch rate of 2,000 mt from Feb 15-22.

C and D season -- April 15 - Nov 1

NOTE: Council intent with regard to maximum daily catch rates is that NMFS, in consultation with industry, may adjust maximum daily catch rates for each sector to comply with RPAs. (i.e., option is to agree to that maximum daily catch rate throughout the A/B seasons, or take the stand-down). This only applies to outside CH/CVOA stand-downs. Inside CH/CVOA stand-downs remain.

Pollock Allocation RPAs Package

AFA Allocations Apply.

Seasonal Allocations by Sector

Seasonal TAC apportionments				
	A	B	C	D
Inshore	27.5%	12.5%	30%	30%
C/P	27.5%	12.5%	30%	30%
Mothership	40%		60%	
CDQ	45%		55%	

Area Allocations by Sector

CH/CVOA Percentages 1999				
	A	B	C	D
Inshore	56%	56%	45%	63%
C/P	33%	33%	0%	0%
Mothership	50%		0%	
CDQ	82.5%		56%	

CH/CVOA Percentages 2000				
	A	B	C	D
Inshore	56%	56%	27%	45%
C/P	33%	33%	0%	0%
Mothership	50%		0%	
CDQ	82.5%		37%	

NOTE 1: Phase-in reduction in total C/D season CHCVOA removals (C season 25% in 1999 and 15% in 2000 - D season 35% in 1999 and 25% in 2000.

NOTE 2: C to D rollovers permitted but not to exceed 30% directed pollock allocation in any season

General

No pollock allocation east and west of 170 west, north of CH/CVOA.

No buffer zone north of CH/CVOA.

Catcher vessels less than or equal to 99 ft length overall (LOA) would be exempt from CH/CVOA closure from September 1 through March 31 unless the percentage cap for inshore sector has been reached. NMFS will manage in a manner intended to leave enough remaining quota within CH/CVOA sufficient to support fishing by vessels less than or equal to 99 ft. LOA for the duration of the current inshore sector opening..

Sarichef Steller sea lion haulout - 20-mile closure year round.

Request NMFS to have a report on adaptive management strategies for review at the December 1999 Council meeting, and conduct a workshop related to that effort in late summer or early fall.