AGENDA D-1(a)
DECEMBER 2003

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Chris Oliver
Executive Director

DATE: December 1, 2003

SUBJECT: Final GOA Groundfish Specifications for 2004

ESTIMATED TIME
12 HOURS
(for all D-1 items)

ACTION REQUIRED

(b) Approve 2004 BSAI/GOA EA and GOA Final Stock Assessment and Fishery Evaluation (SAFE) report, and approve final GOA groundfish specifications for 2004:

1. Acceptable Biological Catch (ABC), and annual Total Allowable Catch (TAC).
2. TAC considerations for the State Pacific cod fishery.
3. Prohibited Species Catch Limits.
4. Approve halibut discard mortality rates for the 2004-2006 groundfish fisheries.

BACKGROUND

At this meeting, the Council makes final recommendations on groundfish and bycatch specifications as listed above to manage the 2004 Gulf of Alaska (GOA) groundfish fisheries.

GOA SAFE Document

The groundfish Plan Teams met in Seattle November 17-21 to prepare the final SAFE reports and to review the status of groundfish stocks. The GOA SAFE report forms the basis for the GOA groundfish specifications for the 2004 fishing year. Note that there are three volumes to the SAFE report: a stock assessment volume, a fishery evaluation volume ("economic SAFE"), and an ecosystems considerations volume. These three volumes, together with the BSAI SAFE, are incorporated into the Environmental Assessment for the 2004 groundfish total allowable catch specifications. The SAFE reports were mailed to you on November 26, and the EA on November 28. The GOA Plan Team and Joint Plan Team minutes are attached as Items D-1(a)(1) and (2). The organization of the stock assessment volume has changed slightly from previous years. The sablefish assessment appears as the third section (consistent with the BSAI document) and the slope rockfish section has been split into three separate sections: POP, northern rockfish, and shortraker/rougheye/other slope rockfish sections. A section on skates has been added and the appendices include an assessment of forage-fish species.

ABCs, TACs, and Apportionments

At this meeting, the Council will establish final catch specifications for the 2004 fisheries. The SSC and AP recommendations will be provided to the Council during the meeting. Item D-1(a)(3) lists the biomass levels and GOA Plan Team recommendations for OFLs and ABCs for 2004. The sum of the Plan Team's

recommended ABCs for 2004 is 508,010 mt. The sum of the ABCs increased 21% compared with last year. The ABC increases are mainly due to pollock (+34%), Pacific cod (+19%), flathead sole (+25%) and arrowtooth flounder (+26%). The species group-specific ABCs that declined relative to 2003 are Northern rockfish (-12%), other slope rockfish (-23%) and pelagic shelf rockfish (-18%). Other stocks such as thornyhead rockfish and Pacific ocean perch remained relatively the same. The abundances of pollock, Pacific cod and sablefish are below target stock size, while abundances of Pacific ocean perch, northern rockfish, light dusky rockfish, thornyheads, flathead sole and arrowtooth flounder are all above target stock size. None of the groundfish stocks are overfished or approaching an overfished condition. A recommendation was made by the GOA Plan Team regarding the appropriate ABC and OFL by species and area apportionments for skates species, following the final approval of amendment 63 to separate skates from the other species complex for the 2004 fishing year. The GOA Plan Team recommended area-specific ABCs for two species groups and suggested a TAC for the central GOA for one of these groups. The FR notice for amendment 63 is attached as Item D-1(a)(4).

TAC Considerations for State Pacific Cod Fishery

Since 1997, the Council has reduced the GOA Pacific cod TAC to account for removals of not more than 25% of the Federal Pacific cod TAC from the state parallel fisheries. Preliminary information indicates that both Chignik and Cook Inlet achieved their GHLs, and therefore increased slightly according to the stairstep procedures adopted by the Board of Fisheries. Chignik increased from 7.0% to 8.75% while Cook Inlet increased from 2.25% to 3.0%. Using the area apportionments of the 2004 Pacific cod ABC recommended by the Plan Team, the federal TAC for Pacific cod would be adjusted as listed at right.

Proposed 2004 Gulf Pacific cod ABCs, TACs, and State guideline harvest levels (mt).

Specifications	Western	Central	Eastern	Total
ABC	22,610	35,800	4,400	62,810
BOF GHL	5,653	8,684	440	14,777
(%)	25	24.25	10	23.5
TAC	16,957	27,116	3,960	48,033
	Cook Inlet	1,074	3.00%	
	Kodiak	4,475	12.50%	
	Chignik	3,135	8.75%	
	Central	8,684	24.25%	

Prohibited Species Catch Limits

Since 1995, total halibut Prohibited Species Catch (PSC) limits for all fisheries and gear types have totaled 2,300 mt. The following 2003 halibut PSC apportionments were instituted for the Gulf of Alaska groundfish fisheries:

2003 Trawl		**2003 Hook and Line**		
Jan 1 - Apr 1	550 mt	1st trimester	Jan 1 - Jun 10	250 mt
Apr 1 - Jun 29	400 mt	2nd trimester	Jun 10 - Sep 1	5 mt
Jun 29 - Sep 1	600 mt	3rd trimester	Sept 1 - Dec 31	35 mt
Sept 1 - Oct 1	150 mt			
Oct 1 - Dec 31	300 mt	DSR	Jan 1 - Dec 31	10 mt
TOTAL	2,000 mt			300 mt

Trawl fishery categories			
Season	**Shallow Water**	**Deep Water**	**Total**
Jan 1 - Apr1	450 mt	100 mt	550 mt
Apr 1 - Jun 29	100 mt	300 mt	400 mt
Jun 29 - Sep 1	200 mt	400 mt	600 mt
Sep 1 - Oct 1	150 mt	any rollover	150 mt
Oct 1 - Dec 31	no apportionment		300 mt
TOTAL			2,000 mt

(c) Halibut Discard Mortality Rates

In 2001, the IPHC staff proposed (and the Council adopted) a plan to use the 10-year average halibut discard mortality rates (DMR) for a 3-year cycle for all GOA and BSAI non-CDQ groundfish fisheries. These rates are now due to be updated. The DMRs used in 2003 and proposed rates for 2004-2006 for GOA fisheries are attached as Item D-1(a)(5). Changes in the mean DMRs were small in most cases, on the order of 1-3 percentage points. In the GOA (not counting "Atka mackerel" fishery) six fishery DMRs decreased, four increased and three did not change. The largest increase occurred in the arrowtooth flounder fishery with the recent DMRs driving the long-term average up from 62% to 69%.

Gulf of Alaska Plan Team Meeting
November 19-21, 2003
Draft Minutes

The GOA groundfish Plan Team meeting convened on November 19, 2003 at 9am. The team members present were: Jim Ianelli(co-chair), Diana Stram(co-chair), Sandra Lowe, Bill Bechtol, Jeff Fujioka, Jon Heifetz, Tory O'Connell, Tom Pearson, Beth Sinclair, Farron Wallace, Sarah Gaichas, Kathy Kuletz, and Bob Foy. Bill Clark and Mike Ruccio were absent. NMFS staff, stock assessment authors and several members of the public also attended.

Flatfish:

Jack Turnock presented all of the flatfish stock assessments.

Arrowtooth flounder:

Arrowtooth increased in abundance in 2003, as indicated by the survey biomass increase and related model estimates of biomass. Catches have remained similar to the previous years. Differential natural mortality between males and females based on age composition data indicates that the female lifespan may be considerably longer than males and also leads to a sex ratio of ~ 70% which is consistent amongst areas in BSAI. Arrowtooth is a predator on pollock. The model is appearing to overestimate the largest females in the survey, while the male model fit to data is better. However, some overestimate is seen in the fit to age data in some years which may be growth related. Otoliths from 1999, 2001, 2003 may shed light on potential growth changes and will be analyzed. Work next year will attempt to achieve better model estimates of growth in order to get a better fit to the data on larger fish. Since predation is predominantly from larger sized animals, a better model fit to data would be useful for information on the predation of pollock by arrowtooth. The Western GOA TAC was reached in 2003.

The Plan Team recommended including a table of TACs and ABCs in the assessment to better evaluate yearly changes. The Plan Team discussed the potential ecosystem concerns related to the observed increased arrowtooth biomass and the potential for predation on pollock. The Plan Team discussed the possibility of raising the TAC in W GOA to accommodate the fishery. There has been increased interest in the fishery by industry but the fishery is limited by the halibut bycatch. Preliminary catchability experiments (on herding and escapement under the net) indicate a catchability of 1.3, therefore the biomass would be approximately 1/3 less than as modeled. It was noted however, that this would not change the trend as all modeled values have been corrected for this. Concerns were expressed by Plan Team members regarding the growth in females. Suggestions were made to the stock assessment author to further analyze the age group bins utilized, and model configuration. It was noted that additional data could help to shed light on the questions regarding the age structure in the population over time. Overall concerns were expressed by the Plan Team regarding why the recruitment of arrowtooth continues to increase. E.g., not only from the perspective of predation on pollock but what this might be indicating about how ecosystem conditions have changed. The Plan Team would encourage mechanisms to allow for more directed fishing on arrowtooth without impacting the related halibut fishery, e.g., to allow for experimental fishing permits or special increased PSC for halibut.

The Plan Team accepts the author's recommended ABC of 194,930 mt and OFL of 228,130 mt.

Flathead Sole:

2003 biomass from survey estimate increased to 258,609 mt. Recent catches have been stable around 2000 mt. The model fit to fishery and length at age data is fairly good. Retained catch has averaged 80-90% of catches. The Plan Team discussed the separation of flathead sole from the "other flatfish" and that this is necessary given that the fishery targets flathead sole separately from rock sole though rock sole is often the more desirable target. Flathead sole distribution tends to overlap between the "shallow" and "deep" water flatfish groups (in depth). Area apportionments are calculated based on the fraction of the most recent survey biomass in each management area. The fraction in the eastern gulf was calculated by assuming biomass was proportional to the percentage observed in the 2003 survey.

Flatfish complex:

Shallow-water flatfish, deep-water flatfish and rex sole:

Biomass estimates increased for all flatfish species except yellowfin sole. Sensitivity of survey depths on rex sole and dover sole estimates were discussed. For 2001, the survey biomass estimates were adjusted for the eastern GOA by an average fraction in the eastern GOA for the 1993-1999 surveys. Northern and southern rock sole are in tier 4 while everything else is in tier 5 for ABC calculations. For Greenland turbot and deep-sea sole, the average catch was utilized due to incomplete survey estimates. Shallow water flatfish catch for 2003 is down from 2002, rex sole is up slightly from the previous year, while the deep water complex (primarily Dover sole) catches increased from previous year. Change in the natural mortality estimate for deep water flatfish (in addition to an increase in Dover sole biomass) led to an increased ABC of 6,070 mt. Shallow water flatfish ABC also increased due to an increase in the survey biomass. The recommended ABC for Shallow water flatfish is 52,070 mt. Rex sole ABC recommended as 12, 650 mt. The Plan Team accepted the author's recommended ABCs for flatfish.

Dover Sole:

A preliminary Dover Sole assessment was presented. This assessment was presented initially at the September Plan Team meeting and is currently an appendix to the flatfish assessment in this year's SAFE report. Next year the assessment will be a separate chapter to the SAFE report and the model will be used to recommend an ABC and OFL for 2005. Since September, the assessment has been updated including the incorporation of the 2003 survey data, which showed a biomass increase from the previous survey. The model was updated to correct for differences between survey biomass in shallow water versus deep water (for years where surveys were not conducted in deeper water); natural mortality was changed to 0.085 (from 0.1), and survey catchability was changed to reflect the different depth strata. Some changes which may be addressed in next year's model could include accounting for the observed older fish in deeper water (~ greater than 20 years) and the potentially higher concentration of males than females in deeper water. The model fit to survey biomass is good for the previously declining trend but does not fit well to the current observed biomass increase. Catch has generally declined since 1999 but has increased from a low in 2002.

If the model were utilized to recommend a 2004 ABC, the assessment would incorporate age-length data and fishery selectivity to obtain an ABC for 2004 of 6,630 mt with an OFL of 8,231 mt. In contrast, as currently calculated using Tier 5 criteria of F=0.75M, the 2004 ABC is 5,880 mt with an OFL of 7,760 mt. Therefore with the new assessment model, ABCs and OFLs are slightly higher than with the Tier 5 criteria due to the higher F rate (full selection F). The Plan Team accepted the author's recommendation for ABC and OFL.

Thornyhead Rockfish:

Sarah Gaichas presented the stock assessment on thornyhead rockfish. There were no changes to the model from last year but some modeling adjustments were made based upon suggestions from the previous year. Model estimated M has been problematic in the past given the high values estimated. In last year's assessment the base model fit the data best but resulted in a high M.

The model configurations evaluated in the assessment varied the prior distribution on M compared to the base model (0.05 in base model). Based upon these results, thornyheads appear to have considerable higher natural mortality in the GOA than previously assumed or expected. Alternatively, the model specification or structure is flawed. The author also presented the tier 5 ABC calculation of 1,940 mt. This compares with the base model estimated ABC of 2,945 mt. Historic catches have been much lower than this and the fishery has been on bycatch-only status since the beginning of the year (since thornyheads are broadly distributed, they are difficult to target). Given concerns regarding the calculation of natural mortality, the author expressed the alternative of utilizing the Tier 5 ABC estimate of 1,940 mt. Use of this Tier 5 calculation for the ABC would indicate that the available data is unreliable to justify the use of an age-structured model for thornyheads. Age composition data has been problematic for thornyheads and current observer sampling protocols do not focus on thornyheads. Survey biomass data is being primarily used in the assessment. If the Tier 5 ABC is used, the area apportionments as detailed in the assessment would remain constant in calculating the ABC for tier 5 calculation of 1,940 mt.

The author recommended using either the ABC from base model of 2,945 mt or the use of a Tier 5 ABC calculation (which is similar to ABCs in years past). The author was more comfortable with the Tier 5 calculation rather than deriving an ABC estimate from a poorly fitting model. The fundamental issue is that the questionable age data are insufficient to justify the use of an age-structured model. The Plan Team commends the work done by the assessment authors in evaluating the thornyhead stock using an age-structured model. However, the team agrees with the author in that the data are clearly limiting the viability of these modeling results and more reliable data are necessary in order to improve confidence in the model results. The Plan Team shares the author's discomfort level in the age-length data available for use in the model due to the fact that thornyheads have not been a priority in observer sampling.

The Plan Team recommends the use of the Tier 5 calculation using the 1999 and 2003 survey biomass estimate (these are the only surveys covering the whole range of the stock) corresponding to an M of 0.03. This results in an ABC of 1,940 mt which is similar to the ABC from 2003. The OFL is similarly calculated as 2,586 mt. Apportionments would follow the same percentages as listed in the assessment as W(21%), C(52%), E(27%). If additional age data became available in the future to validate the model the author would reassess the stock using the age-structured model. The Team discussed the discards in the fishery and the related MRBs which may be constraining the fishery and recommends additional information be included in the following assessment regarding the nature of the discards.

The author will continue to maintain the age-structured model for reference if age-data becomes available.

Atka Mackerel:

Sandra Lowe presented the stock assessment for Atka Mackerel. The introductory section to the report now contains an extensive new section on spawning information for this stock. This information has not been previously summarized and substantially adds to the stock assessment information. The largest difference in this year's assessment is the increase in catch from 2003 to 565 mt as of November, 1, 2003. Catches were predominantly in the length range corresponding to the 4 year old age class seen in the 2003 survey data. Speculation is that these are from a single 1999 year class possibly arriving from the Aleutian Islands region.

Current estimates of biomass are still unreliable and thus insufficient to support any change from the previous ABC of 600 mt, calculated under tier 6 for this stock. GOA Atka mackerel remains as bycatch-only status for this fishery. The OFL is calculated as 6,200 mt. The author's recommendation is that this ABC amount still allows an amount sufficient to meet the bycatch needs of other fisheries as well as some retention as seen in the 2003 fishery.

In public comments, the author asked what amount and confidence in data would be necessary to allow for some limited targeting on the population. The author responded that some indication in the age data of an additional age-class would allow for greater confidence that this stock was present in the GOA rather than a carry-over from the distribution in the AI.

The Plan Team approves the author's recommendation of ABC and OFL.

Forage Fish

Mark Nelson presented the updated Forage Fish assessment. This assessment appears as Appendix A to the GOA SAFE Report. A preliminary assessment was presented to the Plan Team at their September meeting. Updated information in this assessment includes survey data from the 2003 GOA survey. Increases in capelin and eulachon were seen in 2003 in comparison to calculated biomass estimates from previous years. Catch data for 2002 were updated in the assessment. Smelt catch in 2001 was higher on average than for previous years, but results from 2002 indicate that this was anomalous and catches have retreated to close to the averages from previous years. Exploitation rates for 1999 and 2001 were calculated for capelin and eulachon using biomass estimates from the groundfish surveys. Exploitation rates were found to be less than 1% or less.

The Plan Team commends the work done by the author on this preliminary assessment and the utility of this chapter in the SAFE Report. The Plan Team recommends the use of more integrated data available from other NMFS small mesh surveys. Consistency in locations and sampling was noted to be problematic with some of these surveys, however useful data is obtained by these surveys in various locations regardless. Plan Team recommendations also included exploring the possibility of adding a small mesh panel to already planned GOA surveys and any additional improvements as possible to improve the collection and accuracy of these data on forage fish species.

The Forage Fish chapter, while initially focused on smelts, will attempt in future years to focus attention on additional species (e.g., sand lance and others). The GOA EIT summer survey may be useful in obtaining additional information on capelin and other gulf-wide species. Myctophids were also noted as important species for seabirds and marine mammals and including additional information as it becomes available on these species would be beneficial.

GOA Pollock:

Martin Dorn presented the stock assessment for GOA pollock. The author began with analyses he performed in order to clarify pertinent questions regarding the status and productivity of the GOA pollock stock (Appendix C to stock assessment).

Stock-recruit analysis: This analysis was performed in response to Council concerns raised following the Goodman et al. (2002) report regarding the appropriateness of the current harvest strategy. The stock-recruit analysis evaluated whether or not the current harvest strategy was sufficiently precautionary. Results indicated that the current harvest strategy was precautionary and therefore an appropriate proxy. Using

estimates of B_{40} as a target (even though it will tend to drift somewhat) was also appropriately precautionary. Based on this analysis, the harvest policy appears to be a reasonable approach.

Estimate of unfished stock dynamics: The author re-ran analyses to compare historical stock sizes with and without fishing. Original estimates of recruitment were adjusted in the "unfished" run for the effect of density-dependent mortality (imposed by a stock-recruitment assumption). The effect of the stock-recruitment curve (relative to assuming that recruitment was exactly the same level as in the original model) was relatively minor. Estimates of stock depletion indicate that environmental conditions may have a large impact on recruitment. The effect of fishing caused the stock size to be about 40 - 46% of what would be expected had no fishing occurred. Environmental conditions appear to have been a major cause of the low level of stock abundance (since the stock size is still about 35% of the peak level even without fishing).

Model with changing juvenile mortality: In order to better evaluate the impact of juvenile mortality on stock status, an examination was made of changing juvenile mortality rates within the model while keeping adult mortality fixed. In this way ecosystem changes could be modeled in a simplified manner (e.g., changes in juvenile predator abundance impacting mortality). The Team discussed the difficulty in estimating predation on juvenile pollock and juvenile mortality by age. The management implications of changes to juvenile mortality were discussed. In particular, if a long-term average mortality estimate is utilized then changes in juvenile mortality could impact harvest strategies. Increases in juvenile mortality would suggest a resulting downward shift in the harvest rate while decreased juvenile mortality would suggest that an increase in harvest policy could be considered. The Plan Team discussed implications on the relative changes in predator diets on an inter-annual basis including that marine mammals can have long-term stability in their diets while other predators may experience sudden switches in diet which occur in distinct blocks of time. The Team discussed examining whether this could be tied to variable year-class strength in prey.

Stock assessment results indicated a strong prevalence of younger fish in 2002 with very few older fish (strongly different from all previous years' catch-at-age results). The EIT survey results showed total biomass increased slightly over 2002, with Shelikof biomass increasing slightly and Shumagin decreasing. The Sanak area was surveyed, and could account for proportion of biomass not seen in the Shumagins. Public commentary confirmed a wider distribution of the fishing area and that Sanak area (not the actual surveyed region but nearby) has become a specifically targeted fishery area, where harvesting there began following the SSL regulations. The model however, is still tuned to Shelikof as an index of spawning biomass. Shelikof results still show a decline in total spawning biomass, and a large decline in the numbers of larger fish (fish from 1999 year class present as well as some 2000 year class).

Bottom trawl biomass estimates increased from the 2001 survey, with a low CV on the survey estimate. ADF&G survey estimates decreased approximately 30% from 2002 estimates. Age composition data showed prevalence of 1999 and 2000 year classes in many areas. The model tracks the abundance decline fairly well. Industry personnel present volunteered their cooperation in order to obtain otolith for increased age data where this is lacking.

The author's ABC recommendation is to continue with the status quo model and retain the conservatism. The Team expressed concerns regarding the changes in juvenile mortality and questioned whether the current model is adequately accounting for that (or changes thereof due to high predator abundance levels), and the general consideration of the proximity of the stock to B_{20}. The Team agreed with the author that it was preferable to be on the conservative side and allow the buffer to increase rather than risk the stock declining further and potentially shutting down fishery. The author recommended continuing to use the average year class for projections. The Plan Team encourages the possible use of the juvenile mortality modeling work (currently presented in Appendix C of the pollock chapter) in the author's analysis next year.

The Plan Team agreed with author's recommendation for an ABC of 71,260 (including the PWS allocation of 6,520 mt) and the recommended seasonal and area apportionments following the methodology introduced and utilized last year. The Team commends the effort put forward by the author to evaluate additional concerns regarding this stock status in modeling efforts. The Plan Team encourages the author to continue to explore these methods that are considerate of ecosystem effects.

Public commentary expressed concern regarding the predation on pollock by arrowtooth flounder and the necessity of addressing this as it relates to the pollock stock as well as the restrictions placed upon the arrowtooth flounder fishery. Comments were also expressed regarding the continued dependence of the model upon the Shelikof biomass as the index of spawning biomass and that the assessment should reflect other areas such as Sanak and Pavlof Bay which may be more useful indicators of spawning stock biomass.

GOA Rockfish:

Dana Hanselman presented the rockfish assessments. This year the slope rockfish assessments have been split into three separate chapters for POP, northern rockfish and shortraker/rougheye/other slope rockfish sections.

Pacific Ocean Perch(POP):

Changes to the assessment include: Revised length at age matrix which led to a better fit to fishery size data; decreased constraint weights, and estimated natural mortality. New data was included from three new fishery ages (1998,1999, 2002). The new 2003 survey biomass was considerably lower (400,000 mt vs 800,000 mt) with a very tight CV thus providing more influence on the current model estimate of biomass. Estimating q has been problematic for the POP model; in the past it has been estimated at very high levels (~2.9). The estimate of q decreases if M is estimated high or if recruitment is highly variable. The best fitting model yielded a higher q than last year but lower than past estimates (q~1.8). The authors recommend using the model for the next two years and reevaluating the results after comparison with the new survey biomass in 2005. The Plan Team noted that the precision of POP estimates and observed patchiness was similar to the precision and patchiness in the Atka mackerel estimates for the same survey year.

The Plan Team discussed the current apportionment of OFL for POP by management areas. Discussion reiterated that regional OFLs were originally implemented by the Plan Team in order to provide protection for this stock. This was based on life history features (localized populations, limited migration, etc.). The Plan Team concurred that continuing to specify regional OFLs for POP was warranted for this stock.

Northern Rockfish:

There were no changes to the current model structure from last year's assessment. The new survey biomass estimate was considerably lower than that from the 2001 survey (340,000 mt compared to the 2003 estimate of 66,000 mt). It was noted that the survey biomass estimates for northern rockfish have been highly variable from survey to survey and that this may be related to the survey design. A different survey approach may be necessary to reduce this variability. The ABC decreased slightly due to the observed biomass decline in 2003 and the model trajectory similarly projected a decline. An examination was made using the northern data with the POP model which resulted in slightly lower biomass estimates, but similar results with better fits in some components. The authors will explore these differences in next year's assessment (or the following year with the additional data from the 2005 trawl survey). The authors were not necessarily proposing use of the POP model for northern rockfish but that these exercises are useful to explore differences in the models.

Shortraker/Rougheye:

The 2003 survey estimates were higher and an overall upward trend is evident for these species. Rougheye rockfish is a Tier 4 species while Shortraker rockfish is in Tier 5 for ABC calculations. However, the Tier 4 criteria is not used for Rougheye, and instead the author and the Plan Team recommend the use of F=M which is similar to a Tier 5 calculation. This results in the recommended (more conservative) SR/RE ABC = 1760 mt.

Other slope rockfish TACs have traditionally been set for bycatch only status on the order of 900 mt in order to discourage a directed fishery. Concerns were previously expressed by the SSC regarding lumping SR/RE in a single ABC when the actual catch of SR is a higher percentage of the total catch than its percentage of the ABC. The Plan Team was concerned that current observer data might not be accurate enough to manage on a species-specific level.

Public comments encouraged evaluating available catch information by area and by gear type. The catch composition by gear type may help to calculate the relative percentages of biomass versus what the commercial fishery is seeing.

The Plan Team recommends additional analysis of the relative catch estimates of SR and RE by gear types be included for the following year's assessment. Concerns were raised regarding the conservation of shortraker if it is being preferentially targeted. The authors recommended an ABC which is conservative enough to account for these concerns. Preliminary comments from industry representatives indicated that this could be an interim measure for the upcoming fishery provided additional assessment of the relative catch by gear type be included in the following year's assessment.

Some discussions on the rockfish management issues relative to points raised in the Goodman et al. Current Harvest Strategy report led to the Team's conclusion that many rockfish were already managed with extra measures of precaution. In particular, it was noted that there did not appear to be any conservation concerns for any rockfish species in the GOA (the overall trends in stock abundances were stable or increasing). It was noted that the PSEIS preliminary preferred alternative has some additional conservation recommendations included specifically for rockfish and that these might be applied in the future.

Other Pelagic Shelf Rockfish:

Dusky Rockfish

Models utilized in the assessment assume no catch prior to 1977 as there was no data on catch prior to that time period. However, it was noted that with the model showing biomass estimates close to B_{40}, there is nothing to explain this in the current model parameters without the inclusion of prior catch. After discussion of whether or not the performance of the model is sufficient to provide more informative decision-making than calculating an ABC using the Tier 4 calculation, the Plan Team recommended using the age-structured model ABC as an improvement over the Tier 4 approach. The Plan Team recommended that authors work to resolve questions regarding the historical catch and proximity of biomass to B_{40} and/or the dependence of biomass on the first survey estimate. Also, the Team encouraged the use of this modeling approach for future assessments.

The Plan Team discussed surveys results in general for dusky rockfish as well as the overall objectives for the GOA survey and the problems with balancing multiple species in sampling protocols. Survey biomass estimates for rockfish have been a continuous problem due to the variable coverage of the survey,

and patchy distribution of species. The Team noted that one purpose of assessment modeling is to evaluate the utility of survey data and how design improvements (e.g., lower CVs) can affect management advice.

Public comment suggested it may be possible to encourage more use of plant-based observers to help address the problem with low observer coverage in the GOA. A pilot observer program has been designed for the rockfish fishery in the Kodiak area. If additional specific observer coverage was desired, trying to build that out of the existing pilot project might be feasible.

ABCs for yellow and widow rockfish are managed under Tier 5 and ABCs and OFLs were computed accordingly and then added to the model estimated ABCs and OFLs for dusky rockfish. The Plan Team approved the author's recommended ABCs and OFLs for the pelagic shelf rockfish complex.

Demersal Shelf Rockfish:

Tory O'Connell presented the assessment for Demersal Shelf Rockfish. The assessment included a new habitat map for EYAK, and discussion indicated that the coverage of DSR habitat is improving. The ABC recommendation of 450 mt was slightly increased from last year due to new survey data. While density decreased in the CSEO the overall biomass increased due to higher increases in the EYAK region. It was noted that the federal fishery is still not at full retention of DSR.

Concerns were raised by the assessment author regarding the potential for unaccounted impacts from the sportfish fishery. The reported landings from this fishery are high, and do not include additional discards. These could represent a significant source of mortality and are not included in the assessment. It is possible that if landings continue to be high in the sportfish fishery it could preclude a directed fishery. The Team also noted that a similar potential may exist due to unaccounted catch in the Halibut fishery.

The Plan Team accepted the author's recommended ABC and OFL for DSR.

Pacific cod:

Grant Thompson presented the assessment for Pacific cod. Changes to the assessment included recompiled survey biomass estimates from 1984-2001, resulting in a point estimate from 1987 which is 29% lower than originally estimated. Last year's assessment indicated that the stock biomass was below B_{40} for the first time. However, this year's survey showed a biomass increase and the stock is estimated to be above B_{40}. The ABC recommendation of 62,800 mt for 2004 is up 19% from last year's recommendation due to an observed increase in spawning biomass, while the OFL is up 46% to 102,000 mt. The Plan Team accepted the author's recommended ABC and OFL for this stock. This ABC includes an adjustment factor to the maximum permissible F(x 0.87).

Area apportionments were recommended based upon data presented in the stock assessment of the relative biomass proportions for W, C, E from 1984-2003. The Plan Team recommended using the most recent three surveys to calculate the apportionment percentages of: 36% W, 57% C and 7% E.

In previous years, the area allocations were recommended based on the most recent survey year until 2001 when area allocations were then recommended based on the most recent 3 years.

In response to a Council request to evaluate the recent changes in the patterns of fishing for Pacific cod (for the BSAI but also possibly relevant for the GOA), the author included an analysis of the "blend" data from 1998-2002 in the Pacific Cod chapter Appendix 2A and answered specific questions posed by the Council. The analysis did not show any dramatic change in fishing patterns in the GOA for Pacific cod.

The author updated the Plan Team on the recent progress on the aging of P cod, and hopes to have additional age data for the following year's assessment.

Plan Team recommended that the assessment include alternative modeling approaches to better account for the potential exchange between management areas in Alaska. Also, the Team requests that selectivity-at-length patterns estimated by the model be carefully evaluated for abrupt shifts between size groups.

Skates:

Sarah Gaichas presented the stock assessment for skates. This is the first assessment for GOA skates in response to recent conservation concerns due to a rapidly developing directed fishery in 2003. The situation was originally presented at the September Plan Team meeting and an amendment package (Amendment 63) to remove skates from the other species complex was initiated. If approved, this amendment could be implemented as early as March 2004. This would allow for separate ABC, OFLs and TACs to be set for skate species and skate complexes. Under the current management system, skates are within the "other species" complex, for which OFLs and ABCs are not established. TAC for other species is established in regulation as 5% of the sum of the target species TACs. The concern is that this leads to a high complex-level TAC which could theoretically be taken entirely as skates. Two large-bodied species--big and longnose skates, are the most abundant in bycatch and in survey estimates. Currently, the retained catch tends to be large (and mostly female) big skates in the Central GOA.

Discussion of the motivation for a directed fishery noted that 2001 was the first time a market developed for skates, while 2003 showed the first true directed fishery with gear developed specifically for skates. Public commentary noted that 1998 was an exploratory year for skate catch in the fishery, and that there was some limited targeting of skates in the 1970s when the fishery explored using skate wings as simulated scallop meat. This exploratory fishery seemed to fail for lack of a viable market.

The author noted that information on skates is scarce, however current projects have been initiated in the Bering Sea for increasing information on skates. Jon Heifetz noted that anecdotal evidence from submarine videos show piles of skate egg cases in a single location along the Aleutians, which was the only place these were seen along the survey. NMFS staff discussed that they plan to try to identify skates by species in areas where they are notably congregating. Currently there is no information available about spawning seasons.

Concerns were expressed by the author that the largest skates appear to be the most vulnerable to fishing pressure, therefore the management should be designed to be responsive to this conservation concern particularly given the lack of information on these species. Skate catch and incidental catch in some groundfish fisheries was observed in discrete locations across the GOA. Catch appeared to be higher in 1998 than 1997, 2000, 2001(Table 3 in assessment) which could be due to observer coverage issues, although public commentary again suggested an exploratory fishery existed in 1998. Catch in 2002 was highest in the Central GOA hook and line fishery, but given that this was likely due to a single halibut vessel, it is not presumed to be an indication of excessive skate catch in that time period. Questions were raised regarding the confidence in the 1998 catch data, and concerns were raised that this was also a situation of a single halibut vessel. This raised the issue of the ability to estimate catch in the GOA given current observer coverage levels and concerns with the current extrapolation of blend data to estimate skate catch. Assignment to fishery categories may impact the extrapolation from the blend data, particularly in areas that are unobserved. Discussion focused upon statistical and sampling problems with the available data. The Plan Team recommends that additional statistical approaches be evaluated to utilize the available data. Suggestions were made to look for dedicated funding to pursue this project, possibly from sources such as the Stock Assessment Improvement Plan in order to concentrate effort in this area.

Critical data needs include the vessel location information and the number of boats in an area versus the number actually observed. Some of this information is collected but has proven logistically difficult to obtain. The Plan Team recommends obtaining information on the status of the AKFIN project initiated to input logbook data. Public comments suggested that in situations where it is a problem with a single boat, perhaps arrangements could be made to contact the vessel to obtain information on what they were targeting and the composition of their catch. It was noted that it would be necessary to check on the potential confidentiality concerns inherent with this suggestion. Additional data problems were mentioned with respect to the available data from the Halibut Commission and the problems with IPHC areas rescaled to represent NPFMC areas for catch reporting. Suggestions were made by the public to examine gear-specific catch distributions in relation to percentage of observer coverage. Additional information needs by the assessment authors include estimates of incidental catch of groundfish in the halibut fishery, and the possibility of an observer on board commercial halibut vessels.

Currently trawl survey data is being used for species composition. Next year observer species composition data will also be available from the groundfish fisheries. However, similar data from the halibut fishery are problematic. Next year catch reporting for groundfish will exclude the state water fisheries. The Plan Team discussed the issue of skate survival, as the assessment author is assuming 100% mortality, and it was noted that there are mechanisms ("careful release" program) for avoiding harm and gear-specific (snap and fixed gear) rates which should lead to high survival rates. However, currently the Plan Team concurs with the assessment author that a necessary level of conservatism is built into the assessment by assuming 100% mortality.

Current reporting of catch shows that high catches of skates are occurring in discrete areas, specifically near Kodiak. ADF&G fish ticket data shows a much more defined concentration for skates in the target fishery for 2003, most are from unobserved boats therefore the fish ticket data provides more information than the available observer data. Hot spots (within traditional fishing grounds) for skates are also indicated in the observer data. The author plans to evaluate the overlap between the biomass distribution from the trawl survey data and the hot spots observed in the fishery data in the following year's assessment. Information on skate movement is also unknown. Information obtained from the target fishery from ADF&G observers indicated that the species composition was predominantly larger females, and that catch was stratified by size. This matches similar observations in the Bering Sea where length data indicated a spatial concentration of females. The Plan Team discussed the issue of potential size selectivity in the survey methods. It was discussed that given schooling behavior of skates, a trawl could draw from a single-sex school of either males or females, while missing the schools of the opposite sex. Concerns were also raised that the sampling methodology may bias the results as single totes were sampled at random shoreside and may reflect only a specific sex and depth related school.

The Plan Team commends the assessment authors on the work involved in this report. Many questions are raised by the preliminary assessment and should be addressed as much as possible in future assessments. Concerns were raised regarding the use of the survey as a good estimator of skate biomass, and the potential for herding effects. The author felt that generally the bottom trawl surveys are good for skates and sculpins in other species category, thus biomass is likely estimated as well as it can be at present given the existence of some untrawlable habitat. While anecdotal evidence indicates that some skates are present in all areas (trawlable habitat and untrawlable habitat), there is no indication that a greater percentage are located in untrawlable habitat. Current work is attempting to estimate this, and preliminary data indicates that the Eastern GOA has a higher proportion of untrawlable habitat while the Central GOA contains more trawlable area and this is where the skate concentrations appear to be the highest.

The Plan Team agrees with the assessment authors on the Tier 5 designation for skates and with the evidence presented to separate skates along the species lines as indicated. The Plan Team noted that the problem with

Tier 5 is that it is contingent upon the estimate of natural mortality which is problematic for skates given the lack of available information. The Plan Team suggested that the sampling error and bias in data be examined, and that seasonal differences in the fishery be examined. Particular attention should be paid to the observed segregation by gender, and to ensure that observers are monitoring this in their observations. Suggestions were made to work in conjunction with the Observer Advisory Committee in their forthcoming report in order to push for additional observer coverage in the GOA, particularly on vessels less than 60ft and halibut vessels.

The Plan Team agrees with the assessment authors on the rationale for establishing ABCs by areas, however the Team did not agree with the authors on the need for area-specific OFLs. The Team discussed the problems with exceeding area-specific OFLs which then shuts down other fisheries. GOA-wide OFLs are preferable for the first year for inseason management until sufficient experience is gained in managing this fishery. The trade-offs between conservation concerns for these discrete localized stocks and the inherent problems of managing area-specific OFLs were discussed. The Plan Team is concerned with localized issues and would like to evaluate the possibility of recommending changes to MRAs and the use of hot spot closures to better protect these stocks in addition to the TAC-setting process.

Comments from members of the public indicated they were concerned with the situation but would like to see additional information on the catch by the directed fishery prior to action. The Plan Team recognized the industry concerns but feels that the situation is developing rapidly and they must be immediately responsive to the prevailing conservation concerns in the skate fishery. Industry concerns were raised that the target fishery needs to be addressed in a way that does not adversely impact the fisheries that are not currently impacting skates and are not increasing the conservation concern. It was noted that area-specific OFLs would be problematic for other fisheries.

The Plan Team discussed some additional options to the preferred option by the assessment authors. A combination of big and longnose skates for a combined ABC was discussed, with the main conservation concern here being that it could be possible to specifically target and obtain over 90% of the TAC from a single species, thus representing a serious conservation concern for that species. Discussion concluded that a possible solution to this would be to have a combined ABC for big and longnose skates, and the Council could then set the TAC less than the ABC. Furthermore, if the major conservation concern is in the Central GOA, then the Plan Team would recommend that TAC be set equal to the OFL for the species of most concern so that directed fishery can be closed prior to causing a conservation concern. The fishery would then revert to bycatch status for remainder of the year and this would effectively close only the directed skate fishery.

The Plan Team agreed unanimously on this recommendation. The Plan Team recommends that the skates be divided into two groups for ABCs, with big and longnose skates together in one complex, and all "other" skates in the remaining aggregated group. These ABCs should be area-specific for big and longnose skates, and GOA-wide for the remaining "other" skates. For OFLs, the Plan Team recommends that a GOA-wide OFL initially be established for all skate species combined. The Plan Team further recommends that to protect the vulnerable big skate species in the Central GOA where the directed fishery is concentrated, that the Council set the TAC in the Central GOA equal to the calculated OFL (3,284 mt) for the big skate species. The Plan Team felt that this would represent a less draconian measure than other considerations discussed while still taking into account the conservation concerns as previously raised. The Plan Team recommended that these management measures be subsequently reexamined next year. The stock assessment author still recommends the preferred alternative from the assessment (which includes area-specific ABCs and OFLs) out of conservation concerns but felt that this measure (with the inclusion of the recommendation to set TAC = big skate OFL in the Central GOA) would represent a reasonable compromise given the concerns with species composition and the potential impacts to other directed fisheries. Concerns were raised however that

there is no way to predict where a new targeted fishery might develop outside of the Central GOA and that given the lack of observer coverage there would be no means to track this should an additional directed fishery develop. The Plan Team reiterated the need to encourage all methods of increasing data collection in order to continue to monitor the situation, and if the situation worsens or new data shows that the currently recommended measures are inadequate, the Plan Team is prepared to recommend incrementally more conservative measures next year.

Additional information which may be available for the assessment next year would include increased species identification in the observed fishery due to the 2004 mandate for all observers to identify all skates by species. However, the target fishery is still not observed therefore this data will again be lacking. Vertebrae have been collected on skates and staff time is needed to age these. It was noted that staff time for aging is limited and suggestions were made to possibly contract out this work given its importance. The annual sablefish survey may give additional information on skate species although it was noted that the longline survey does not currently identify skates to species. Suggestions were made to allow for sampling of subsections of the fishing operation similar to how "other species" are sampled during the halibut surveys. Tagging studies are being planned for the following year which would help determine if the populations are mixing gulf-wide. Additional genetic information on skates may also be available. More data may also be available from the Halibut Commission on their halibut surveys, which could help clarify some questions regarding species composition.

Draft Joint Plan Team minutes
November 17-18, 2003

The Joint Meeting of the Bering Sea/Aleutian Islands and Gulf of Alaska Plan Teams convened on November 17-18, 2003. Members in attendance were Loh-Lee Low (BSAI chair), Jane DiCosimo, Jim Ianelli(GOA co-chair), Diana Stram(GOA co-chair), Jeff Fujioka, Jon Heifetz, Robert Foy, Bill Bechtol, Tory O'Connell, Tom Pearson, Beth Sinclair, Farron Wallace, Sarah Gaichas, Lowell Fritz, Brenda Norcross, Mike Sigler, Andy Smoker, Grant Thompson, Ivan Vining and Kathy Kuletz. Mike Ruccio and Bill Clark were not present. Several AFSC scientists and approximately twenty members of the public also attended.

Terms of Reference:

The Teams reviewed their current terms of reference to evaluate whether or not changes were necessary to reflect the current scope of work by the Plan Teams. While only minor editorial changes were eventually made (see attached revised terms of reference), discussion ensued of membership, scope of work and the opportunity for public comments. Discussion of membership focused upon the necessity for increased economic involvement in the Plan Teams. Membership by an economist is lacking on both Plan Teams and the Teams could benefit from the participation of an economist which would raise the importance/discussion of economic aspects of fisheries during the Plan Team deliberations.

The Teams discussed the use of work groups (as referenced in the terms of reference). While work groups have not been formed and utilized by the plan teams historically, the teams decided to retain the language to allow for flexibility in future plan team work.

The teams discussed formalizing the plan team recommendations in the stock assessment process. The teams recommended that Plan Team commentary be formally incorporated into assessments similar to how the SSC comments are incorporated. Plan Team minutes could thus be used to formally comment on an assessment and a section could be added to stock assessments regarding the response to Plan Team review.

Public comment has been an important part of Plan Team meetings and no suggestion was made to decrease the amount or timing for public comments, merely to potentially formalize their timing as necessary. Members of the public expressed their appreciation at the informal nature and the receptiveness for their comments during team discussions. It was decided to request comments after the stock assessment presentation and prior to Plan Team deliberations, but to also allow for additional comments during deliberations (and prior to formal recommendations) at the discretion of the Plan Team chairs.

The Teams determined that having one clear chair during Joint Plan Team meetings would also be useful. It was decided that the determination of chair during Joint Plan Team meetings would be decided on an assessment by assessment basis (typically for sablefish).

Council updates:

Council staff updated the Plan Teams on the on-going Council projects of the TAC-Setting EA, Programmatic groundfish SEIS, EFH EIS, HAPC proposal process, GOA Groundfish Rationalization EIS and the Non-target species working group. The Plan Teams will be involved in reviewing upcoming HAPC proposals and would convene a special teleconferenced meeting of the Joint Teams to review and make

recommendations on these proposals in Spring 2004. The Plan Teams discussed the possibility of creating a smaller workgroup of Plan Team members for specifically reviewing HAPC proposals.

The Teams were updated on the progress by the Council appointed non target species working group which met at the October Council meeting. There was a brief discussion of the possible long term timing of the amendment package(s) which would be presented to change the current species groupings. It is possible that 1-3 plan amendments would be put forward for both GOA and BSAI species groupings. While it may be possible to do in one extensive amendment package, it may be more advisable to do in sequential amendments. The Council will decide how to proceed with action items as necessary.

Ecosystem Considerations Chapter:

Jennifer Boldt presented an overview of the updated changes to the Ecosystems Considerations Chapter. The chapter was presented at the September Plan Team meeting, thus the Teams were informed of any updated information included in the revised chapter.

The teams discussed the general direction of the Ecosystem Considerations document. Discussion focused on the need for the inclusion of time series of multiple indicators so as to allow for range of relevant indicators for use by individual stock assessment authors. In general, the chapter continues to look at a wide variety of indicators with an aim towards identifying the most important indicators and thus track those specifically. Currently the ecosystem group is attempting to evaluate as many indicators as possible due to lack of knowledge of which will prove to be the most important. The Plan Teams also recommended placing confidence intervals on Bering Sea HAPC biomass productivity graphs to establish if trends are discernable or not.

Ecosystem Assessment:

Kerim Aydin presented an overview of the BSAI and GOA ecosystem models. The goal is to evaluate the model for single species complex. The teams recommended providing food webs centered on individual stock assessment authors' target species to increase the utility and predator/prey relationship information for use in individual stock assessments. Bycatch rates by species and by fishery were individually useful for all target species (as provided prior to the assessments by Jim Ianelli and Sarah Gaichas). The Teams recommended tabulating information in a similar manner for use in individual assessments. Questions were posed regarding confidence in the relationship between arrowtooth flounder and pollock. Food habits data lags stock assessment data therefore the relationship is still being based upon stomach analysis data from the late 1990s.

The ecosystem assessment framework uses the TAC EA alternatives as a structure for predictive scenarios. Predictive approaches utilized include: the multi species bycatch model (where bycatch here is defined as incidental catch not necessarily discarded catch defined in the MSA); multi-species virtual population analysis and forecast models for EBS (future changes in dominant target species including predator/prey dynamics); and mass balance/biomass dynamics (Ecopath/Ecosim). These approaches are intended to provide a whole ecosystem view.

Results were in the form of long-term predictions (e.g., to 2023) on predator/prey interactions; forage availability summarized by area; removal of top predators by area; energy flow and removal; and diversity. The next steps for modeling work include: continuing with multi-species and ecosystem model validation; improving model forecasting with specific fishing strategies and bycatch constraints; developing a suite of regime shift scenarios; developing strategies to summarize ecosystem considerations section indicators with respect to historical trends and present status (e.g., possible traffic light approach to highlighting increasing,

decreasing or stable trends); and improving ecosystem advice in target species assessment sections (e.g., to standardize evaluations providing target species food web information including target species predation index).

Economic SAFE Report:

Joe Terry presented an update on new information included in the Economic SAFE Report. This new information includes a summary of fishing capacity and an overview of updated information in the report. Specific changes include a minor correction factor applied to the prohibited species catch data for the CDQ fisheries as it was determined that the PSC for CDQs has not previously been included in the blend data. Overall current capacity exceeds actual catch by nearly 50% and has increased relative to 2001. Recommendations were made to include a breakdown by area in the summary section of the report. Future changes to this report will include community profile information summaries and social indicator summaries for the report in 2005. Extensive tables will be made available via the web and thus not included in the actual report.

Halibut Discard Mortality Rates:

Gregg Williams from the IPHC presented an update on Pacific halibut discard mortality rates in the 1990-2002 groundfish fisheries with recommendations for monitoring in 2004. A proposal was put forward to the Plan Teams and the Council three years ago in order to stabilize the process by which annual discard mortality rates had been calculated. Rates were based upon a 3-year average after which rates were analyzed and proposed revisions then summarized on a triennial basis. Changes were initially seen in three BS trawl fisheries: rockfish, pelagic pollock and yellowfin sole. Discussion focused upon the reasons behind these changes and the relative confidence levels within these data. DMRs as currently calculated are updated every three years unless there is no significant difference between the previous calculation and the recent calculation (based upon the past three years).

Plan Team members raised concerns regarding the statistical methodology employed in determining significant changes in DMRs. Suggestions to the Commission from the Plan Team included comparison against a moving 10 year average (rather than a fixed average from 1990-1999); the use of additional statistical means for identifying statistically significant differences; the use of the entire time series for estimating the DMRs if no significant difference was shown for the previous 3 years; and the use of a power test to estimate if the 1990-1999 data set is representative of the whole time series for comparative purposes. Concerns were expressed regarding the exclusion of sablefish from this analysis and the possible need for inclusion by some means. Commission staff agreed to attempt to follow some of these recommendations in order to improve upon the statistical methodology used. Updated DMRs (using a different methodology) are presented in the SAFE report. Comments from the public also mentioned the need to address the inherent subjectivity of the observer data on the mortality of halibut.

Sablefish:

Mike Sigler presented the stock assessment report for sablefish. The spawning abundance increased since last year but is expected to decrease slightly (<1%) from 2003 to 2004. Sablefish abundance has continued to decline dramatically in the eastern gulf (except for 2002 due to the above average 1995 and 1997 year classes) and the survey index has decreased again in 2003 causing concern regarding the impact on the spawning population given that the central and eastern gulf make up the main spawning area for sablefish.

Questions were raised regarding the longline survey and the comparison between logbook, observer and survey data, particularly in West Yakutat. Public comments reflected that abundance estimates in West

Yakutat are particularly sensitive to bad survey days given the low number of stations sampled in this region. However, the author noted that despite the admittedly low number of survey stations there has been a consistent observed decline in this region. It was noted that the timing of the survey versus the fishery allows for seasonal differences in catch rates.

The Plan Team discussed the recruitment estimates used to project future abundance trends and the computation of risk analysis results presented in the assessment. It was clarified that recruitment estimates of the 1977-1999 year classes are used to estimate biological reference points such as $B_{40\%}$, while projections of future abundance were computed and presented using both the 1977-1999 dataset or a subset of year classes from 1982-1999. The authors considered the more recent data subset a more appropriate and conservative assumption for short term future recruitment. Due to the current estimated age structure of the population, projections indicated a decline in sablefish abundance in the next several years for both optimistic (1977-1999 long term) and pessimistic (1982-1999 short term) recruitment scenarios. It was pointed out that projections over the next 2 to 3 years are unaffected by recruitment scenario choice. There were also concerns raised regarding the uncertainty in the estimate of 5 year olds (1998 year class) in the population. The estimates of young sablefish in the current population have a significant effect on short term abundance projections. The 1998 year class was expected to be above average based on the 2002 age composition sample, but is estimated as below average by the model. It has been suggested that the bottom trawl surveys in the GOA and BS shelf may provide an improvement in the estimate of young sablefish abundance and should be included in addition to (and not to replace) the sablefish longline survey. There is a lack of size data from the trawl fishery which limits the model's ability to estimate younger year classes. Concerns were raised that the use of age and length data for same year allows for incorporation of the same data twice, therefore it would be preferable to not include both in the same year (i.e., when both are available, use the most appropriate type of data).

The Teams noted that actual catch levels have been consistently less (averaging 88% of TAC) than the overall ABC, but with the majority of the unused TAC concentrated in the BSAI area while the GOA fishery takes close to their entire allocated TAC. The Teams noted that this was due to the lack of longline effort in the Bering Sea and Aleutian Islands. Percent harvest in the BS may increase due to the increased use of pots in the fixed gear allocation resulting in a higher percentage of the TAC being taken in these areas in the future. Recent increases in pot fishing will likely result in a greater proportion of the ABC being taken though it is unlikely to reach 100% in 2004.

While it was agreed the control rule which combines a biomass target strategy and a fishing rate strategy was worthwhile, there is uncertainty about the appropriate targets and rates, as well as the ability to estimate them. Concern was expressed on how much to rely on the estimated control rule and how much consideration should be given to observed catch levels and population abundance trends. Although increasing harvest levels and harvest rates while the population is decreasing below the target level is not consistent with recent ABC recommendations, the Team agreed that moving closer to the control rule could be safely implemented for one year (the 2004 ABC) given that the stock status is evaluated each year.

The authors' recommendations for the 2004 ABC included two cases less than the maximum permissible ABC:

1- 20,700 mt (0.8 of max permissible)
2- 23,000 mt (0.9 of max permissible)

The maximum permissible ABC is 25,400 mt.

Chris Lunsford presented a discussion of the background for the observed low catch rates associated with the relatively high quotas in the BS and AI regions. Sablefish habitat is large in the BS and AI and the stock

is Alaska-wide; 43% of total sablefish habitat is in the BSAI. Killer whale predation has continuously affected regions of the fishery and the survey alike. Public comment indicated that the areas of highest killer whale predation are coincident with the best sablefish habitat. Seasonality of the fishery is not always coincident with the survey dates. Recommendations by the Plan Teams for next year's assessment include examining more specifically the details of fishery logbook data, e.g., the catch analysis of observed changes in effort in space and time from logbook data/fishery data; additional detail on small boat versus large boat catch and area, and the possible variances in catch rates due to individual vessels. Area specific size differences could affect management of the stock in different regions. It was suggested that the use of exploitable biomass rather than relative population weight (RPW) was an appropriate consideration that would probably reduce somewhat the relative apportionment to the BS and AI as the average size of sablefish tend to be smaller in those areas. The average size of sablefish in the Western GOA also tends to be smaller than in the Central or Eastern GOA. The Plan Teams recommend focusing attention on the logbook data and how spatial changes are reflected in the fishery. Discussion also focused on the relative observed increase in pot fishing in the BS. Pot fishing increased in 2003 compared to 2002. Fixed gear is specifically allocated in the IFQ, but has traditionally been under harvested despite this fixed allocation. The assessment could focus attention on the increased catch by fixed gear, which may be a possible response to predation by killer whales in this region.

Industry concern regarding the amount of ABC apportioned in the Bering Sea and Aleutian Island region given the low catch rates in these areas was discussed. It was explained that although catch rates and estimated density are low, the large amount of adult sablefish habitat in these regions results in the ABC apportionments that are consistent with harvesting each region at about the same rate.

Dan Falvey with Alaska Longline Fishermens Association (ALFA) presented a discussion on the decision analysis utilized in the assessment and related concerns with this analysis. The value used for recent year classes has a large effect on the projected abundance and associated probability estimates. Therefore uncertainty in the value of these recruitments dramatically impacts results (example of changing the 1998 value for year class and the related impact). ALFA recommended an ABC of 23,000 mt (for ABC =TAC), and recommended not using a decision analysis approach without further refinement for the ABC recommendation. A recommendation was also made to address the concept of seasonal bias, as summer surveys see larger fish thus smaller fish are not being evaluated in the survey, and the timing of the survey should be changed to evaluate for these smaller fish if the model is going to depend so tightly on the values for these year classes.

Nick Delaney, representing 10 Kodiak sablefish longliners, recommends entering every fish ticket into a database (~2000 landings in the commercial fishery). This would allow for the creation of an annual historic data information base including 6 size grades/market categories. This could allow for detailed commercial history information at a relatively low cost as it requires only entering the data into a database given that the data already exist. It might be possible to go back in records for 3-4 years. A consideration was mentioned that not all fish tickets are broken out by size categories, however size grades are more prevalent on recent fish tickets. Concerns were raised by Plan Team members regarding the potential inconsistencies between individual processors on size classes. However, if it were possible to begin now with current fish tickets, a system could be put in place and designed (in conjunction with AKFIN) to coordinate data entry and quality. It would also be possible to then break down the data on effort and size groupings by vessels to further investigate seasonal differences.

Cora Crome, Petersburg Vessel Owners Association (PVOA), recommends the choice of the 23,000 mt for TAC/ABC. The PVOA would not like the ABC to be lower than that amount (i.e., 0.8), as they believe that sufficient levels of conservation are already built into assessment. The PVOA do not believe that 0.9 allows for a dangerous level of exploitation. They would prefer to go with the stair-step approach to the quota as

represented by the compromise of 0.9. PVOA does not recommend utilizing the maximum ABC of 25,400 mt but believes that 0.9 of the max ABC is a reasonable compromise and is a still a risk averse recommendation. Additional public commentary suggested looking at seasonal differences in survey data versus commercial catch, and the possible use of individual observer data via in plant observers.

The Plan Team discussed the authors' recommendation of two different values for the ABC, 0.8 and 0.9 of the maximum ABC. The Plan Team accepts the authors' recommended values below the maximum ABC given concerns regarding the substantial increase (22% over the 2003 ABC) which would occur if the ABC were set at the maximum permissible while projections indicate that the stock will decrease in the following year. Discussions focused on the projected stock decrease and concerns regarding the need for more precaution (e.g., 0.8 max ABC) given that all scenarios project a decrease in biomass in the next several years. The ABC of 23,000 mt seems to confer sufficient conservatism for the following reasons: this recommendation includes the pessimistic recruitment scenario, yet still allows for a relatively high goal of rebuilding despite this pessimistic recruitment; the strength of the 1998 year class is likely to be higher than that used in the model; the recommendation is more conservative than the maximum ABC; and the stock condition will be reevaluated again next year with additional annual survey data. Therefore this 0.9 maximum ABC represents a sufficiently risk-averse value and will be reevaluated again next year. The ABC of 23,000 mt represents a moderate increase (10%) compared to the 2003 ABC of 20,900 mt.

The Plan Team agreed unanimously to recommend the 0.9 maximum ABC value of 23,000 mt.

The Plan Team expressed concerns regarding the continued decline of the spawning stock in the eastern GOA and will continue to examine this in forthcoming assessments.

The Plan Teams also moved to take 5% of the SEO TAC in the GOA and moved it to WYAK to accommodate the trawl closure, as has been implemented since 1998. The Plan Teams recommend including this designated calculation in the assessment in following years in order to better clarify to the public that this is done consistently on an annual basis.

PLAN TEAMS FOR THE GROUNDFISH FISHERIES
OF THE BERING SEA/ALEUTIAN ISLANDS AND GULF OF ALASKA

TERMS OF REFERENCE

Approved by the NPFMC (October 1994)
Modified by Plan Teams (November 1994)
Modified by Plan Teams (November 2003)

1- **Establishment**. The North Pacific Fishery Management Council (Council) shall establish Plan Teams for the groundfish fisheries of the Bering Sea/Aleutian Islands (BS/AI) and Gulf of Alaska (GOA). The Plan Teams will provide the Council with advice in the areas of regulatory management, natural and social science, mathematics, and statistics as they relate to the groundfish fisheries of the BS/AI and GOA.

2- **Membership**. Plan Team members will be appointed from government agencies and academic institutions having expertise relating to the groundfish fisheries of the BS/AI and GOA. Normally, each Plan Team will include at least one member from the Council staff, the regional office of the National Marine Fisheries Service (NMFS), NMFS' Alaska Fishery Science Center, the Alaska Department of Fish & Game, the Washington Department of Fisheries, the International Pacific Halibut Commission, the University of Alaska, the University of Washington, and other institutions and universities. With the consent of the sponsoring agency or institution, nominations may be made by the Council, the Scientific and Statistical Committee (SSC), the Advisory Panel (AP), or the Plan Teams themselves. All nominations will be subject to approval by the SSC, with the Council retaining final appointment authority. Appointments should reflect the Plan Teams' responsibility to provide advice in the areas of regulatory management, natural and social science, mathematics, and statistics.

3- **Organization**. Each Plan Team will be directed by a chairperson or co-chairs, and may divide some of its responsibilities among work groups organized according to subject matter. A work group may include members from more than one Plan Team. Each work group will be directed by a work group leader.

   1- **Rules of order**. In general, rules of order will be informal. Plan Team decisions will be reached by consensus, whenever possible. If a decision is required and consensus cannot be reached, the opinion of the majority will prevail. In representing either Plan Team publicly, the spokesperson will take care to relate Plan Team opinions accurately, noting points of concern where consensus cannot be reached.

   2- **Meetings**. Plan Team meetings will be held prior to Council's September and December meetings. The Plan Team chairpersons may call other meetings as necessary. The two Plan Teams may meet either separately or jointly. A draft agenda will be prepared in advance of each meeting by the Council staff in consultation with the respective chairperson or chairpersons, and may be revised by the Plan Team(s) during the meeting. Each agenda will include an opportunity for comments from the general public. Minutes of each meeting will be prepared by the Council staff, distributed to Plan Team members, and revised as necessary at or before the subsequent Plan Team meeting.

   3- **Selection of officers**. Officers (Plan Team chairpersons and work group leaders) will be selected at the meeting preceding the September Council meeting or as vacancies arise. The Plan Team chairpersons will be selected for two-year terms. Work group leaders will be selected for one-year terms. There will be no limit on the number of consecutive terms that officers may serve.

4- **Functions.** The Plan Teams' primary function is to provide the Council with the best available scientific information, including scientifically based recommendations regarding appropriate measures for the conservation and management of the BS/AI and GOA groundfish fisheries.

1- **SAFE report.** The Plan Teams compile SAFE reports for the BS/AI and GOA groundfish fisheries on an annual basis. The SAFE reports provide the Council with a summary of the most recent biological condition of the groundfish stocks and the social and economic condition of the fishing and processing industries. The SAFE reports summarize the best available scientific information concerning the past, present, and possible future condition of the groundfish stocks and fisheries, along with ecosystem considerations. This includes recommendation of acceptable biological catch and, where appropriate, total allowable catch levels. All recommendations must be designed to prevent overfishing while achieving optimum yield (National Standard 1). All recommendations must also be scientifically based (National Standard 2), drawing upon the Plan Teams' expertise in the areas of regulatory management, natural and social science, mathematics, and statistics. Finally, uncertainty must be taken in account wherever possible (National Standard 6).

2- **Plan amendments.** The Plan Teams may also play a role in the development and evaluation of amendments to the BS/AI and GOA groundfish fishery management plans.

1- The Plan Teams may evaluate amendment proposals and forward their recommendations to the Plan Amendment Advisory Group, on which the Plan Team chairpersons serve.

2- In addition, the Plan Teams may develop their own amendment proposals.

3- Once an amendment proposal has been accepted for consideration by the Council, an analytical team may be assembled by the responsible agencies. Every analytical team should include at least one member from one or both Plan Teams, drawn from the appropriate working group(s), whenever possible.

4- Once an amendment analysis has been completed, it may be reviewed by the Plan Teams. The Plan Teams' comments, if any, are then forwarded to the SSC, AP, and Council.

Gulf of Alaska Groundfish Plan Team Recommendations
2003 Specifications and Recommendations for 2004 Final Specifications (mt)

Species	Area	2003 Biomass	2003 OFL	2003 ABC	2003 TAC	2003 *Catch	2004 Biomass	2004 OFL	2004 ABC
Pollock	W (61)			16,788	16,788	16,574			22,930
	C (62)			19,685	19,685	19,504			26,490
	C (63)			10,339	10,339	12,283			14,040
	WYAK		69,410	1,078	1,078	943			1,280
	SubTotal	670,410	69,410	47,890	47,890		740,440	91,060	64,740
	EYAK/SEO	28,710	8,610	6,460	6,460	0	28,980	8,690	6,520
	Total	699,120	78,020	54,350	54,350	49,304	769,420	99,750	71,260
Pacific Cod	W			20,600	15,450	16,108			22,610
	C			29,000	22,690	24,549			35,800
	E			3,200	2,400	66			4,400
	Total	452,000	70,100	52,800	40,540	40,723	484,000	102,000	62,810
Sablefish	W			2,570	2,570	2,058			2,930
	C			6,440	6,440	6,957			7,300
	WYAK			2,320	2,320	1,801			2,550
	SEO			3,560	3,560	3,179			3,770
	Total	182,000	20,020	14,890	14,890	13,995	179,000	22,160	16,550
Deep water flatfish[1]	W			180	180	28			310
	C			2,220	2,220	903			2,970
	WYAK			1,330	1,330	2			1,880
	EYAK/SEO			1,150	1,150	3			910
	Total	68,260	6,430	4,880	4,880	936	99,620	8,010	6,070
Rex sole	W			1,280	1,280	763			1,680
	C			5,540	5,540	2,642			7,340
	WYAK			1,600	1,600	1			1,340
	EYAK/SEO			1,050	1,050	1			2,290
	Total	71,330	12,320	9,470	9,470	3,407	99,950	16,480	12,650
Shallow water flatfish[2]	W			23,480	4,500	192			21,580
	C			21,740	13,000	4,289			27,250
	WYAK			1,160	1,160	0			2,030
	EYAK/SEO			2,960	2,960	3			1,210
	Total	349,990	61,810	49,340	21,620	4,484	375,950	63,840	52,070
Flathead sole	W			16,420	2,000	496			13,410
	C			20,820	5,000	1,725			34,430
	WYAK			2,900	2,900	0			3,430
	EYAK/SEO			1,250	1,250	0			450
	Total	132,260	51,560	41,390	11,150	2,221	292,670	64,750	51,720
Arrowtooth flounder	W			17,990	8,000	8,120			23,590
	C			113,050	25,000	20,412			151,840
	WYAK			18,190	2,500	40			10,590
	EYAK/SEO			5,910	2,500	45			8,910
	Total	1,302,000	181,390	155,140	38,000	28,617	2,453,390	228,130	194,930

Species	Area	2003 Biomass	2003 OFL	2003 ABC	2003 TAC	2003 *Catch	2004 Biomass	2004 OFL	2004 ABC
Other Slope rockfish	W			90	90	130			40
	C			550	550	698			300
	WYAK			270	150	226			130
	EYAK/SEO			4,140	200	18			3,430
	Total	107,960	6,610	5,050	990	1,072	89,460	5,150	3,900
Northern rockfish	W			890	890	530			770
	C			4,640	4,640	4,771			4,100
	E[3]			0	0	0			0
	Total	108,830	6,560	5,530	5,530	5,301	95,150	5,790	4,870
Pacific ocean perch	W		3,220	2,700	2,700	2,139	50,430	2,990	2,520
	C		10,120	8,510	8,510	8,000	167,901	9,960	8,390
	WYAK			810	810	606	16,610		830
	SEO			1,640	1,640	0			1,600
	E		2,900				32,019	2,890	
	Total	298,820	16,240	13,660	13,660	10,745	266,960	15,840	13,340
Shortraker/ rougheye	W			220	220	238			340
	C			840	840	935			870
	E			560	560	387			550
	Total	66,830	2,340	1,620	1,620	1,560	73,000	2,510	1,760
Pelagic shelf rockfish	W			510	510	219			370
	C			3,480	3,480	2,200			3,010
	WYAK			640	640	607			210
	EYAK/SEO			860	860	11			880
	Total	62,500	8,220	5,490	5,490	3,037	57,400	5,570	4,470
Demersal Shelf Rockfish	Total	17,510	540	390	390	229	20,168	690	450
Thornyhead rockfish	W			360	360	339			410
	C			840	840	748			1,010
	E			800	800	98			520
	Total	85,760	3,050	2,000	2,000	1,185	86,200	2,590	1,940
Atka Mackerel	Total	unk	6,200	600	600	565	unk	6,200	600
Skates									
Big and longnose skates	W						12,940		970
	C						59,720		4,480
	E						21,190		1,590
	Total		NA	NA	NA	NA	93,850		7,040
"other" skates	Total		NA	NA	NA	NA	21,050		1,580
All skates	Total		NA	NA	NA	NA	114,900	10,860	
Other Species	Total	unk	NA	NA	11,260	6,108	unk	NA	NA
Total		414,820	531,410	416,600	236,440	173,489	5,557,238	660,320	508,010

1 "Deep water flatfish" includes Dover sole, Greenland turbot and deepsea sole.
2 "Shallow water flatfish" includes rock sole, yellowfin sole, butter sole, starry flounder, English sole, Alaska plaice, and sand sole.
3 The EGOA ABC of 5 mt for northern rockfish has been included in the WYAK ABC for other slope rockfish.
NOTE: ABCs and TACs are rounded to nearest 10 mt.
*2003 catch data through 11/08/03;

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 03–3648; MB Docket No. 03–238; RM–10820]

Radio Broadcasting Services; Lancaster and Pickerington, OH

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comment on a petition for rulemaking filed on behalf of Franklin Communications Inc., licensee of Station WJZA(FM), Lancaster, Ohio, requesting the reallotment of Channel 278A from Lancaster, Ohio, to Pickerington, Ohio, as the community's first local transmission service, and the modification of the license for Station WJZA(FM) to reflect the changes. Channel 278A can be reallotted at Pickerington at a site 8.8 kilometers (5.4 miles) northeast of the community at coordinates 39–56–39 NL and 82–41–14 WL.

DATES: Comments must be filed on or before January 15, 2004, and reply comments on or before January 30, 2004.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Victoria M. McCauley, Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 03–238, adopted November 14, 2003, and released November 17, 2003. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY–A257, 445 Twelfth Street, SW., Washington, DC. This document may also be purchased from the Commission's duplicating contractors, Qualex International, Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone 202–863–2893, or via e-mail *qualexint@aol.com*.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. *See* 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, *see* 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR Part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Ohio, is amended by removing Channel 278A at Lancaster and adding Pickerington, Channel 278A.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 03–29861 Filed 12–1–03; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[I.D. 111903A]

RIN 0648–AR73

Fisheries of the Exclusive Economic Zone Off Alaska; Skates Management in the Groundfish Fisheries of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability; request for comments.

SUMMARY: The North Pacific Fishery Management Council (Council) has submitted Amendment 63 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). If approved, Amendment 63 would move skates from the "other species" list to the "target species" list in the FMP. By listing skates as a target species, a directed fishery for skates in the Gulf of Alaska (GOA) may be managed to reduce the potential for overfishing skates. This action is intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the FMP, and other applicable laws. Comments from the public are welcome.

DATES: Comments on Amendment 63 must be submitted by February 2, 2004.

ADDRESSES: Comments on the FMP amendment should be sent to Sue Salveson; Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Durall, or delivered to room 420 of the Federal Building, 709 West 9th Street, Juneau, AK. Comments also may be sent via facsimile (fax) to 907–586–7557. Comments will not be accepted if submitted via e-mail or Internet. Copies of Amendment 63 and the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) for the amendment may be obtained from the same address.

FOR FURTHER INFORMATION CONTACT: Melanie Brown, 907–586–7228 or *melanie.brown@noaa.gov*.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Act requires that each Regional Fishery Management Council submit any FMP amendment it prepares to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP amendment, immediately publish a notice in the **Federal Register** that the amendment is available for public review and comment.

The Council unanimously adopted Amendment 63 in October 2003. If approved by NMFS, this amendment would move skates from the "other species" list to the "target species" list, allowing the management of skates as a target species. NMFS trawl survey and catch information show that of the 14 skate species occurring in the Gulf of Alaska, the majority of the catch is made up of big and longnose skate species. The big skates and longnose skates would be listed under the skates category in the target species list to allow for management of these individual species.

Skates currently are managed as part of the other species complex with sharks, sculpins, octopus, and squid. The total allowable catch limit (TAC) for this complex is five percent of the aggregate of all TACs for target groundfish species or species groups of the GOA. Target species TACs are established for an individual species or species group, and NMFS manages the directed fishery for these species to avoid exceeding the specified TACs.

TACs usually are set at or below the acceptable biological catch (ABC) limits, which are below the overfishing levels (OFLs) for each target species or species group. The other species complex does not have an OFL or ABC limit due to the lack of stock assessment information for most of the species in the complex.

In 2003, a directed fishery for skates rapidly developed in the GOA. The 2003 skates harvest was 3,042 metric tons (mt) compared to 782 mt of skates harvested in 2002. Because skates are managed within the other species complex, the full TAC for the other species complex is available for a directed fishery for skates.

To reduce the potential for overfishing, the Council recommended that skates be managed as a target species. As a target species, OFL, ABC, and TAC amounts for skates would be established by annual harvest specifications, allowing for more effective management of skates based on the best available scientific information. The development of OFL, ABC, and TAC amounts for the 2004 harvest specifications for skates would be based on scientific survey and harvest information from 2003 and prior years. Managing a directed fishery for skates so that OFL, ABC, and TAC amounts are not exceeded would reduce the potential for overfishing and would meet the conservation objectives of the Magnuson-Stevens Act.

Public comments are being solicited on proposed Amendment 63 through the end of the comment period stated (see DATES). A proposed rule that would implement the amendment may be published in the **Federal Register** for public comment at a later date. Public comments on the proposed rule must be received by the end of the comment period on the amendment in order to be considered in the approval/disapproval decision on the amendment. All comments received by the end of the comment period on the amendment, whether specifically directed to the amendment or to the proposed rule, will be considered in the approval/disapproval decision. Comments received after that date will not be considered in the approval/disapproval decision on the amendment. To be considered, comments must be received not just postmarked or otherwise transmitted by close of business on the last day of the comment period.

Dated: November 25, 2003.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 03–29940 Filed 12–1–03; 8:45 am]

BILLING CODE 3510–22–S

Table 10. Recommended Pacific halibut discard mortality rates (DMRs) for calculating bycatch mortality in the 2004-2006 groundfish fisheries off Alaska.

Bering Sea/Aleutians			Gulf of Alaska		
Gear/Target	Used In 2001-2003	Recommendation for 2004-2006	Gear/Target	Used In 2001-2003	Recommendation for 2004-2006
Trawl			***Trawl***		
Atka mackerel	76	78	Atka mackerel	70	60
Bottom pollock	76	76	Bottom pollock	61	59
Pacific cod	68	68	Pacific cod	61	61
Other Flatfish	71	71	Deep wtr flats	60	57
Rockfish	69	74	Shallow wtr flats	69	68
Flathead sole	67	67	Rockfish	69	67
Pelagic pollock	84	85	Flathead sole	58	62
Rock sole	76	77	Pelagic pollock	72	75
Sablefish	50	49	Sablefish	66	62
Turbot	70	72	Arrowtooth fldr	62	69
Yellowfin sole	81	78	Rex sole	62	62
Pot			***Pot***		
Pacific cod	9	8	Pacific cod	14	17
Longline			***Longline***		
Pacific cod	12	11	Pacific cod	14	13
Rockfish	25	16	Rockfish	8	8
Turbot	16	15			
	Used in 2003	**Recommendation for 2004**			
CDQ Trawl					
Atka mackerel	80	85			
Bottom pollock	90	85			
Flathead sole	90	90			
Pelagic pollock	89	89			
Rockfish	90	90			
Yellowfin sole	81	82			
CDQ Longline					
Pacific cod	11	11			
Turbot	-	4			
CDQ Pot					
Pacific cod	2	2			
Sablefish	46	36			

D-1a
Jim Ayers

OCEANA
175 South Franklin Street, Suite 418
Juneau, AK 99801

The Ocean Conservancy
425 G Street, Suite 400
Anchorage, AK 99501

December 11, 2003

Ms. Stephanie Madsen, Chair
North Pacific Fishery Management Council
605 W. Fourth Avenue, Suite 306
Anchorage, AK 99501-2252

Dr. James Balsiger, Regional Adminisrator
NOAA Fisheries, Alaska Region
709 West Ninth Street
Juneau, AK 99802-1668

Re: 2004 Total Allowable Catch Specifications

Dear Ms. Madsen and Dr. Balsiger:

Thank you for the opportunity to comment on the 2004 Total Allowable Catch specifications and continue to work with the Council to develop a comprehensive ecosystem-based management approach for North Pacific fisheries. The Magnuson-Stevens Act requires each Fishery Management Plan to prevent overfishing, and to minimize adverse effects on essential fish habitat (EFH) caused by fishing, minimize bycatch and the mortality of bycatch which cannot be avoided, to the extent practicable. 16 U.S.C. § 1853(a)(1)(a),(7), (11). As we have noted in prior correspondence, the BSAI and GOA groundfish Fishery Management Plans do not yet meet these mandates.

The 2004 total allowable catch (TAC) specifications implement these Fishery Management Plans, but continue to allow overfishing and destruction of designated EFH and fail to minimize bycatch and mortality of unavoidable bycatch. The Council-commissioned "Scientific Review of the Harvest Strategy Currently Used in the BSAI and GOA Groundfish Fishery Management Plans" noted several concerns with the Council's current catch policies. Chief among them are concerns that the catch rate may be too high for rockfish. The Council has yet to take any management action in response to this report. We have been involved in a number of discussions and have made numerous presentations concerning destruction of Essential Fish Habitat and practicable mitigation alternatives, but the Council and agency have taken no action to date to mitigate the damage. We have explained in other correspondence our concerns about the serious limitations of the IR/IU program. These concerns are exacerbated by the Council and agency's recent actions regarding flatfish retention. We are disappointed that insufficient action on these issues has been taken to date.

We reiterate that it would be illegal to allocate a directed fishing allowance to the Aleutian Islands pollock fishery without first going through a detailed National Environmental Policy Act analysis of the environmental effects of opening a fishery that has effectively been closed for five years. The TAC Specifications Environmental Assessment in no way meets this legal obligation. We also believe that re-opening such a fishery would require a new Section 7 Endangered Species Act consultation. We specifically request that the Council and agency continue to permit only bycatch amounts of pollock in the Aleutian Islands.[i]

In addition, the *Environmental Assessment for the 2004 TAC Specifications* fails to provide the public with a full and fair analysis of the consequences of implementing the 2004 TAC specifications. Each individual groundfish stock assessment chapter includes an ecosystem assessment of the recommended TAC specification. Done correctly, this is a vital component of the TAC setting process. However, many of the individual groundfish chapters lack consideration of important ecosystem effects. For example, the chapter on Aleutian Pacific Ocean Perch makes no reference to effects of the fishery on benthic habitat, yet removal of living substrate in this fishery is well documented (Table 4.1-8 DPSEIS). Similarly, the chapter on Bering Sea yellowfin sole indicates that effects of the fishery on benthic habitat are of "no

concern." This fishery, however, has one of the highest recorded bycatch levels of HAPC invertebrates (Table 4.1-8 DPSEIS). Without such information and analyses, the Environmental Assessment fails to meet its legal purpose. We expect that the final Environmental Assessment will be improved to provide the public and the decisionmaker with the facts and analysis necessary to make an informed decision.

As you make decisions about the 2004 TAC specifications, we urge you to be mindful of your legal obligations under the Magnuson Act, the National Environmental Policy Act, and the Endangered Species Act. We look forward to continuing our work with you to develop a comprehensive ecosystem-based management approach for the North Pacific fisheries. It would be irresponsible for us to sit silently and complacently while decisions are made that we believe do not provide for sustainable fisheries or a sustainable existence.

Sincerely,

Jim Ayers
Pacific Region Director
Oceana

Sincerely,

Kris Balliet
Alaska Regional Director
The Ocean Conservancy

[i] See Ayers et al to Benton and Balsiger ltr dtd September 24 2002

PUBLIC TESTIMONY SIGN-UP SHEET FOR AGENDA ITEM D-1 (a) GOA Specs

	NAME (PLEASE PRINT)	AFFILIATION
1	GERRY MERRIGAN	PROWLER FISHERIES
2	Julie Bonney	AGPB
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NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person " to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.