


MEMORANDUM

TO: Council, AP and SSC Members

FROM: Clarence G. Pautzke  
Executive Director 

DATE: November 29, 1989

SUBJECT: General Groundfish

**ACTION REQUIRED**

Receive status report on regulatory amendments; take further action as necessary.

**BACKGROUND**

At its January 1989 meeting, the Council adopted four proposed regulatory changes. These were to:

1. Establish authority in the Gulf of Alaska to close directed fisheries prior to attainment of TAC to allow for bycatch needs (the single species rule).
2. Provide for the reopening of fisheries closed prematurely in the Gulf of Alaska and Bering Sea/Aleutian Islands.
3. Specify noon Alaska local time as the starting and ending time for all fishing seasons in the Gulf of Alaska and Bering Sea/Aleutian Islands.
4. Require fixed gear fishermen to mark their gear in the Gulf of Alaska and Bering Sea/Aleutian Islands.

These proposed regulatory amendments were published in the Federal Register as proposed rules by NMFS on August 16, with a 30 day public comment period. A notice of final rulemaking has been prepared and is under review at NMFS offices in Washington, D.C. The rules are expected to be in place by January 1, 1990.

At its April 1989 meeting, the Council reviewed a draft directed fishing definition prepared by NMFS. A notice of proposed rulemaking was published in the Federal Register on October 3. The public comment period ended on November 1. Following review of comments and revisions, the final rule was submitted to Washington, D.C. on December 1 for review and publication in the Federal Register. This rule is expected to be in force on January 1, 1990, or as soon as practicable

thereafter. The final rule is identical to the Council's specifications, with the exception that enforcement action may take place at any time during a fishing trip and be based on retained catch, rather than occurring only at the end of a fishing trip.

At the June, 1989 meeting, the Council adopted a measure to require pot gear which minimizes incidental catch of halibut. NMFS has prepared an advance notice of proposed rulemaking to notice the fleet and afford them an opportunity to comment on this proposal. The notice is undergoing final review at the Department of Commerce, and its publication in the Federal Register is imminent. Comments will be collected for at least thirty days following publication.

At the September meeting, the Council discussed incentive opportunities for fishermen to fish cleanly (with low halibut bycatch rates) in the Gulf of Alaska. A motion was passed that NMFS develop a regulatory amendment to provide the Regional Director some flexibility in setting up an observer program. NMFS has provided a letter outlining options for halibut bycatch management in 1990, included in your notebooks under Agenda Item D-2(c)(1).