


TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke   
Executive Director

DATE: September 18, 1990

SUBJECT: Bering Sea/Aleutian Islands Groundfish Fishery Management Plan

#### ACTION REQUIRED

- A. Review draft preliminary Stock Assessment and Fishery Evaluation (SAFE) report. Approve for public review.
- B. Set initial 1991 Total Allowable Catches and apportionments for public review.
- C. Set initial 1991 halibut PSC apportionments by target fisheries and seasons for public review.

#### BACKGROUND

This meeting begins the Council's annual groundfish cycle with review and release to the public of preliminary estimates of 1991 groundfish total allowable catch (TAC), the apportionment of TAC to domestic annual processed catch (DAP) or joint venture processed catch (JVP) and halibut prohibited species catch limits (PSC) to target fisheries and seasons. The preliminary SAFE document, groundfish specifications, and PSC limits need to be released for public review and comment so that the Council can set final specifications for the 1991 fishing year at its December meeting.

##### A. SAFE Document

The Bering Sea/Aleutian Islands Groundfish Plan Team met in Seattle the week of September 4 - 7 to prepare the draft preliminary Stock Assessment and Fishery Evaluation (SAFE) which was sent to you on September 12, 1990. The preliminary 1990 SAFE consists of the executive summary of the 1989 final SAFE document, plus attachments. A major trawl survey of the eastern Bering Sea was not completed until mid-August. Consequently, scientists at the Alaska Fisheries Science Center and the Plan Teams have not had the opportunity to analyze the new stock survey data needed to develop biomass estimates. Therefore, the 1989 SAFE document represents the best information currently available. The 1990 survey data will be analyzed this fall and incorporated into the final 1990 SAFE documents which will be prepared in November.

##### B. Set Initial ABC, TAC and Apportionments for 1991

Attached as item D-4(c)(1) is a table indicating 1989 and 1990 ABCs, TACs, and apportionments, by species. Item D-4(c)(2) is a worksheet on which initial 1991 specifications can be filled in. This worksheet will be updated with recommendations of the SSC and AP during the meeting. Under Amendment 16, adopted by the Council in June, 25% of the initial specifications will go forward as

interim specifications for management of the 1991 groundfish fisheries until superseded by publication of the Council's final specifications in the FEDERAL REGISTER. While this amendment is still undergoing Secretarial review, it would be appropriate to proceed assuming its implementation.

Similarly, Amendment 14, adopted by the Council in June, contains a provision for pollock in the BSAI to be apportioned between a roe (January 1 - April 15) and non-roe (June 1 - December 31) seasons. This amendment also is under Secretarial review; however, it would be helpful if the Council indicated its preferences for seasonally apportioning this resource in anticipation of the amendment's implementation for the 1991 fishing year.

In recommending seasonal allowances of the BSAI pollock TAC, the Council will wish to consider the following factors:

1. estimated monthly pollock catch and effort in prior years;
2. expected changes in harvesting and processing capacity and associated pollock catch;
3. current estimates of and expected changes in pollock biomass and stock conditions; conditions of marine mammal stocks, and biomass and stock conditions of species taken as bycatch in directed pollock fisheries;
4. potential impacts of expected seasonal fishing for pollock on pollock stocks, marine mammal stocks, and stocks of species taken as bycatch in directed pollock fisheries;
5. the need to obtain fishery-related data during all or part of the fishing year;
6. effects on operating costs and gross revenues;
7. the need to spread fishing effort over the year, minimize gear conflicts, and allow participation by various elements of the groundfish fleet and other fisheries;
8. potential allocative effects among users and indirect effects on coastal communities; and
9. other biological and socioeconomic information that affects the consistency of seasonal pollock harvests with the goals and objectives of the FMP.

Similarly, Amendment 16a contains a provision for the Council to apportion the pollock resource to pelagic trawl gear (i.e., state a minimum amount of the resource which must be taken with pelagic trawl gear). If the Council adopts this provision at this meeting, it will wish to indicate its preference for an apportionment of the pollock resource by gear type in anticipation of the amendment's implementation in mid-1991.

C. Set Initial PSC Apportionments for 1991

The FMP requires that initial DAP and JVP PSC limits for halibut, crab, and fully utilized species also be sent out for public review. For the past two years, fixed PSC caps for halibut, red king crab, and C. bairdi Tanner crab have been apportioned among four fisheries: DAP flatfish, DAP other, JVP flatfish, and JVP other. Amendment 16, adopted by the Council in June, changes the apportionment scheme. It deletes the JVP other fishery category, and allows for apportionments to five fisheries: DAP other, DAP deepwater sablefish/turbot, DAP rock sole, DAP flatfish, and JVP flatfish. In addition, Amendment 16 provides for the seasonal apportionment of PSC caps. While

this amendment is still under Secretarial review, the Council should express its preferences for apportioning PSC limits to the new fisheries categories, and by seasons, in anticipation of its implementation for the 1991 fishing year.

Amendment 16a contains provisions for the Council to adopt a herring bycatch cap, with closed areas. If the Council adopts herring bycatch management measures at this meeting, it should indicate its preferences for the apportionment of any PSC limits in anticipation of the amendment's approval by the Secretary and implementation in mid-1991. Item D-4(d)(1) is a PSC worksheet which will be updated as the meeting proceeds.

**Bering Sea/Aleutian Islands Groundfish  
Council Recommendations for 1990 ABCs, TACs, and DAP and JVP Apportionments (all in metric tons)**

Species	Area	1989		1990						Estimated JVP Groundfish Bycatch Needs	
		ABC	TAC	ABC	TAC	Reserve 15%	TAC less 15%	DAP	JVP	Rate (mt/mt)	Amount (mt)
Pollock	BS	1,340,000	1,319,000	1,450,000	1,280,000	192,000	1,088,000	1,088,000		0.1371	22451
	AI	117,900	13,950	153,600	100,000	15,000	85,000	85,000			
Pacific Cod		370,600	226,079	417,000	227,000	34,050	192,950	192,950		0.0429	7025
Yellowfin sole		241,000	193,952	278,900	207,650	31,148	176,503	12,750	163,753		
Greenland turbot		20,300	8,000	7,000	7,000	1,050	5,950	5,950		tr.	1
Arrowtooth flounder		163,700	7,800	106,500	10,000	1,500	8,500	8,500		0.0002	33
Rock sole		171,000	77,148	216,300	60,000	9,000	51,000	51,000		0.0999	16359
Other flatfish		155,900	63,906	188,000	60,150	9,023	51,128	10,200	40,927	0.0859	14066
Sablefish	BS	2,800	2,800	2,700	2,700	405	2,295	2,295		tr.	1
	AI	3,400	3,400	4,500	4,500	675	3,825	3,825			
Pacific Ocean perch	BS	6,000	4,250	6,300	6,300	945	5,355	5,355		tr.	1
	AI	16,600	5,100	16,600	6,600	990	5,610	5,610			
Other rockfish	BS	400	340	500	500	75	425	425		tr.	1
	AI	1,100	935	1,100	1,100	165	935	935			
Atka mackerel		21,000	20,285	24,000	21,000	3,150	17,850	17,850			
Squid		10,000	925	10,000	500	75	425	425			
Other species		59,000	15,774	55,500	5,000	750	4,250	4,250		0.0112	1834
<b>TOTALS</b>		<b>2,700,700</b>	<b>1,963,644</b>	<b>2,938,500</b>	<b>2,000,000</b>	<b>300,000</b>	<b>1,700,000</b>	<b>1,495,320</b>	<b>204,680</b>		

1/ 1989 TAC through November 27, total is less than 2,000,000 due to 36,356 mt nonspecific reserves.

TABLE 2

## BERING SEA/ALEUTIAN ISLANDS GROUND FISH

Preliminary 1991 SSC recommended ABC, AP recommended TAC and apportionments (metric tons)

19-Sep-90

Species	Area	1990		Seasons	SSC		Advisory Panel		
		TAC *	Catch **		Area	ABC	TAC	DAP	JVP
Pollock	EBS	1,310,751	1,049,950	Roe (Jan 1 - Apr 15) Non-Roe (Jun 1 - Dec 31)	EBS				
	AI	85,000	7,137		AI				
Pacific cod		199,975	145,185						
Yellowfin sole		176,502	75,196						
Greenland turbot		7,000	8,365						
Arrowtooth flounder		8,533	7,656						
Rock sole		67,359	31,531						
Other flatfish		51,128	30,730						
Sablefish	EBS	2,294	2,306						
	AI	3,826	1,671						
Pacific ocean perch	EBS	6,300	4,493						
	AI	12,610	7,464						
Other rockfish	EBS	500	348						
	AI	935	521						
Atka mackerel		21,000	22,978						
Squid		425	416						
Other species		8,584	20,351						
BERING SEA/ALEUTIAN ISLANDS TOTAL		1,962,722	1,416,298						

\* TAC reflects inseason adjustments.

\*\* DAP catch data through September 1, 1990.

**TABLE 3**  
**BERING SEA/ALEUTIAN ISLANDS GROUND FISH**  
**Preliminary 1991 Council Recommendations for**  
**ABCs, TACs and Apportionments (metric tons)**

19-Sep-90

Species	Seasons	Area	Council Recommendations			
			ABC	TAC	DAP	JVP
Pollock	Roe (1/1- 4/15)	EBS AI				
	Non-Roe (6/1 -12/31)	EBS AI				
Pacific cod						
Yellowfin sole						
Greenland turbot						
Arrowtooth flounder						
Rock sole						
Other flatfish						
Sablefish		EBS AI				
Pacific ocean perch		EBS AI				
Other rockfish		EBS AI				
Atka mackerel						
Squid						
Other species						
<b>BERING SEA/ALEUTIAN ISLANDS TOTAL</b>						

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Species	Area	1990		Seasons	Area	SSC	Advisory Panel		
		TAC *	Catch **			ABC	TAC***	DAP	JVP****
Pollock	EBS	1,310,751	1,090,513	Roe (Jan 1 - Apr 15)	EBS	1,450,000	272,000	272,000	
	AI	85,000	7,430		AI	153,600	21,250	21,250	0
				Non-Roe (Jun 1 - Dec 31)	EBS		816,000	816,000	22,451
					AI		63,750	63,750	0
Pacific cod		199,975	147,356			417,000	192,950	192,950	7,025
Yellowfin sole		176,502	76,513			278,900	176,503	12,750	163,753
Greenland turbot		7,000	8,390			7,000	5,950	5,950	1
Arrowtooth flounder		8,533	7,944			106,500	8,500	8,500	33
Rock sole		67,359	31,679			216,300	51,000	51,000	16,359
Other flatfish		51,128	31,159			188,000	51,128	10,200	40,927
Sablefish	EBS	2,294	2,303			2,700	2,295	2,295	1
	AI	3,826	1,717			4,500	3,825	3,825	0
Pacific ocean perch	EBS	6,300	4,757			6,300	5,355	5,355	1
	AI	12,610	8,929			16,600	5,610	5,610	0
Other rockfish	EBS	500	349			500	425	425	1
	AI	935	543			1,100	935	935	0
Atka mackerel		21,000	23,011			24,000	17,850	17,850	0
Squid		425	432			10,000	425	425	0
Other species		8,584	20,852			55,500	4,250	4,250	1,834
<b>BERING SEA/ALEUTIAN ISLANDS TOTAL</b>		<b>1,962,722</b>	<b>1,463,877</b>			<b>2,938,500</b>	<b>1,700,001</b>	<b>1,495,320</b>	<b>204,681</b>

\* TAC reflects inseason adjustments.  
\*\* DAP catch data through September 8, 1990.

\*\*\*Recommended TAC less 15% reserve  
\*\*\*\*Directed JVP fishing for YFS, OFF only;  
other allocations from reserve as retainable bycatch

1991 BERING SEA BYCATCH WORKSHEET

HALIBUT

PRIMARY CAP: 4400 mt (Zone 1, 2H)

1990

Apportionments (mt)

	DAP Other	DAP Deep	DAP Rock	DAP Flat	JVP Flat
DAP Otr:	3273				
DAP Flt:	467				
JVP Otr:	0				
JVP Flt:	660				

Q1

Q2

Q3

Q4

HALIBUT

SECONDARY CAP: 5333 mt (BSAI-wide)

1990

Apportionments (mt)

	DAP Other	DAP Deep	DAP Rock	DAP Flat	JVP Flat
DAP Otr:	3966				
DAP Flt:	567				
JVP Otr:	0				
JVP Flt:	800				

Q1

Q2

Q3

Q4



C. bairdi  
TANNER CRAB

1990

ZONE 1 CAP: 1,000,000 animals

Apportionments (#)

		DAP Other	DAP Deep	DAP Rock	DAP Flat	JVP Flat
DAP Otr:	260,400					
DAP Flt:	339,600					
JVP Otr:	0					
JVP Flt:	400,000					

Q1

Q2

Q3

Q4

C. bairdi  
TANNER CRAB

1990

ZONE 2 CAP: 3,000,000 animals

Apportionments (#)

		DAP Other	DAP Deep	DAP Rock	DAP Flat	JVP Flat
DAP Otr:	1,890,000					
DAP Flt:	110,000					
JVP Otr:	0					
JVP Flt:	1,000,000					

Q1

Q2

Q3

Q4

RED KING CRAB

1990

CAP: 200,000 animals (Zone 1 only)

Apportionments (#)

DAP Otr: 11,400  
DAP Flt: 138,600  
JVP Otr: 0  
JVP Flt: 50,000

DAP Other	DAP Deep	DAP Rock	DAP Flat	JVP Flat
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Q1

Q2

Q3

Q4

HERRING  
CAP:

1990

Apportionments

NONE

DAP Other	DAP Deep	DAP Rock	DAP Flat	JVP Flat
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Q1

Q2

Q3

Q4

limits apply only to JVP fisheries for species which have a zero JVP apportionment. Proposed PSC limits for groundfish were published in Table 3 of the preliminary groundfish specifications notice (54 FR 46748); however, all anticipated JVP incidental catches of groundfish can be accommodated from the reserve. Reapportionment of groundfish from the reserve for this purpose will reduce waste by allowing such incidental catches to be retained and used since any JVP catch of groundfish for which there is a zero amount specified must be treated in the same manner as a prohibited species. No directed JVP fishing will be allowed on amounts of groundfish provided for bycatch purposes. No PSC limits are proposed for foreign fisheries since no allocations are recommended for foreign directed fishing.

#### Reapportionment

This action makes an initial reapportionment from reserve to JVP under authority of § 675.20(b)(1)(i) of amounts that are likely to be harvested incidentally during JVP directed fishing for yellowfin sole and other flatfish. The purpose of this action is to provide JVP fisheries with the option to retain this bycatch which otherwise would have to be treated in the same manner as prohibited species and be discarded. This reapportionment subtracts a total of 47,702 mt from reserve and adds it to the JVP species categories as follows:

Pollock in the Bering Sea subarea—22,451 mt; Pacific cod—7,025 mt; Arrowtooth flounder—33 mt; rock sole—18,359 mt; and "other species"—1,834 mt.

The TACs of these species are not expected to be fully used by DAP fisheries. Although the NMFS projected DAP capacity in 1990 for pollock in the Bering Sea subarea exceeds its TAC, the reserve amount reapportioned to JVP pollock in that subarea could be harvested by DAP fisheries in the Aleutian Islands subarea. The DAP of yellowfin sole in 1990 also is likely to be less than projected, unless significant new markets for DAP yellowfin sole develop in 1990. In this event, amounts of reserve could be reapportioned to DAP sufficient to satisfy DAP demand for this species. Therefore, based on expected DAP performance, NMFS anticipates that this initial reapportionment of reserve to JVP will not limit DAP fishing later in 1990.

#### Directed Fishing Prohibition

When the catch of a species approaches its TAC (or any apportionment of the TAC to DAP, JVP

or foreign fishing), the Secretary is directed under § 675.20(a)(8) to prohibit further directed fishing for that species. Directed fishing is defined at § 675.2. Retained bycatches are counted against the remaining TAC for that species. The purpose of this provision is to minimize the waste of groundfish resources from required discarding by slowing the harvest rate of any groundfish species as its total catch approaches its TAC. However, when the catch of a species reaches its TAC (or JVP apportionment, for example), any further bycatches of it may not be retained and must be treated in the same manner as a prohibited species (§ 675.20(a)(9)).

The Director, Alaska Region, has determined that the amounts of certain groundfish species apportioned to JVP are insufficient for directed fishing without excessive waste later in the fishing year from discard as "prohibited species" and that these amounts are necessary for bycatch in JVP fisheries for other groundfish species. These species and the amounts necessary for bycatch in other fisheries are the same as those reapportioned from the reserve by this notice.

Therefore, the Secretary prohibits JVP directed fishing for pollock in the Bering Sea subarea, and Pacific cod, arrowtooth flounder, rock sole, and "other species" in the BSAI management area for the remainder of the fishing year.

#### Comment and Response

One letter of comment was received on the preliminary 1990 specifications published November 7, 1989 (54 FR 46748). This comment is summarized and responded to as follows.

*Comment:* It is difficult to comment on proposed PSC allowances of crabs and halibut since they are a function of groundfish TACs and apportionments and certain bycatch assumptions. Since 1990 will be the first year in which comprehensive observer data will be available for the DAP fishery, the bycatch assumptions may prove to be inaccurate. There should be adequate provision for reapportioning PSC allowances during the fishing year so that groundfish harvests can be maximized within the prescribed PSC limits. As for groundfish PSC limits in JVP fisheries, species TACs should be set so as to fully exploit those species which are totally harvested by DAP fishermen. Hence, the TAC of a wholly-DAP species should not be reduced to accommodate the bycatch requirements of JVP fishermen. Specifically, the TAC for pollock should not be reduced to provide for a pollock bycatch in a JVP fishery for cod or yellowfin sole because

1990 will be the first year in which the DAP fishery will be able to harvest all of the pollock TAC. Finally, the pollock TAC should be set equal to the ABC for pollock because the best available scientific evidence indicates that the pollock biomass is currently above the level that will produce maximum sustainable yield and it is expected to decline due to natural causes. In addition, 150,000 mt should be added to the Bering Sea subarea pollock TAC to harvest the recently discovered "Bogoslof" stock which is not accounted for in the Bering Sea subarea estimate of ABC.

*Response:* New information developed between the annual drafting of the notice of preliminary initial specifications in September and the annual December Council meeting at which final recommendations to the Secretary are made is the basis for changes in PSC allowances of crabs and halibut from the preliminary to the final specifications notices. Such new information affecting final PSC allowances includes refined ABC estimates from data that were unavailable in September and data from the annual NMFS November survey of DAP performance expectations in the coming year. This annual process is designed in part to accommodate the development of new information from scientists, managers, and the public. However, tentative decisions, as in the notice of preliminary specifications, must be based on the best available information even if that information is likely to change.

Likewise, NOAA must use the best available information in establishing PSC allowances under Amendment 12A to the FMP. New information indicating that earlier assumptions, such as those used in the bycatch prediction model, are inaccurate may lead to incorrectly specified PSC allowances. In this event, the Secretary may reapportion PSC allowances under the inseason adjustment authority of the Amendment 12A implementing regulations (§ 675.20(e)(4)).

The final TAC specifications listed in Table 1 of this notice do not reduce the TAC of any species to accommodate JVP bycatch requirements. The proposed specification of groundfish PSC limits for JVP are now unnecessary because the initial amounts of groundfish available for JVP fishing in 1990 have been determined to be less than the Council or the Secretary originally perceived. In addition, the Secretary has determined that initial JVP bycatch requirements can be satisfied through reapportionments from the reserve

without imposing constraints on DAP fisheries.

Neither the Council nor the Secretary agree that the pollock TAC should be specified as equal to its ABC. Notwithstanding any biological conservation argument to the contrary, to do so under the OY limit of 2,000,000 mt would leave only 550,000 mt of all other species. In addition, the AP, Plan Team and the Council expressed concern for the apparent diminishing numbers of the northern (Steller) sea lion for which pollock is a known food source. Without suggesting a causal relationship between Steller sea lions and pollock harvests, the Secretary views a reduced pollock TAC as appropriately cautious. NOAA is aware of the incongruence between the

management areas of the Bering Sea and the scientific survey areas which lead to exclusion of "Bogoslof" area pollock from the Bering Sea subarea TAC. NOAA understands that an amendment to the FMP has been proposed to address this issue.

**Classification**

This action is authorized under 50 CFR 611.93(b) and 675.20 and complies with Executive Order 12291. The Assistant Administrator for Fisheries, NOAA, finds for good cause that it is impractical and contrary to the public interest to provide prior notice and comment on the reapportionment part of this notice. As immediate effectiveness of this action is necessary to benefit fishermen who would otherwise forego

harvestable amounts of groundfish, the 30-day delayed effectiveness provision is also waived. However, interested persons are invited to submit comments in writing on the reapportionment to the above address.

**List of Subjects**

50 CFR Part 611

Fisheries. Foreign relations.

50 CFR Part 675

Fisheries.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: January 9, 1990.

James E. Douglas, Jr.,

Acting Assistant Administrator for Fisheries,  
National Marine Fisheries Service.

**TABLE 1.—FINAL 1990 TOTAL ALLOWABLE CATCH (TAC) AND APPORTIONMENTS OF GROUNDFISH IN THE BERING SEA (BS) AND ALEUTIAN ISLANDS (AI) AREA <sup>1</sup>**

Species	TAC	Initial TAC <sup>2</sup>	DAP <sup>3</sup>	JVP <sup>4</sup>	DAH <sup>5</sup>	TALFF <sup>6</sup>
<b>Pollock:</b>						
AI .....	1,280,000	1,068,000	1,068,000	0	1,068,000	0
BS .....	100,000	85,000	85,000	0	85,000	0
Pacific cod .....	227,000	192,950	192,950	0	192,950	0
<b>Sablefish:</b>						
BS .....	2,700	2,295	2,295	0	2,295	0
AI .....	4,500	3,825	3,825	0	3,825	0
Atka mackerel .....	21,000	17,850	17,850	0	17,850	0
Yellowfin sole .....	207,650	176,502	12,750	163,752	176,502	0
Rock sole .....	60,000	51,000	51,000	0	51,000	0
Greenland turbot .....	7,000	5,950	5,950	0	5,950	0
Arrowtooth flounder .....	10,000	8,500	8,500	0	8,500	0
Other .....	60,150	51,128	10,200	40,928	60,150	0
<b>Pacific Ocean perch:</b>						
BS .....	6,300	5,355	5,355	0	5,355	0
AI .....	6,600	5,610	5,610	0	5,610	0
<b>Other rockfish:</b>						
BS .....	500	425	425	0	425	0
AI .....	1,100	935	935	0	935	0
Squid .....	500	425	425	0	425	0
Other species .....	5,000	4,250	4,250	0	4,250	0
<b>Totals .....</b>	<b>2,000,000</b>	<b>1,700,000</b>	<b>1,495,320</b>	<b>204,680</b>	<b>1,700,000</b>	<b>0</b>

<sup>1</sup> Amounts in metric tons; apply to entire BSAI area unless otherwise specified.  
<sup>2</sup> Initial TAC (ITAC) = 0.85 of TAC; initial reserve = TAC - ITAC = 300,000.  
<sup>3</sup> DAP = domestic annual processing.  
<sup>4</sup> JVP = joint venture processing.  
<sup>5</sup> DAH = DAP + JVP.  
<sup>6</sup> TALFF = total allowable level of foreign fishing.

**TABLE 2.—PRELIMINARY 1990 PROHIBITED SPECIES CATCH ALLOWANCES**

Fisheries	Zone 1	Zone 2	Zones 1 + 2H Primary	BSAI-wide secondary
<b>Red king crab, animals</b>				
DAP flatfish fisheries .....	136,800			
DAP other fisheries .....	11,400			
JVP flatfish fisheries .....	50,000			
JVP other fisheries .....	0			
<b>C. beard Tanner crab, animals</b>				
DAP flatfish fisheries .....	339,600	110,000		
DAP other fisheries .....	280,400	1,890,000		
JVP flatfish fisheries .....	400,000	1,000,000		
JVP other fisheries .....	0	0		
<b>Pacific halibut, metric tons</b>				
DAP flatfish fisheries .....			467	
DAP other fisheries .....			3,273	
JVP flatfish fisheries .....			660	