



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service*  
P.O. Box 21668  
Juneau, Alaska 99802-1668

June 1, 2014

## **Agenda B-2: NMFS Management Report**

### **Status of Actions Report online**

Status of Actions report is provided in **Attachment 1** and is updated daily at:  
<http://alaskafisheries.noaa.gov/sustainablefisheries/status/amendments.pdf>.

### **Progress on Rulemaking**

Highlights on progress since the April 2014 meeting include:

- Final Rule to remove requirement for vessel name on fishing gear marker buoys.  
**Effective May 5, 2014:** <http://www.alaskafisheries.noaa.gov/frules/79fr18655.pdf>
- Notice of Availability and proposed rule for Amendment 100 to the Bering Sea and Aleutian Islands (BSAI) Groundfish Fishery Management Plan (FMP) – Management of Grenadiers.  
**Notice of Availability -- May 5, 2014:**  
<http://www.alaskafisheries.noaa.gov/notice/79fr25558.pdf>  
**Proposed Rule – May 14, 2014:**  
<http://www.alaskafisheries.noaa.gov/prules/79fr27557.pdf>
- Notice of availability for Amendment 106 to the BSAI Fishery Management Plan – AFA vessel replacement.  
**Notice of Availability – June 3, 2014.**
- And... additional progress on rulemaking (see **Attachment 1**).

### **Update on Steller Sea Lion Analysis and Rulemaking**

On May 23, 2014, the U.S. Environmental Protection Agency published the Notice of Availability for the Final Environmental Impact Statement for the Steller Sea Lion



Protection Measures for the Groundfish Fisheries in the BSAI (EIS).  
<http://www.alaskafisheries.noaa.gov/sustainablefisheries/sslpm/eis/default.htm>.

The U.S. District Court for the District of Alaska ordered NMFS to develop an EIS for the Steller sea lion protection measures implemented in 2011. NMFS completed this EIS well before the court ordered deadline of August 15, 2014. The final EIS included an additional alternative (Alternative 6) that is more potentially protective of Steller sea lion prey than the status quo fishery under the status quo. This additional alternative was added to the EIS in response to public comment on the draft EIS. Rulemaking to implement the preferred alternative selected by the Council (Alternative 5) is on schedule to be completed by January 1, 2015, consistent with our court ordered schedule.

### **Conservation Law Foundation v. Pritzker**

We have included a letter to the Council (see your B-2 Agenda for additional detail) to inform you of a recent D.C. District Court decision that suggests regulatory changes may be warranted to limit the carryover (underage) of unused sablefish Individual Fishing Quota (IFQ) from one fishing year to the next. The case challenged NMFS's authority to allow carryover that resulted in a total allocation of catch that was higher than the Annual Catch Limit (ACL). We do not believe that limiting the amount of underage carryover for specific sablefish IFQ holders is warranted in the short term. We will monitor the sablefish IFQ fishery and closes specific subareas, regulatory areas, or districts as necessary to ensure that total catch does not exceed the GOA or BSAI ACLs. The court decision raises issues about the use of underage carryover for sablefish IFQ that NMFS and the Council should consider in the longer term. We encourage the Council to coordinate with us in the development of a discussion paper to consider whether maintaining underage carryovers is appropriate, necessary, or desirable.

### **Inseason Management Report** (see **Attachment 2**)

Fleets are progressing with similar catch and harvests patterns in 2014 over the same time period in 2013 with some notable exceptions. See Attachment 2 for more detail.

- Chinook Salmon bycatch in the Bering Sea pollock fishery is higher in 2014 relative to this time last year. Chinook salmon bycatch is 3,299 Chinook salmon higher compared to this time in 2013. Bycatch rates are slightly higher this year.
- Chinook salmon bycatch and bycatch rates in the GOA are lower in 2014 compared to 2013.
- BSAI trawl halibut PSC is higher in 2014 mostly due to higher PSC rates in the C/P rock sole and yellowfin sole fisheries. GOA halibut PSC is lower in 2014 due to lower PSC rates in all sectors.
- In the Western GOA, Area 610, pollock fishery the A and B season catch has been decreasing. The 2014 pollock fishery harvested 4,202 mt or 44% of the A and B season allocations compared to the 2013 harvest of 5,886 mt or 69% of the allocations. The 2012 harvest was 9,108 mt or 79% of the allocations.

**The Reapportionment of Halibut PSC in the BSAI Trawl limited Access Fishery will be addressed at the end of the Inseason Management Report.**

**Staffing Changes**

Melanie Brown, the head of our Ecosystem and Bycatch Branch, left the Alaska Region on May 29 and will be saying “Aloha” to the Pacific Islands Region Sustainable Fisheries Division as the head of their regulatory and analytical branch. We anticipate advertising Melanie’s backfill in the very near future.

We recently advertised for two positions, and hope to be able to announce our new staff soon.

SF currently has 7 positions to backfill with Melanie’s departure, and our two new staff. This represents about 30% of our total staff positions. We will work to continue to backfill other positions as soon as possible, pending approval and funding.

### Attachment 1: Status of Actions

<b>FMP Amendment Status</b>	<b>Lead Council and SF Staff</b>	<b>Date of Council Final Action</b>	<b>Start Regional Review</b>	<b>Received by GCAK</b>	<b>Transmittal Date of Action to NMFS HQ for Review</b>	<b>Proposed FMP Amendment Notice of Availability Published in <i>Federal Register</i></b>	<b>Proposed Rule Published in Federal Register</b>	<b>Final Rule or Notice of Approval Published in <i>Federal Register</i></b>
Amendment 31 (KTC) – C – Share Active Participation and CR Application Deadline Modification	Fina Palmigiano	April 2008	PR: 08/22/11	PR: 09/13/11				
Amendment 43 (KTC) and Amendment 103 (BSAI) Pribilof Blue King Crab rebuilding	Stram Ellgen	June 2012	PR: 03/25/13	PR: 04/08/13				
Amendment 44 (KTC) BSAI crab ROFR	Palmigiano	February 2013	<b>--Anticipate Combining with ROFR Revisions --</b>					
Amendment 45 (KTC) GOA Pacific cod non-AFA Crab Sideboards FLL	McCracken Kelly	June 2013	<b>PR: 05/23/14</b>	<b>PR: 05/29/14</b>				
Amendment 96 (GOA) – ability for CQE to buy small blocks of QS	Cunningham Murphy	April 2013	PR: 03/05/14	PR: 03/06/14				
Amendment 97 (GOA) Chinook PSC management measures for non-pollock fisheries trawl	Cunningham Hartman	December 2013	PR: 03/06/14	PR: 03/07/14	<b>PR: 05/30/14</b>			
Amendment 104 (BSAI) HAPC skate sites	Witherell Olson	February 2013						
Amendment 105 (BSAI) Flatfish Specifications Flexibility	Evans Kelly	April 2013	PR: 01/31/14	PR: 02/07/14				

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Amendment 106 (BSAI) AFA vessel replacement  Decision date: <b>September 3, 2014</b>	McCracken McKeen	April 2013	PR: 11/13/13	PR: 11/20/13	<b>PR: 05/28/14</b>	<b>June 3, 2014</b>  <b>EOC: 08/04/14</b>		
Amendments 100 (BSAI) and 91 (GOA) Management of Grenadiers  Decision date: <b>August 06, 2014</b>	DiCosimo Harrington	February 2014	PR: 04/01/14	PR: 04/01/14	<b>PR: 04/29/14</b>	<b>May 5, 2014</b> <b>79 FR 25558</b> <b>EOC: 07/07/14</b>	<b>May 14, 2014</b> <b>79 FR 27557</b> <b>EOC: 06/13/14</b>	
Amendment XXX (BSAI) Establishing Transit Areas Through Walrus Protection Areas (Round Island)	MacLean Grady	April 2014						

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<b>Regulatory Amendment Status</b>	<b>Lead Council and SF Staff</b>	<b>Date of Council Final Action</b>	<b>Start Regional Review</b>	<b>Received by GCAK</b>	<b>Transmittal Date of Action to NMFS HQ for Review</b>	<b>Proposed Rule Published in Federal Register</b>	<b>Final Rule Published in Federal Register</b>
At-Sea Scales Regulatory Amendments	Watson	N/A	PR: 03/13/14	PR: 03/20/14			
Cost recovery for AFA, Amendment 80, Rockfish Program, and CDQ Program	Brannen Palmigiano	N/A					
Federal Fisheries Permit and Federal Processor Permit revisions	Bearden	N/A	PR: 05/30/13	PR: 06/25/13	PR: 03/31/14	<b>April 18, 2014 79 FR 21882 EOC: 05/19/14</b>	
GOA trawl data collection	Brannen Hartman	October 2013	<b>PR: 06/02/14</b>				
Steller Sea Lion protection measures	MacLean Grady	October 2013	<b>PR: 05/02/14</b>	<b>PR: 05/08/14</b>			
Halibut/sablefish IFQ - revise hired skipper provisions	DiCosimo Murphy	April 2011	PR: 10/19/12 FR: 08/08/13	PR: 10/31/12 FR: 08/09/13	PR: 03/19/13	April 26, 2013 78 FR 24707 EOC: 05/28/13	
Revise Definition of a Fishing Guide	DiCosimo Scheurer	February 2014					

## Attachment 2: Catch Report and Inseason Management

2014 catch (in metric tons) is through May 24, 2014, and 2013 catch is through May 25, 2013. Additional information from daily catch reports and information bulletins are available at: <http://alaskafisheries.noaa.gov/sustainablefisheries/catchstats.htm>

### Bering Sea and Aleutian Islands

#### Bering Sea Pollock

The 2014 TAC for Bering Sea pollock is 1,267,000 mt compared to 1,247,000 mt in 2013. NMFS reallocated Aleutian Islands pollock TAC increasing the Bering Sea TAC by 1,900 mt for CDQ and 7,750 mt for inshore, catcher/processor (C/P), and mothership directed fisheries. All sectors are at 99-100% of their A season allocations. The 2014 B season allocation of 742,728 mt becomes available at noon, A.I.t., June 10, 2014.

#### Salmon in the A season pollock fishery

In 2014, total Chinook salmon bycatch is 3,299 salmon higher than in 2013, total non-Chinook salmon is 354 salmon higher than in 2013, and groundfish catch in the pollock fishery is 2,373 mt lower than in 2013. For both years, the Chinook salmon bycatch rate is about 0.02 salmon per metric tons of groundfish in the pollock fishery. In 2014, the non-Chinook salmon rate is 0.0011 salmon per metric tons of groundfish in the pollock fishery compared to 0.0004 salmon in 2013.

Species	Chinook						Non-Chinook					
	2014			2013			2014			2013		
Amount	#	GF	Rate	#	GF	Rate	#	GF	Rate	#	GF	Rate
CDQ	692	51,739	0.01	472	51,349	0.01	27	51,739	0.0005	15	51,349	0.0003
Non-CDQ	10,844	451,323	0.02	7,765	454,086	0.02	529	451,323	0.0012	187	454,086	0.0004
Total	11,536	503,062	0.02	8,237	505,435	0.02	556	503,062	0.0011	202	505,435	0.0004

#### Pacific cod

#### Hook-and-line Catcher/Processors

The 2014 B season allocation of 53,908 mt becomes available June 10.

Year	2014	2013
Total catch	51,004	55,040
A season TAC	56,108	57,462
Remaining A season TAC	5,104	2,422
Number of vessels	28	27

### **Hook-and-line or pot gear catcher vessels less than 60 feet length overall**

NMFS reallocated 1,700 mt of the A season jig allocation to the less than 60 ft allocation. Hook-and-line catcher vessels can continue to fish in State waters after the federal directed fishery closure because the State waters remain open to hook-and-line gear. In recent years, NMFS has been able to “cover” overages with reallocations of remaining TAC from other sectors at the end of the year. The remaining TAC to cover these overages may not always be available, and could adversely affect other fishery participants. We can provide additional briefing on request.

Year	2014	2013
Total Catch	7,933	7,229
Annual TAC	6,218 (4,518 + 1,700 from jig)	6,427 (4,627 + 1,800 from jig)
Remaining TAC	-1,715	-802
Closure	February 4	February 7
Number of vessels	19 (5 hook-and-line, 14 pot)	24 (5 hook-and-line, 19 pot)

### **Trawl catcher vessels**

The 2014 C season allocation of 7,516 mt becomes available June 10.

Year	2014	2013
Total Catch	39,802	40,452
A/B season TAC	42,591	43,615
Remaining TAC	2,789	3,163
A season closure	none	March 11
B season opening	April 1	April 1
Number of vessels	Pacific cod target 48	Pacific cod target 53
	All targets 93	All targets 97



**Flatfish** -- Catch is for all sectors including CDQ. The 2014 catch of flatfish is lower than the 2013 catch except for other flatfish and yellowfin sole.

Species	2014		2013	
	Catch	% of TAC	Catch	% of TAC
Alaska plaice	10,644	43%	17,873	89%
Arrowtooth flounder	2,276	9%	3,680	15%
Kamchatka flounder	1,201	17%	3,302	33%
Flathead sole	6,376	26%	7,537	33%
Greenland turbot	122	6%	154	7%
Other flatfish	1,751	66%	557	16%
Rock sole	45,895	54%	47,987	52%
Yellowfin sole	78,260	43%	74,771	38%
<b>Total</b>	<b>146,525</b>	<b>41%</b>	<b>155,861</b>	<b>42%</b>

NMFS closed directed fishing for Greenland turbot in the BSAI effective May 1, 2014 due to the low 2014 TACs. Around September 1, NMFS will assess if there is enough TAC to support additional directed fishing.

**Halibut mortality** -- In 2014, the total halibut mortality in the BSAI is 212 mt or 12 % higher than in 2013, and in the GOA total halibut mortality is 108 mt or 13 % lower than in 2013. Halibut mortality rates are slightly higher in the BSAI, and lower in the GOA compared to 2013.

Area	Sector	Gear	2014			2013		
			Halibut mortality	Groundfish	Rate	Halibut mortality	Groundfish	Rate
BSAI	CV	Non-pelagic trawl	296	51,438	0.58%	338	55,462	0.61%
	C/P	Non-pelagic trawl	1,267	192,254	0.66%	902	186,582	0.48%
	CV	Pelagic trawl	13	267,495	0.00%	23	265,723	0.01%
	C/P	Pelagic trawl	67	235,568	0.03%	163	240,121	0.07%
	CV	Hook-and-line	5	1,895	0.26%	3	956	0.31%
	C/P	Hook-and-line	170	74,717	0.23%	177	78,613	0.23%
<b>BSAI Total</b>			<b>1,818</b>	<b>823,367</b>	<b>0.22%</b>	<b>1,606</b>	<b>827,547</b>	<b>0.19%</b>
GOA	CV	Non-pelagic trawl	376	36,325	1.04%	503	38,114	1.32%
	C/P	Non-pelagic trawl	232	12,090	1.92%	175	6,577	2.66%
	CV	Pelagic trawl	0	74,436	0.00%	10	51,182	0.02%
	C/P	Pelagic trawl	0	0	0.00%	0	0	0.00%
	CV	Hook-and-line	75	6,372	1.18%	114	7,481	1.52%
	C/P	Hook-and-line	41	4,743	0.86%	30	2,967	1.01%
<b>GOA Total</b>			<b>724</b>	<b>133,966</b>	<b>0.54%</b>	<b>832</b>	<b>106,321</b>	<b>0.78%</b>

## Gulf of Alaska

### Pacific cod

The A season directed fisheries are closed except for the jig fishery. The B season opens June 10 for jig gear and September 1 for all other Pacific cod fisheries.

### Western GOA

Sector	2014 A season				2013 A season			
	Allocation	Catch	Closed	# of vessels	Allocation	Catch	Closed	# of vessels
Jig	344	177	n/a	23	318	35	June 10	6

### Central GOA

Sector	2014 A season				2013 A season			
	Allocation	Catch	Closed	# of vessels	Allocation	Catch	Closed	# of vessels
Jig	478	234	n/a	42	444	156	June 10	39

### Pollock

For Area 610, only 960 mt (20% of the B season allocation) from the remaining A season allocation rolled to the B season allocation<sup>1</sup>. The 610 A season catch was 14% of the A season allocation, and the B season catch was 62% of the revised B season allocation. The 610 B season fishery closed by regulation on May 31, 2014. For Areas 620 and 630, all the remaining A season allocations rolled to the B season. In both areas, the A/B season catch was slightly higher than the A/B season allocation.

2014	610	620	630	640
A season allocation	4,800	25,924	8,680	4,741 (annual)
A season catch	655	24,636	8,371	0
A season closure	March 10 by regulation			n/a
B season allocation	5,759 <sup>1</sup>	30,963	3,636	0
B season catch	3,547	34,041	4,695	1,305 (annual)
B season closure	May 31 by regulation	April 10	March 31	n/a

## Salmon

In 2014, the Western and Central GOA pollock fisheries total Chinook salmon PSC is 3,048 salmon and a rate of 0.040 salmon per metric tons of groundfish compared to 2013 with 4,934 salmon and a rate of 0.096 salmon per metric tons of groundfish.

<b>Salmon PSC in the Western and Central Pollock Fisheries</b>							
	Area	Chinook	Groundfish	Rate	Non-Chinook	Groundfish	Rate
<b>2014</b>	<b>Total</b>	<b>3,048</b>	<b>76,808</b>	<b>0.040</b>	<b>51</b>	<b>76,808</b>	<b>0.001</b>
	Western	210	3,931	0.053	1	3,931	0.000
	Central - 620	2,349	58,897	0.040	43	58,897	0.001
	Central - 630	489	13,980	0.035	7	13,980	0.001
<b>2013</b>	<b>Total</b>	<b>4,934</b>	<b>51,296</b>	<b>0.096</b>	<b>88</b>	<b>51,296</b>	<b>0.002</b>
	Western	260	6,080	0.043	4	6,080	0.001
	Central - 620	3,697	36,909	0.100	27	36,909	0.001
	Central - 630	977	8,307	0.118	57	8,307	0.007

In 2014, the non-pollock fishery salmon PSC also is lower than in 2013.

<b>Total GOA-wide Salmon PSC in Non-Pollock Fisheries</b>						
Year	Chinook	Groundfish	Rate	Non-Chinook	Groundfish	Rate
2014	<b>2,076</b>	79,356	0.026	111	79,356	0.001
2013	<b>8,154</b>	74,399	0.110	1,215	74,399	0.016

### Groundfish as prohibited species closure

NMFS prohibited retention of big skate in the Central Regulatory Area of the GOA February 5, 2014.

## **Reapportionment of BSAI Trawl Limit Access Halibut PSC Limit between Fishery Categories**

By regulation, the BSAI trawl limited access sector is apportioned 875 mt of the BSAI halibut PSC limit. After consultation with the Council, NMFS further apports the 875 mt by fishery category during the harvest specifications process (see Table 12 in the final 2014 and 2015 harvest specifications for groundfish in the BSAI (79 FR 12108, March 4, 2014)). Regulations at § 679.21(e)(3)(i)(B) state that the NMFS should apportion the PSC limits by fishery category based on each category's proportional share of the anticipated PSC use in a fishery and the need to optimize the amount of total groundfish harvested under established PSC limits.

In 2014, the halibut PSC limit for the yellowfin sole fishery category, 167 mt, has been reached. NMFS closed directed fishing for yellowfin sole by the BSAI trawl limited access sector on May 18, 2014. As of May 24, 2014, 12,623 mt of yellowfin sole remains to be harvested by the BSAI trawl limited access sector.

As of May 24, 2014, 169 mt of unused halibut PSC limit remains of the 453 mt limit for the Pacific cod fishery category. NMFS projects that the halibut PSC limit for the Pacific cod fishery category will not be reached during 2014. NMFS bases this conclusion on historic catch records. From 2008 through 2013, the average amount of halibut PSC used in the Pacific cod BSAI trawl limited access sector from June 10 through December 31 is 6 mt; the least amount of halibut PSC used in a year was 0 mt and highest was 20 mt.

Currently, 347 mt of unused halibut PSC remains of the 875 mt limit for the BSAI trawl limited access sector.

NMFS has been approached by representatives in the BSAI trawl limited access sector seeking to reapportion unused halibut PSC in the Pacific cod sector to the yellowfin sole sector. Regulations at § 679.21(e)(3)(i)(B) allow NMFS, *after consultation with the Council*, to reapportion halibut PSC from one fishery category to another. Based on the available information, this potential reapportionment would not result halibut PSC use exceeding the 875 mt limit, it would allow the fishery participants to fully harvest their yellowfin sole allocations, and it would not limit Pacific cod harvests.

If the Council and NMFS did not reapportion this halibut PSC, the halibut PSC could still be used by Amendment 80 cooperatives. Regulations at § 679.91(f)(4) allow NMFS to reapportion unused halibut PSC from the BSAI trawl limited access sector to Amendment 80 cooperatives after deducting 5 percent of the available unused amount of halibut PSC. NMFS reapports halibut PSC to the Amendment 80 cooperatives based on projected use.

One factor that may increase the likelihood of the halibut PSC being used by Amendment 80 cooperatives is that not only can NMFS reapportion unused halibut PSC from the BSAI trawl limited access sector to Amendment 80 cooperatives, regulations also allow NMFS to reapportion unharvested yellowfin sole, currently 12,633 mt, to optimize the

harvest of groundfish (see § 679.91(f)(3)) . If NMFS reapportions the unused yellowfin sole from the BSAI trawl limited access sector to Amendment 80 cooperatives, it would likely require an accompanying reapportionment of halibut PSC. Although it is difficult to predict if Amendment 80 cooperatives would use this halibut PSC this year, NMFS has reapportioned unused halibut PSC from the BSAI trawl limited access sector to Amendment 80 cooperatives to allow Amendment 80 cooperatives to fully harvest their allocations. This reapportioned halibut PSC has been used by Amendment 80 cooperatives.

If the Council recommends this reapportionment, NMFS would recommend that 100 mt of halibut PSC be reapportioned from the Pacific cod halibut PSC limit to the yellowfin sole PSC limit. This amount should allow the yellowfin sole fishery to harvest its allocation, but limit the total amount of potential halibut PSC use. The revised BSAI trawl limited access PSC limits would be 267 mt for yellowfin sole and 353 mt for Pacific cod.

If the Council recommends this reapportionment, then NMFS would publish a notice in the *Federal Register* revising Table 12 to the BSAI harvest specifications, and open directed fishing for yellowfin sole by the BSAI trawl limited access sector as soon as possible.

TABLE 12–FINAL 2014 AND 2015 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL LIMITED ACCESS SECTOR

BSAI trawl limited access fisheries	Prohibited species and area <sup>1</sup>				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	<i>C. opilio</i> (animals) COBLZ	<i>C. bairdi</i> (animals)	
				Zone 1	Zone 2
Yellowfin sole	167	23,338	3,026,465	346,228	1,185,500
Rock sole/flathead sole/other flatfish <sup>2</sup>	0	0	0	0	0
Turbot/arrowtooth/sablefish <sup>3</sup>	0	0	0	0	0
Rockfish April 15 - December 31	5	0	5,000	0	1,000
Pacific cod	453	2,954	129,000	60,000	50,000
Pollock/Atka mackerel/other species <sup>4</sup>	250	197	50,000	5,000	5,000
Total BSAI trawl limited access PSC	875	26,489	3,210,465	411,228	1,241,500

<sup>1</sup> Refer to § 679.2 for definitions of areas.

<sup>2</sup> “Other flatfish” for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, Kamchatka flounder, and arrowtooth flounder.

<sup>3</sup> Arrowtooth flounder for PSC monitoring includes Kamchatka flounder.

<sup>4</sup> “Other species” for PSC monitoring includes skates, sculpins, sharks, squids, and octopuses.

Note: Seasonal or sector apportionments may not total precisely due to rounding.