

ENVIRONMENTAL ASSESSMENT /REGULATORY IMPACT REVIEW
for the Extension and Revision of the Emergency Interim Rule for 2001 Harvest Specifications for the
Alaska Groundfish Fisheries
and for Steller Sea Lion Protective Fisheries Management Measures

Implemented Under the Authority of the
Fishery Management Plans
for the
Groundfish Fishery of the Bering Sea and Aleutian Islands Area
and
Groundfish of the Gulf of Alaska

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Abstract: This Environmental Assessment/Regulatory Impact Review analyzes the impacts of extension and revision of the January 22, 2001 emergency interim rule (66 FR 7276) establishing the 2001 harvest specifications and Steller sea lion protection measures for the groundfish fisheries of the Bering Sea, Aleutian Islands and Gulf of Alaska. Groundfish harvesting will continue for the remainder of 2001 according to the harvest levels set for target species and limits set for prohibited species in January 2001. The harvest of pollock, Atka mackerel and Pacific cod will be further managed with temporal and spatial dispersion of harvest and protection of Steller sea lion critical habitat as recommended by the North Pacific Fishery Management Council and approved by the Department of Commerce Secretary. Protection measures are needed to mitigate the potential for jeopardy to Steller sea lions or adverse modification to their critical habitat by federal groundfish fishing activities. Additional detailed analysis of Steller sea lion protection measures will be in an environmental impact statement available in late 2001.

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EXECUTIVE SUMMARY

The federal action is extension and revision of an emergency interim rule establishing harvest specifications for the groundfish fisheries during the second half of calendar year 2001 and to implement Steller sea lion protection measures in the Bering Sea/Aleutian Islands management area (BSAI) and Gulf of Alaska (GOA). The purpose of this Environmental Assessment/Regulatory Impact Review (EA/RIR) is to assess the potential impacts on the human environment from the continuation of the annual fisheries specifications established in January 2001 and from continuation and revision of the Steller sea lion protection measures. Federal action is necessary to provide harvesting management of groundfish fisheries in the BSAI and the GOA through 2001 while providing protection to endangered Steller sea lions west of 144°W longitude. Portions of this EA/RIR reference the analysis prepared on groundfish fishing under various levels of TAC (total allowable catch) which was provided in a supplemental environmental impact statement (NMFS 1998a) prepared to supplement the original Environmental Impact Statements (EISs) for the Fishery Management Plans for the GOA and BSAI area.

The National Marine Fisheries Service (NMFS) acknowledges that Steller sea lion mitigation measures must be continued through 2001 for the BSAI and GOA groundfish fisheries to avoid jeopardy and adverse modification of critical habitat. The November 30, 2000 biological opinion (2000 Biop) (NMFS 2000d) contained a reasonable and prudent alternative (RPA) for the groundfish fisheries to avoid jeopardy and adverse modification of the Steller sea lion critical habitat. In accordance with Public Law 106-554, these measures are being phased-in in 2001, with full implementation of the 2000 Biop RPA by 2002, as revised if necessary and appropriate based on independent scientific review, after new information or other amendments to the fishery management plans for the GOA and BSAI area. The 2001 measures are implemented through emergency interim rulemaking. This EA/RIR analyzes the potential impacts for the remainder of 2001 of continuing the phase in of Steller sea lion management measures contained in the November 30, 2000 Biological Opinion with several modifications recommended by the Council. An environmental impact statement (EIS) and Endangered Species Act (ESA) Section 7 consultation are being prepared for the 2002 Steller sea lion protection measures currently being developed by the North Pacific Fishery Management Council (Council). The 2002 EIS will contain more detailed analysis and will be available for public review in late 2001.

This EA/RIR updates the information available and pertinent to extending the harvest specifications and pertinent to the revision and extension of the Steller sea lion protection measures. Addressed in this EA/RIR are potential impacts from continuation of groundfish harvest under the 2001 harvest specifications and from Steller sea lion mitigation measures on target groundfish species, prohibited species such as crab and halibut, non-target species such as forage fish, marine mammals, seabirds, ESA listed species, marine habitat, and socioeconomic conditions. Harvesting groundfish at the 2001 specifications level is not anticipated to have adverse impacts on most aspects of the human environment when done in combination with the Steller sea lion protection measures. The TAC limits for target species keep the groundfish harvest at a level that protects the target species stocks from adverse impact. Most of the prohibited species are protected by prohibited species catch (PSC) bycatch limits and special "savings" area closures. Salmon may have increased levels of bycatch in the southeastern Bering Sea under the action because of the opening of a portion of the Steller sea lion conservation area to trawl fishing, but this opening may make it possible to reduce chum salmon bycatch by providing additional areas for fishing. Not enough information is known about the species not targeted for harvest in the groundfish fisheries to determine if the action will have an effect. Most marine mammals and seabirds species are not anticipated to be adversely impacted by the action. The State of Alaska pollock, Pacific cod, herring and salmon fisheries need to be further examined to determine if any potentially adverse

cumulative direct and indirect effects on Steller sea lions may result from possible lack of dispersal of state harvest over area and time and lack of protection zones around most haulouts.

Species listed under the ESA are present in the action area and some may be negatively affected by this action. NMFS concluded in the 2000 Biop that the endangered western population of Steller sea lions was in jeopardy or risk of adverse modification of its habitat with implementation of the groundfish fisheries. The Steller sea lion protection measures in this action are intended to avoid jeopardy or adverse modification of Steller sea lion critical habitat. Consultations under Section 7 of the ESA were also initiated for the endangered short-tailed albatross using the TAC specifications to be established for calendar year 2001 to 2004. The USFWS has extended the 1999-2000 Biological Opinion, which had a finding of no jeopardy or adverse modification of habitat for listed seabird, until the 2001 to 2004 consultation is completed.

Additional information on the status of groundfish stocks, economic status of groundfish fisheries off Alaska, ecosystem consideration, and essential fish habitat is located in a number of documents referenced in this EA/RIR. The status of groundfish stocks was reviewed by the Plan Teams for the groundfish fisheries of the BSAI and GOA at their November 2000 meeting, and is presented in the Stock Assessment and Fishery Evaluation (SAFE) Reports for the Groundfish Resources of the BSAI and GOA as Projected for 2001 (NPFMC 2000a and 2000b). The economic status of the groundfish fisheries off Alaska are updated (Hiatt, and Terry, 2000). Ecosystem considerations are also updated for use by plan team and the Council (NPFMC 2000a, appendix D). An assessment of impacts to essential fish habitat is contained in Appendix E of the 2000 Groundfish EA (NMFS 1999d). NMFS has also released for public review the draft programmatic Supplemental Environmental Impact Statement (NMFS 2001). All of this information was available to members of the Council, its Scientific and Statistical Committee, and Advisory Panel, and the general public during deliberations on the continuation of the harvest specification and the revision and continuation of Steller sea lion protection measures.

Provisions of this federal action include:

- (1) Extend the 2001 harvest specifications contained in the emergency interim rule (66 FR 7276, January 22, 2001, corrected 66 FR 15656, March 20, 2001, and amended 66 FR 17083 and 17087, March 29, 2001);
- (2) Establish the Chiniak Gully pollock fisheries research program;
- (3) Revise protection areas either open or closed to fishing for pollock, Pacific cod (P. cod), and Atka mackerel (figure 2.2), except for BSAI and GOA jig boats and vessels under 60 feet length overall (LOA) in the BSAI and portions of the GOA using pot or hook-and-line gear;
- (4) Establish and continue three nm no fishing zones around all haulouts sites except for BSAI and GOA jig boats and vessels under 60 feet LOA in the BSAI using pot or hook-and-line;
- (5) Establish and continue three nm no-fishing zones around all rookeries;
- (6) Delay the second season opening date for the GOA Pacific cod fisheries (all gear) and the BSAI Pacific cod fisheries by vessels equal to or greater than 60 feet LOA and using either pot or hook-and-line gear (Table 2.2);
- (7) Continue the global control rule used for establishing harvest limits for pollock, P. cod and Atka mackerel limited to no more than 10 % reduction in the TAC (affects GOA pollock only for 2001);
- (8) Eliminate the Steller sea lion conservation area pollock harvest limit in the BSAI; and
- (9) Continue critical habitat harvest limits for Atka mackerel in the Aleutian Islands.

1.0 PURPOSE AND NEED FOR ACTION

This document is an environmental assessment/regulatory impact review (EA/RIR) analyzing the revision and extension of the emergency interim rule effective January 18, 2001 (66 FR 7276, January 22, 2001). The emergency rule was corrected March 20, 2001 (66 FR 15656) and amended March 29, 2001 and June XX, 2001 (66 FR 17083 and 17087, March 29, 2001 and 66 FR XXXX, June XX, 2001). This document analyzes the environmental and socioeconomic impacts of the federal action on the human environment. The main features of this document are the purpose and need of the action, the description of the alternative actions, the description of the affected environment, the impacts of the alternatives on the environment and the socioeconomic impacts of the alternatives.

1.1 Purpose and Need

The purpose of this federal action is the extension and revision of emergency interim regulations (66 FR 7276, January 22, 2001, corrected 66 FR 15656, March 20, 2001 and amended 66 FR 17083 and 17087, March 29, 2001). This action will: a) extend the 2001 harvest specifications to the end of 2001, b) extend selected Steller sea lion protection measures, and c) revise selected Steller sea lion protection measures. Federal action is necessary to provide harvesting management of groundfish fisheries in the BSAI and the GOA through 2001 while providing protection to endangered Steller sea lions west of 144°W longitude. By taking this action, NMFS will be able to meet the objectives to establish a mechanism to manage fisheries after July 17, 2001, to continue 2001 groundfish fisheries based upon 2001 harvest specifications, and to implement Steller sea lion protection measures consistent with the objectives of the reasonable and prudent alternative (RPA) in the November 30, 2000 Biological Opinion (2000 Biop) (NMFS 2000d). The objectives and alternative actions are explained in more detail in section 2.0.

1.2 Statutory Background

When managing the BSAI and GOA groundfish fisheries, NMFS must comply with a number of statutes and Executive Order 12866. NMFS must comply simultaneously with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the American Fisheries Act (AFA), the Endangered Species Act (ESA), the National Environmental Policy Act (NEPA), the Administrative Procedures Act, the Regulatory Flexibility Act and Executive Order 12866. Detailed in section 1.3, Public Law 106-554 was added late in 2000 and also affects this federal action. These statutes and order contain the requirements and the processes which must be applied to fisheries management actions and analyses. Revising and extending the January 18, 2001 emergency interim rule (66 FR 7276, January 22, 2001) is a federal action that affects the management of the BSAI and GOA groundfish fisheries and, therefore, NMFS must comply with the statutes and orders listed above. Processes for developing management measures and analyzing the effects of the measures are detailed in the statutes summarized below.

1.2.1 Magnuson-Stevens Act

Under the Magnuson-Stevens Act, the United States has exclusive fishery management authority over all marine fishery resources found within the exclusive economic zone (EEZ) which extends to between 3 and 200 nautical miles from the baseline used to measure the territorial sea. The management of these marine resources is vested in the Secretary of Commerce (Secretary) and in Regional Fishery Management Councils. In the Alaska Region, the North Pacific Fishery Management Council (Council) has the responsibility to prepare fishery management plans (FMPs) for the marine fisheries it finds that require conservation and management. The NMFS is charged with carrying out the federal mandates of the Department of Commerce with regard to marine fish. NMFS Alaska Regional Office and Alaska

Fisheries Science Center provides research, analysis and technical support for management actions recommended by the Council.

The Magnuson-Stevens Act requires FMPs to specify the optimum yield from each fishery, that is the yield which would provide the greatest benefit to the Nation. The FMPs also must specify the level of fishing that would constitute overfishing. Using the framework of the FMPs and current information about the marine ecosystem (stock status, natural mortality rates, and oceanographic conditions), the Council recommends total allowable catch limits (TAC) for each species based on biological determinations of acceptable biological catch (ABC) and over fishing level (OFL) amounts, as modified by socioeconomic and ecological considerations. Annual specification of the groundfish TACs is required by regulations at 50 CFR 679.20(c).

Harvest specifications are determined by the Council and recommended to the Secretary annually. The process to establish harvest specifications involves gathering and analysis of groundfish information, public review, Council recommendations, and NMFS rulemaking. NMFS and the Alaska Department of Fish and Game (ADF&G) collect data for stock assessments annually, biennially or triennially, depending on the target species. Using stock assessments prepared annually by NMFS and the Alaska Department of Fish and Game (ADF&G), the Council's Groundfish FMP Teams (Plan Teams) calculate biomass, ABC, and OFL for each species or species group, as appropriate, for each of the various geographic areas of the Alaska EEZ that are open to harvest. The Plan Teams' rationale, models, and resulting ABC and OFL calculations are documented in the Stock Assessment and Fishery Evaluation (SAFE) reports. Generally, the Plan Teams meet in September and November each year. Preliminary SAFE reports are produced by the end of September and final SAFE reports by the end of November. In 2000, preliminary SAFE reports were not produced because the Plan Teams had no new information relative to the previous year's SAFE reports with which to produce preliminary 2000 SAFE reports.

The 2000 SAFE reports (NPFMC 2000a and NPFMC 2000b) incorporate biological survey work completed during the summer of 2000, any new methodologies applied to obtaining these data, and ABC and OFL determinations that are based on the most recent stock assessments. SAFE reports also include projected biomass trends, assumed distributions of stock biomass, and revised technical methods used to calculate stock biomass. At its December 2000 meeting, the Council, its Advisory Panel (AP), Scientific and Statistical Committee (SSC), and the public reviewed the SAFE reports and made 2001 harvest recommendations for groundfish stocks in the respective fishing areas. Most of the Council's recommendations and other provisions were implemented by emergency interim rule in January 2001 (66 FR 7276, January 22, 2001). Emergency interim rules are effective for six months and may be extended for an additional six months as described in section 305(c) of the Magnuson-Stevens Act. This action includes the extension of the 2001 harvest specifications for management of the groundfish fisheries as required by the Magnuson-Stevens Act.

1.2.2 Endangered Species Act

The Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 et seq.; ESA), provides the primary legal framework for the conservation and recovery of species in danger of or threatened with extinction. The purposes of the ESA include “to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, [and] to provide a program for the conservation of such endangered species and threatened species ...” (16 U.S.C. § 1531(b)). Section 7(a)(2) of the ESA requires that each Federal agency ensure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of critical habitat of such species. When the action of a Federal agency may affect a protected species or its critical habitat, that agency (i.e., the “action” agency) is required to consult with either the NMFS or the U.S. Fish and Wildlife Service (USFWS), depending upon the protected species or critical habitat that may be affected. Section 7(b) of the ESA requires the Services to summarize consultations in biological opinions that detail how actions may affect threatened or endangered species and designated critical habitat.

On November 30, 2000, a biological opinion (2000 Biop) was released by NMFS for the consultation on the authorization of groundfish fisheries in the BSAI and GOA (NMFS 2000d). The consultation determined that the western stock of Steller sea lion is jeopardized or subject to adverse modification of its habitat by the authorization of the groundfish fisheries in BSAI and GOA. The biological opinion includes a reasonable and prudent alternative (RPA) consisting of a number of fisheries management components to mitigate the impacts of the groundfish fisheries on the western population of Steller sea lion. This federal action includes the implementation of management measures consistent with the objectives of the RPA as well as the one year phase in of the implementation of the RPA required under Public Law 106-544 (See section 1.3). Much of the 2000 Biop discussion and analysis of the impacts of the groundfish fishery on endangered species, including Steller sea lions, is adopted in this EA/RIR. A new consultation will be initiated for the 2002 Steller sea lion protection measures.

1.2.3 National Environmental Policy Act

An EA is prepared pursuant to NEPA to determine whether an action will result in significant effects on the human environment. If the environmental effects of the action are determined not to be significant based on an analysis of relevant considerations, the EA and resulting finding of no significant impact are the final environmental documents required by NEPA. If an analysis concludes that the action is a major Federal action significantly affecting the human environment, an environmental impact statement must be prepared.

An EA must include a discussion of the purpose and need for the action, the environmental impacts of the proposed action, and a list of agencies and persons consulted. The purpose and need are discussed in section 1. The federal action and alternatives are in section 2. Section 3 contains a description of the status of the environment. Section 4 contains the discussion of the environmental impacts that will result from the federal action on the human environment. Section 5 reviews potential cumulative effects and section 6 is the Regulatory Impact Review including socioeconomic information. Section 8 contains the list of preparers and agencies consulted.

The purpose of this EA/RIR is to analyze the impacts of extension and revision of the emergency interim rule for the 2001 harvest specifications and Steller sea lion management measures. The harvest specification analysis of this EA/RIR references the broader analysis of groundfish fishing under various levels of TAC specifications which was documented in a supplemental environmental impact statement (SEIS), (NMFS 1998a) prepared to supplement the original Environmental Impact Statements (EISs) for

the Fishery Management Plans for the Gulf of Alaska (GOA) (NPFMC 1978) and Bering Sea and Aleutian Islands (BSAI) (NPFMC 1981). NMFS notes that in a July 8, 1999 order, amended on July 13, 1999, the Court in Greenpeace, et al., v. NMFS, et al., Civ No. 98-0492 (W.D. Wash.) held that the SEIS did not adequately address aspects of the GOA and BSAI groundfish fishery management plans other than TAC setting, and therefore was insufficient in scope under NEPA. In response to the Court's order, NMFS has prepared a draft programmatic SEIS for the GOA and BSAI groundfish fishery management plans which is available for public review and comment until June 25, 2001 (NMFS 2001). Notwithstanding the less expansive scope of the 1998 SEIS, NMFS believes that the discussion of impacts and alternatives in the SEIS is directly applicable to the extension of the annual harvest specifications to be analyzed in this EA/RIR. Therefore, this EA/RIR adopts the discussion and analysis in the SEIS (NMFS 1998a) for the harvest alternative.

The draft programmatic SEIS (NMFS 2001) also contains analysis of a fisheries management policy framework that emphasizes increased protection of marine mammals and seabirds, and of Steller sea lions in particular. An EIS is being developed for the implementation of the Steller sea lion protection measures in 2002 and beyond. The draft will be available in late 2001. Several draft and final environmental assessments have been prepared to describe the impacts of implementing similar suites of fishery management measures to mitigate Steller sea lion conservation concerns. These EAs include:

- Environmental Assessment, January 1999, for the first emergency interim rule to implement Reasonable and Prudent Alternatives from the 1998 NMFS Biological Opinion (NMFS 1999e);
- Environmental Assessment, July 1999, for the extension of the first emergency interim rule to further implement Reasonable and Prudent Alternatives from the 1998 NMFS Biological Opinion (NMFS 1999f);
- Environmental Assessment, January 2000, for the second emergency interim rule to implement Revised Final Reasonable and Prudent Alternatives from the 1998 NMFS Biological Opinion (NMFS 2000f); and
- Draft Environmental Assessment, August 23, 2000, for management measure to mitigate potential impacts of the Federally managed Bering Sea and Aleutian Islands Area and the Gulf of Alaska Groundfish fisheries for Pacific cod on the endangered western population of Steller sea lions (NMFS 2000b).

Each of the environmental assessments expands the previous analysis, incorporating new information and new alternatives as they became relevant. These documents initially served to inform the Council on the possible environmental and economic consequences of various reasonable and prudent alternative options allowable under the guidelines of the 1998 biological opinion (NMFS 1998b). As such, these environmental assessments show options and sub-options under each alternative that may or may not have been viable actions as required by that biological opinion or the actions presently being analyzed.

1.3 Statutory and Regulatory Changes That Took Place in the Year 2000 and 2001

Regulatory changes and additional statutes applicable to the Alaska groundfish fisheries during the years 2000 and 2001 that have an effect on this action are listed below. For details of inseason actions affecting the groundfish fisheries in the GOA and BSAI see the NMFS Alaska Regional Web site at www.fakr.noaa.gov/infobulletins. From 1997 to the present, all NMFS regulatory actions may be accessed through the NMFS Alaska region website at <http://www.fakr.noaa.gov>.

Public Law 106-554

This statute was signed by the President on December 21, 2000. It requires NMFS to phase in the provisions of the RPA in the 2000 Biop following a one year time table and requires the 2001 Alaskan groundfish fisheries to be managed in accordance with the federal regulations in place before July 15, 2000 (Steller sea lion protection measures at 65 FR 3892, January 25, 2000 and extended 65 FR 36795 June 12, 2000) with modifications recommended by the Council and approved by the Secretary. This law also required that the Global Control Rule used to set total allowable catch (TAC) be limited to no more than a ten percent reduction in the TAC. By January 1, 2002, the 2000 Biop RPA, or a revised RPA based on independent scientific review, Council recommendations, and the Secretary's approval, must be implemented. In January 2001, the Council appointed an RPA committee to develop recommendations for modifications to the Steller sea lion protection measures in the January 18, 2001 emergency interim rule (66 FR 7276, January 22, 2001) and to develop recommendations for Steller sea lion protection measures for 2001 and beyond.

American Fisheries Act

On January 22, 2001, several AFA provisions were implemented by emergency interim rule (66 FR 7327). These provisions include:(1) a revised definition of "qualified catcher vessel" for the purpose of determining eligibility for inshore cooperatives; (2) a revised formula to allocate the Bering Sea and Aleutian Islands Management Area (BSAI) pollock total allowable catch (TAC) among inshore cooperatives; (3) a revised formula for establishing crab processing sideboard limits; (4) revised observer coverage requirements for catcher/processors and motherships participating in the AFA and Community Development Quota program (CDQ) pollock fisheries; and (5) revised authority to publish and manage sideboard limits for groundfish species and groundfish species groups. The 2001 harvest specifications include BSAI pollock allocations and sideboards that were authorized by this AFA emergency rule. The AFA provisions of this rule will be extended by emergency rule in July 2001 and will be implemented permanently along with other major AFA provision in 2002. An environmental assessment was prepared for the emergency rule (NMFS 2000i).

Pacific cod fisheries closure and GOA halibut PSC reallocation

An emergency interim rule amendment was issued to close specified Pacific cod fisheries before the June 10 start date of the B season fisheries (66 FR 31845, June 13, 2001). This action was intended to provide orderly implementation of 2001 Steller sea lion protection measures and was necessary to manage the groundfish fisheries off Alaska in a manner that continued to provide protection to Steller sea lions and their critical habitat. The revisions include the delayed opening of the B season cod fisheries. The halibut PSC allocation in the GOA was also adjusted from June to September to allow for sufficient halibut PSC allotment for the Pacific cod B season fishery (66 FR 34852, July 2, 2001) .

1.4 Project Area

The groundfish fisheries occur in the North Pacific Ocean and Bering Sea in the EEZ from 50°N to 65°N. The subject waters are divided into two management areas; the BSAI area and the GOA. The BSAI groundfish fisheries effectively cover all the Bering Sea under U.S. jurisdiction, extending southward to include the waters south of the Aleutian Islands west of 170° W. longitude to the border of the U.S. EEZ. The GOA FMP applies to the U.S. EEZ of the North Pacific Ocean, exclusive of the Bering Sea, between the eastern Aleutian Islands at 170° W. longitude and Dixon Entrance at 132°40' W. longitude. These regions encompass those areas directly affected by fishing, and those that are likely affected indirectly by the removal of fish at nearby sites. The area effected by the fisheries necessarily includes adjacent State of Alaska and international waters. These harvest specifications and fishery management measures affect groundfish fishing throughout the BSAI and GOA management areas.

Within the BSAI and GOA management areas, a number of haulouts, rookeries and foraging areas have been identified as critical habitat under ESA regulations 50 CFR part 226 for the western population of the Steller sea lion. Details of the locations and extent of the critical habitat areas is in 50 CFR part 226.202.

1.5 Public Participation

This EA/RIR has not been subject to public review prior to submission with the emergency interim rule extension and revision. An earlier version of an environmental assessment when it was scoped only toward the action of setting 2001 harvest specifications was released to the public and reviewed at the NPFMC October 2000 meeting (Agenda item D-1a).

The other environmental analyses listed in section 1.2.3 were developed and alternatives presented with full anticipation of, and opportunity for, public participation in the development of the final management measures to be promulgated. The Pacific cod issue was first presented as a discussion paper at the NPFMC June 2000 meeting (Agenda item C-4a) that outlined data available at that time which indicated the potential for competition. The public and the Council's Advisory Panel provided to NMFS recommendations for additional analyses that would help in further discussions. At that meeting, two public meetings were scheduled; the first occurred in Kodiak, Alaska on June 27, 2000, and the second was held in Seattle, Washington, on June 29, 2000. Notification of these meetings was published in the *Federal Register* on June 21, 2000 (65 FR 38508). Both of these meetings provided additional opportunity for further comment and recommendations.

A public participation process is not required by the ESA for the development of Steller sea lion protection measures. However, the Council has included Steller sea lion protection measures on its agenda at a number of its Council meetings in 2000 and 2001, which are open to the public. The 2000 Biop (NMFS 2000d) was reviewed by the Council at its December 2000 meeting (Agenda item C-5). The Council also held a special meeting January 2001 to address Steller sea lion protection measures and Public Law 106-554. The RPA Committee provided notice in the *Federal Register* and held public meetings in February, March, and April 2001 to develop recommendation for open and closed fishing areas and to revised Steller sea lion protection measures for the second half of 2001. At its April 2001 meeting, the Council made final recommendations on the Steller sea lion protection measures revisions found in the emergency interim rule extension and revision, analyzed in this EA/RIR.

2.0 ACTION AND ALTERNATIVES TO THE ACTION

On July 17, 2001, the emergency interim rule establishing the 2001 harvest specifications and the Steller sea lion protection measures expires (66 FR 7276, January 22, 2001). Regulatory authority must be in place by July 17, 2001, to ensure the management of the groundfish fisheries in the BSAI and GOA. The authority must include the continuation of the 2001 harvest specifications, continuation of selected Steller sea lion protection measures and revision of selected Steller sea lion protection measures as recommended by the Council and approved by the Secretary.

In developing the preferred action and alternatives, NMFS compared each alternative to the following objectives. An alternative must meet each objective to be a reasonable alternative to be analyzed in this EA/RIR.

Objectives

- 1. Establish a “mechanism” to manage fisheries after July 17, 2001.** NMFS must have regulatory authority to provide management and conservation of the groundfish fisheries, as required by the Magnuson-Stevens Act.
- 2. Continue 2001 groundfish fisheries based upon 2001 harvest specifications.** This objective must be met by the action for two reasons: 1) the Magnuson Stevens Act section 301(a) requires the use of best available scientific information for conservation and management of the groundfish fisheries and 2) without an extension of the harvest specifications, the 2001 groundfish fisheries would be disrupted.
- 3. Implement Steller sea lion protection measures consistent with the 2000 Biop RPA:** Public Law 106-554 requires NMFS to phase in the Steller sea lion RPA based on Council recommendation, Secretary approval, and in compliance with the Endangered Species Act. Due to limited analytical time between the Council’s decision and the emergency interim rule expiration, the action must be consistent with the RPA in the 2000 Biop (NMFS 2000d) so that a Section 7 consultation will not be required. The protection measures for the remainder of 2001 must protect at least 75 percent of pups, 50 percent of non-pups and 50 percent critical habitat.

Alternatives are grouped for the harvest specifications and for the Steller sea lion protection measures. Because this action is a continuation of annual harvest specifications that were already recommended by the Council and approved and implemented by NMFS, analysis will be limited to only the continuation of the annual harvest specifications as implemented in the January 18, 2001 emergency interim rule (66 FR 7276, January 22, 2001). The alternatives for harvest specifications and the Steller sea lion protection measures alternatives are limited by the requirements of Public Law 106-554 which allows only the implementation of the fisheries regulations in place before July 15, 2000 and to phase in Steller sea lion protection measures consistent with the 2000 Biop RPA as recommended by the Council and approved by the Secretary.

2.1 Harvest Alternatives

The annual harvest specifications include the limits and allocations that NMFS uses to manage the groundfish fisheries in the BSAI and GOA. Annual limits include total allowable catch (TAC) limits for target species, prohibited species catch (PSC) limits for species prohibited from retention in the groundfish fishery and sideboard limits on the target and prohibited species for AFA fisheries participants. The harvest specifications also include the allocations of these limits to various groundfish

fishery participants. TAC and PSC specifications are determined according to a process described in section 1.2.1, based on current information on both target and prohibited species and scientific interpretation of appropriate harvest quotas using that information. Current information is contained in the year 2000 SAFE reports (NPFMC 2000a and 2000b). Year 2001 harvest specification details may be found in the *Federal Register* 66 FR 7276, published January 22, 2001, corrected 66 FR 15656, March 20, 2001, and amended 66 FR 17083 and 17087, March 29, 2001.

Harvest Alternative 1 (No action alternative): Per Public Law 106-554 section 209(c), the fishery would revert back to the fishery in effect prior to July 15, 2000. Among other changes, the annual TAC would be set back at year 2000 levels. The 2000 TACs are based on the 1999 stock assessments while the 2001 TACs are based on 2000 stock assessment information. This alternative would not result in management based on the best scientific information available, as required by the Magnuson-Stevens Act. The Individual Fishing Quota and Community Development Quota programs for 2001 are based upon 2001 harvest specifications. Changing these specifications at mid year to 2000 levels would be disruptive to these programs, forcing permits to be reissued and contracts to be renegotiated. This alternative will not be further analyzed because it does not meet Objective 2 and is therefore not a reasonable alternative.

Harvest Alternative 2 (Preferred Alternative): This alternative action is the extension of the 2001 harvest specifications contained in the emergency interim rule (66 FR 7276, January 22, 2001, corrected 66 FR 15656, March 20, 2001, and amended 66 FR 17083 and 17087, March 29, 2001). This alternative action includes consideration of the biological condition of the groundfish stocks based upon the most recent stock assessment, effects of the groundfish fisheries on endangered, prohibited, and other species dependant upon the marine environment and their habitat. ABC, TAC and PSC recommendations are based on these considerations, as well as socioeconomic concerns, to achieve optimum yield in the groundfish fisheries. Consideration of public testimony was also of critical importance in arriving at the 2001 harvest specifications recommended by the Council. This alternative also incorporate the Global Control Rule for setting harvest limits as detailed in the 2000 Biop RPA (NMFS 2000d), and the limitations of applying the Global Control Rule to no more than 10% reduction in TAC as required by Public Law 106-554.

This alternative provides the regulatory authority to conserve and manage the groundfish fisheries by extending the emergency interim rule (66 FR 7276, January 22, 2001). By extending the emergency interim rule, this alternative provides continuation of the 2001 harvest specifications and Steller sea lion protection measures which are consistent with the 2000 Biop RPA, making Section 7 consultation on the action unnecessary. This alternative meets all of the objectives and therefore, is the preferred harvest alternative.

2.2 RPA Alternatives

The 2000 Biop contained an RPA to avoid jeopardizing the continued existence of endangered Steller sea lions and adverse modification of their critical habitat. The RPA is based on the temporal and spatial dispersion of the groundfish fisheries to avoid adverse effects of localized depletion of prey, conservative harvest levels to avoid reduction in prey, and the protection of haulouts and rookeries from direct groundfish fisheries interaction. To implement the RPA under Pub. L. 106-554, Steller sea lion protection measures are part of the emergency interim rule (66 FR 7276, January 22, 2001 corrected 66 FR 15656, March 20, 2001 and amended 66 FR 17083 and 66 FR 17087, March 29, 2001). Three alternatives are considered for the Steller sea lion protection measures for the remainder of 2001. These alternatives are:

RPA Alternative 1 (No action alternative): This alternative represents the fishery management regulations as they stood in the year 2000 (65 FR 8282 and 9298, February 18, 2000), subsequent to the AFA provisions (65 FR 39107, June 23, 2000) and the year 2000 Steller sea lion protection measures (65 FR 3892, January 25, 2000 and extended 65 FR 36795 June 12, 2000) but prior to the July 2000 no trawling Court Injunction (Greenpeace vs. NMFS, 106 F. Supp. 2d 1066(W. D. Wash.2000)). The components include:

1. Annual harvest specifications would be set back at year 2000 levels;
2. No trawling zones within 10-20 nm of 37 rookeries year-round;
3. No pollock fishing within 10-20 nm of 75 haulouts, seasonally or year-round based on Steller sea lion use;
4. BSAI pollock: 4 seasons with harvest limits within Steller sea lion critical habitat foraging areas;
5. BSAI pollock: two seasons (40:60 percent allocation) outside critical habitat;
6. BSAI 2001 pollock harvest cap in the Steller sea lion conservation area (SCA) to no more than the amount in mt authorized in the final 2000 harvest specifications;
7. BSAI pollock: continuation of the AFA fisheries cooperative;
8. GOA pollock four seasonal apportionments of 30 percent, 15 percent, 30 percent and 25 percent;
9. Atka mackerel VMS required;
10. Atka mackerel allocated to two equal seasons; and
11. Atka mackerel: restrictions on harvest in critical habitat in Western and Central Aleutian Islands areas.

For reasons specified under harvest alternative one, and because NMFS cannot fall back solely to the 2000 Steller sea lion protection measures without eroding the agency's intent for the 1-year phase-in of the RPA, as required by Public Law 106-554, or without reinitiating Section 7 consultation, this alternative will not be further analyzed. This alternative does not meet objectives 2 or 3 and therefore is not a reasonable alternative.

RPA Alternative 2: Continuation of Steller sea lion protection measures in effect in the emergency interim rule after 12:00 noon ALT, June 10 2001 (66 FR 7276, January 22, 2001, corrected 66 FR 15656, March 20, 2001, amended 66 FR 17083 and 66 FR 17087, March 29, 2001) and addition of the Chiniak Gully pollock fishery research program. This alternative includes:

1. Thirteen protection areas, extending up to 20 nm of selected sites and foraging areas, either open or closed to fishing for pollock, Pacific cod (P. Cod) and Atka mackerel, except for BSAI and GOA jig boats and vessels under 60 feet length overall (LOA) in the BSAI using pot or hook-and-line gear, (Figure 2.1);
2. Three nm no fishing zones around most rookeries;

3. Three nm no fishing zones around most haulouts¹, except for BSAI and GOA jig boats and vessels under 60 feet LOA in the BSAI using pot or hook-and-line gear;
4. Seasonal harvest allocations for pollock, Atka mackerel and P. cod, except for P. Cod for BSAI jig boats and vessels under 60 feet LOA in the BSAI using pot or hook-and-line gear, (Tables 3.4, 3.5, 3.7, and 3.8). Bering Sea pollock and Alaska wide P. cod B season starts June 10 at 12:00 noon;
5. Global control rule used for establishing harvest limits for pollock, P. cod and Atka mackerel limited to no more than 10 percent reduction in the TAC (affects GOA pollock only for 2001);
6. Implement additional trawl fishery closures on the east side of Kodiak Island to support the Chiniak Gully experiment;
6. Continuation of the 2001 harvest specifications; and
7. Critical habitat harvest limits for Atka mackerel in the Aleutian Islands and for Bering Sea pollock in the Steller sea lion conservation area.

This alternative provides the regulatory authority to manage the groundfish fishery by extending the emergency interim rule (66 FR 7276) and provides a continuation of the 2001 groundfish fishery based on 2001 harvest specifications. The provisions in the emergency interim rule are consistent with the 2000 Biop RPA and extending the rule does not require Section 7 consultation. This alternative meets all objectives and is therefore a reasonable alternative.

¹All haulouts designated under 50 CFR 226 or identified by NMFS as an actively used haulout under criteria established in the 1998 biological opinion (NMFS 1998b).

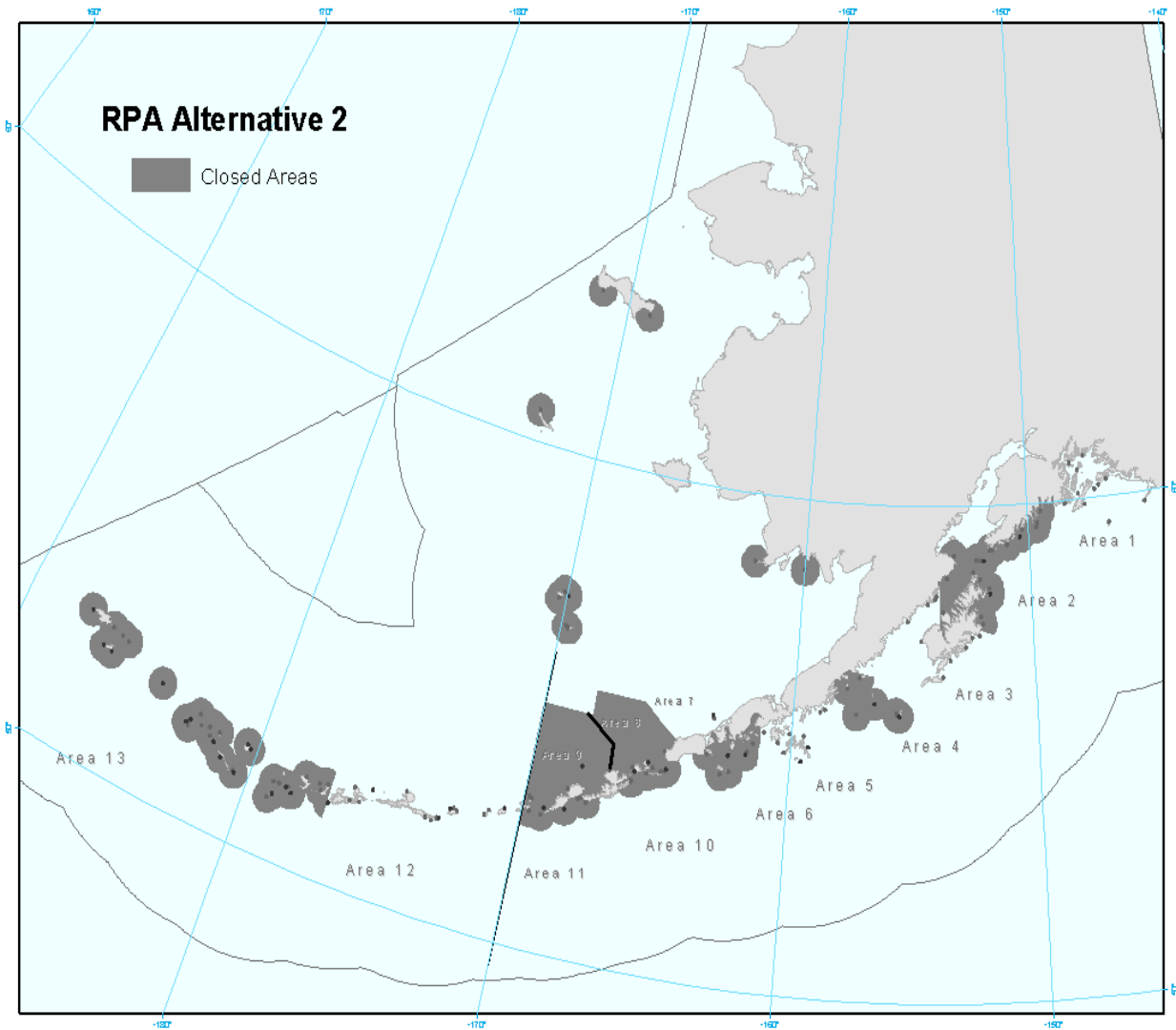


Figure 2.1 RPA Alternative 2 closed areas.

RPA Alternative 3 (Preferred Alternative): Continuation of existing emergency interim rule June 10, 2001 12:00 noon measures (66 FR 7276, January 22, 2001 corrected 66 FR 15656, March 20, 2001, amended 66 FR 17083 and 66 FR 17087, March 29, 2001), establishment of the Chiniak Gully pollock fisheries research program, and revisions based upon April 2001 Council recommendations and NMFS approval. This alternative includes:

1. Revised protection areas either open or closed to fishing for pollock, P. Cod, and Atka mackerel, with exceptions for BSAI and GOA jig boats and vessels under 60 feet LOA in the BSAI and portions of the GOA using pot and hook-and-line (figure 2.2);
2. Three nm no fishing zones around all haulouts² sites except for BSAI and GOA jig boats and vessels under 60 feet LOA in the BSAI and portions of the GOA using pot or hook-and-line;
3. Seasonal harvest allocations for pollock, Atka mackerel and P. cod the same as in RPA alternative 2 except Bering sea pollock is divided over two seasons with no critical habitat seasonal limits (Tables 3.7 and 3.5). P. cod seasons vary by gear type and management areas (Table 2.2). P. cod B season in the Gulf of Alaska and Atka mackerel B season in the Aleutian Islands start September 1. There are no seasons for BSAI P. cod jig or BSAI P. cod vessels under 60 feet LOA using pot or hook-and-line gear;
4. Global control rule used for establishing harvest limits for pollock, P. cod and Atka mackerel limited to no more than 10 % reduction in the TAC (affects GOA pollock only for 2001);
5. Implement additional trawl closures off the east side of Kodiak Island to support the Chiniak Gully experiment;
6. Continuation of the 2001 harvest specifications; and
7. Elimination of the Steller sea lion conservation area pollock limit in the Bering Sea.

This alternative provides the regulatory authority to manage the groundfish fishery by extending the emergency interim rule (66 FR 7276) and provides a continuation of the 2001 groundfish fishery based on 2001 harvest specifications with revisions recommended by the Council. The provision in the emergency interim rule is consistent with the 2000 Biop RPA (NMFS 2000d) and extending the rule does not require Section 7 consultation. This alternative meets all objectives and is therefore a reasonable alternative.

²All haulouts designated under 50 CFR 226 or identified by NMFS as an actively used haulout under criteria established in the 1998 biological opinion (NMFS 1998b).

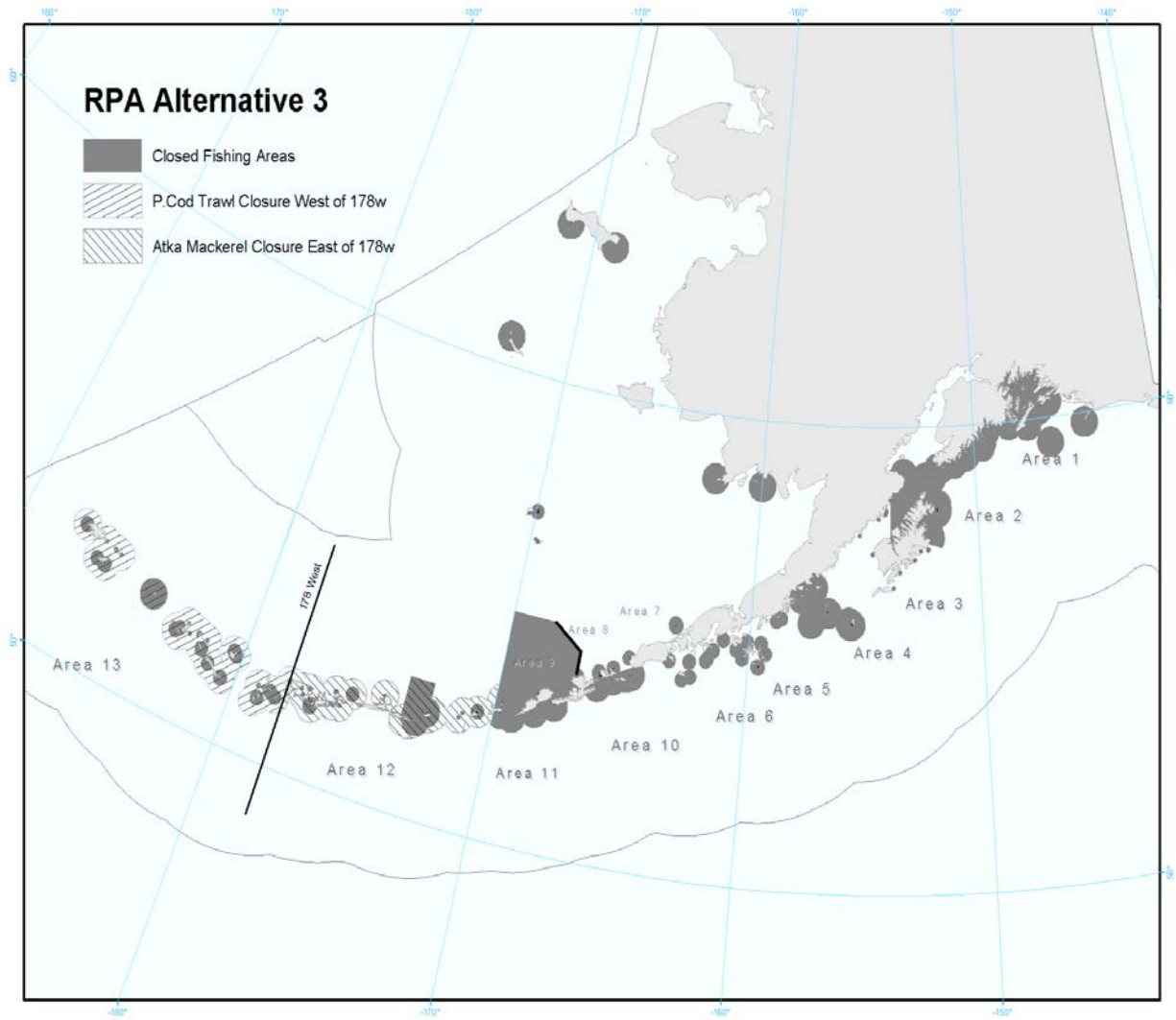


Figure 2.2 RPA Alternative 3 closed areas.

RPA alternative 2 and 3 include the implementation of the Chiniak Gully experiment. NMFS will conduct this experiment to try to determine if changes exist in the distribution and abundance of pollock during the experiment, whether pollock fisheries cause short term changes in the pollock school dynamics, and if the pollock fisheries cause localized depletion of Steller sea lion prey off the east side of Kodiak Island. The experiment requires the closure of Chiniak gully to trawl fishing from August 1 to no later than September 20. For detailed description of the experiment and analysis see the environmental assessment/regulatory impact review/final regulatory flexibility analysis (NMFS 2000g) and the proposed rule at 65 FR 41044, July 3, 2000. Under the RPA 2 and 3, Cape Barnabus and Gull Point are open to fishing outside of 3 nm. As described in the EA/RIR/IRFA for this experiment, these sites were closed to pollock fishing out to 10 nm. Because this experiment has even less impact on the removal of fish in closed areas, additional analysis will not be done in this EA. The revisions to the emergency interim rule (66 FR 7276) will include trawl openings and closures necessary to conduct the experiment. Figure 2.3 shows the location of the Chiniak Gully trawl closure area as the shaded rectangle.

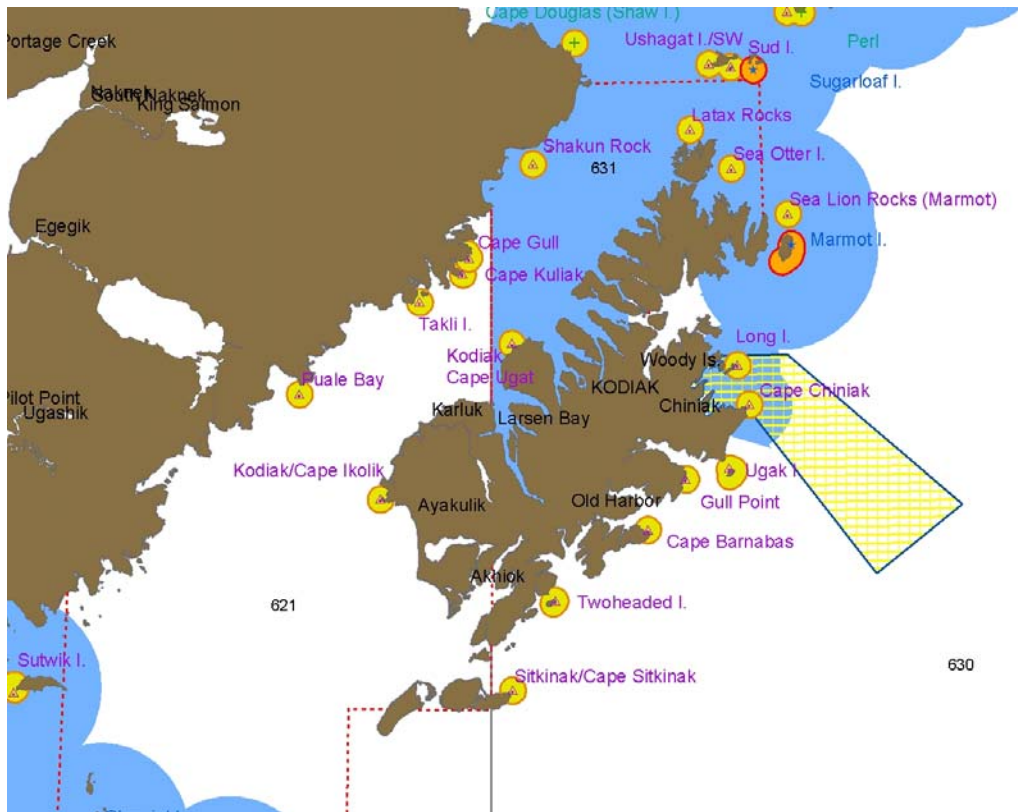


Figure 2.3 Chiniak Gully Experiment Areas

The main difference between the RPA alternatives 2 and 3 are the locations of the open and closed areas, the start date of the second P. cod season for specific sectors and Steller sea lion conservation area (SCA) harvest limits in the Bering Sea. Table 2.1 is a comparison of July through December 2001 Steller sea lion protection measures between RPA alternatives 2 and 3. Fishing prohibitions and the exception to the prohibitions are listed. Three nm fishing closures around haulouts, rookeries, and RPA sites in Alternative 2 are only for those sites listed in Table 21 of 50 CFR part 679 which have a Y under column 14. (See the Appendix for Table 21). Management sites are rookeries, haulouts, foraging areas or RPA sites depending upon the use by the Steller sea lions and the listing of the site in the ESA regulations (50 CFR 226.202) and the 2000 Biop. For a description of critical habitat (haulouts, rookeries, and associated areas), see section 4.13 of the 2000 Biop (NMFS 2000d). RPA sites are those sites that meet the definition of a haulout based on usage by Steller sea lions but have not been added to the listing of critical habitat for Steller sea lions under the ESA. Areas 3, 4, 10, and 11 have identical management measures under Alternatives 2 and 3.

Table 2.1 Status of Steller sea lion management areas under RPA Alternatives 2 and 3
Open or closed refers to the Pollock, P. cod and Atka mackerel fisheries.

| Area | RPA Alternative 2 | RPA Alternative 3 |
|--------------------------|---|--|
| 1 (Prince William Sound) | <p>-3nm no fishing zone around haulouts, rookeries, and RPA sites</p> <p>-Jig gear vessels allowed to fish to the shore of haulouts and RPA sites</p> | <p>-3nm no fishing zone around haulouts, rookeries and RPA sites.</p> <p>-Closed to Pollock, Atka Mackerel and P. cod fishing to 20 nm around rookeries and haulout sites in federal waters,</p> <p>-Jig gear vessels allowed to fish to the shore around haulouts and RPA sites and 3-20 nm around rookeries</p> |

| Area | RPA Alternative 2 | RPA Alternative 3 |
|----------------------|---|--|
| 2 (North Gulf Coast) | <p>-3nm no fishing zone around haulouts, rookeries and RPA sites</p> <p>-Closed to pollock and P. cod fishing to 20 nm around rookeries, RPA, and haulout sites.</p> <p>-Close all of the Northern Shelikof foraging area to pollock and P. cod fishing.</p> <p>-Trawl ban Aug. 1 through Sept. 20 in Chiniak Gully</p> <p>-Jig gear vessels allowed to fish to the shore around haulouts and RPA sites, in Northern Shelikof foraging area, and 3-20 nm around rookeries</p> | <p>-3nm no fishing zone around haulouts, rookeries and RPA sites</p> <p>-Closed to Pollock, Atka Mackerel and P. cod fishing to 20 nm around haulouts, RPA sites, and rookeries except to 10 nm for Chiniak and Long Island between Oct. 1-Dec. 31</p> <p>-Close all of Northern Shelikof foraging area to pollock, Atka mackerel, and P. cod fishing.</p> <p>-Trawl ban Aug. 1 through Sept. 20 in Chiniak Gully</p> <p>-Vessels < 60 ft using pot or hook-and-line gear allowed to fish within 3-20 nm of haulout and in north Shelikof foraging area, except within 3nm around haulouts.</p> <p>-Jig gear vessels allowed to fish to the shore around haulouts and RPA sites, in Northern Shelikof foraging area, and 3-20 nm around rookeries</p> |
| 3 (Kodiak Island) | <p>- 3nm no fishing zone around haulouts</p> <p>-Jig gear vessels allowed to fish to the shore around haulouts</p> | <p><i>(Same as RPA 2)</i></p> |
| 4 (Chignik) | <p>-3nm no fishing zone around haulouts, rookeries, and RPA sites</p> <p>-Closed to pollock and P. cod fishing to 20 nm around rookeries, RPA, and haulout sites</p> <p>-Jig gear vessels allowed to fish to the shore around haulouts and RPA sites and 3-20 nm around rookeries</p> | <p><i>(Same as RPA 2)</i></p> |
| 5 (Sand Point) | <p>- 3nm no fishing zone around haulouts, rookeries and RPA sites</p> <p>-Jig gear vessels allowed to fish to the shore around haulouts and RPA sites</p> | <p>-3nm no fishing zone around haulouts, rookeries, and RPA sites.</p> <p>-Closed to Pollock, Atka Mackerel and P. cod fishing to 10 nm of rookeries, RPA, and haulouts sites.</p> <p>-Vessels < 60 ft using pot or hook-and-line gear allowed to fish from 3-10 nm around haulouts, RPA sites, and rookeries</p> <p>-Jig gear vessels allowed to fish to the shore around haulouts and RPA sites, and 3-10 nm around rookeries</p> |

| Area | RPA Alternative 2 | RPA Alternative 3 |
|------------------------------|---|--|
| 6 (False Pass and King Cove) | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts, rookeries, and RPA sites -Closed to pollock and P. cod fishing to 20 nm around rookeries, RPA, and haulout sites -Jig gear vessels allowed to fish to the shore around haulouts and RPA sites and 3-20 nm around rookeries | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts, rookeries, and RPA sites -Closed to Pollock, Atka Mackerel and P. cod fishing to 10 nm of rookeries, RPA sites and haulouts. -Vessels < 60 ft using pot or hook-and-line gear allowed to fish from 3-10 nm around haulouts, RPA sites, and rookeries -Jig gear vessels allowed to fish to the shore around haulouts and RPA sites and 3-10 nm around rookeries |
| 7 (Unimak) | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts and rookeries -Jig gear vessels and vessels < 60 ft using hook-and-line or pot gear allowed to fish to the shore around haulouts -SCA catch limit | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts and rookeries -Closed to Pollock, Atka Mackerel and P. cod fishing to 10 nm of rookeries and haulouts. -Jig gear vessels and vessels < 60 ft using hook-and-line or pot gear allowed to fish to the shore around haulouts and 3 to 10 nm around rookeries. -No SCA catch limit |
| 8 (Dutch Harbor/EBS) | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts, RPA sites, and rookeries -Closed entire area 8 to pollock, and P. cod fishing -Jig gear vessels and vessels < 60 ft using hook-and-line or pot gear allowed to fish in the entire area, except within 3nm no entry zones around rookeries. -SCA catch limit | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts, RPA sites, and rookeries -Closed to 10 nm of rookeries, RPA sites and haulouts, except four Pribilof haulouts have 3 nm fishing closures only and five northern haulouts are closed to 20 nm. -All pot vessels allowed to fish within 3-20 nm of haulouts and RPA sites and 3 to 10 nm around rookeries. -Jig gear vessels, and vessels < 60 ft using hook-and-line allowed to fish to the shore around haulouts and RPA sites and 3 to 10 nm around rookeries. -No SCA catch limit |
| 9 (Bogoslof) | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts and rookeries -Closed entire area 9 to pollock, and P. cod fishing -Jig gear vessels and vessels < 60 ft using pot or hook-and-line gear allowed to fish in the entire area, except within 3nm no entry around rookeries. | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts and rookeries -Closed entire area 9 to pollock, P. cod and Atka mackerel fishing -Jig gear vessels and vessels < 60 ft using pot or hook-and-line gear allowed to fish in the entire area, except within 3nm no entry around rookeries. |

| Area | RPA Alternative 2 | RPA Alternative 3 |
|--|---|---|
| 10 (Gulf side of Unalaska) | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts, rookeries, and RPA sites -Closed to pollock and P. cod fishing to 20 nm around rookeries, RPA, and haulout sites -Jig gear vessels allowed to fish to the shore around haulouts and RPA sites and 3-20 nm around rookeries | <p><i>(Same as RPA 2)</i></p> |
| 11 (Gulf side of Unalaska) | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts, RPA sites, and rookeries -Closed to pollock and P. cod fishing to 20 nm around rookeries, RPA, and haulout sites -Jig gear vessels allowed to fish to the shore around haulouts and RPA sites, and 3-20 nm around rookeries | <p><i>(Same as RPA 2)</i></p> |
| 12 (Aleutian Islands) (E of 178° W) | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts and rookeries -No pollock directed fishing in entire area -Jig gear vessels and vessels < 60 ft. using hook-and-line or pot gear allowed to fish to the shore around haulouts. | <ul style="list-style-type: none"> -No pollock directed fishing in entire area -No Atka mackerel fishing in 20nm around rookeries and haulouts and in Seguam foraging area. -Closed to all P. cod fishing to 20 nm around Agligadak and Seguam Island/Saddleridge Pt., to 10 nm around rookeries, and Seguam foraging area - 3 nm no fishing zone around haulouts and rookeries. -Jig gear vessels and vessels < 60 ft using pot or hook-and-line gear allowed to fish in the entire area, except within 3nm around rookeries |

| Area | RPA Alternative 2 | RPA Alternative 3 |
|---|--|---|
| 13 (Aleutian Islands) (W of 178°W) | <ul style="list-style-type: none"> -3nm no fishing zone around haulouts, rookeries, and RPA sites -Closed to Atka mackerel and P. cod fishing to 20 nm around rookeries, RPA, and haulout sites. -No pollock directed fishing in entire area. -Jig gear vessels and vessels < 60 ft using hook-and-line or pot gear allowed to fish in the entire area, except within 3nm around rookeries. | <ul style="list-style-type: none"> -No pollock directed fishing in entire area. -No P. cod trawl fishing within 20 nm of haulouts, rookeries, and RPA sites. -20 nm closure to all P. cod and Atka mackerel fishing around Buldir rookery -10 nm closure to no-trawl gear P. cod and Atka mackerel around remaining rookeries, - 3 nm fishing closures around haulouts, rookeries and RPA sites. -Jig gear vessels and vessels < 60 ft using hook-and-line or pot gear allowed to fish in the entire area, except within 3nm around rookeries. |

Table 2.2 shows the B season start dates for various fisheries and gear types under RPA Alternatives 2 and 3. The seasons are the same between the two alternatives except for P. cod. The P. cod B season for all vessels in the GOA, and for vessels equal to or greater than 60 feet LOA and using pot or hook-and-line gear in the BSAI under RPA alternative 3 is delayed two to three months compared to RPA alternative 2, depending on the gear type.

Table 2.2 Fishing Seasons under RPA Alternatives 2 and 3

| Area and Gear | RPA Alt. 2 B Season | RPA Alt. 3 B season |
|--|----------------------------|---------------------------|
| Gulf of Alaska | | |
| P. cod, fixed gear | June 10 (noon)-December 31 | September 1-December 31 |
| P. cod, trawl | June 10 (noon)-November 1 | September 1-November 1 |
| Bering Sea and Aleutian Islands | | |
| Pollock (Bering Sea only), and P. cod trawl, | June 10 (noon)-November 1 | June 10 (noon)-November 1 |
| CDQ, jig, and P. cod vessel < 60 ft. using pot and hook-and-line gear. | No season | No season |
| P. cod hook-and-line \geq 60 feet | June 10 (noon)-December 31 | August 15-December 31 |
| Vessels \geq 60 ft targeting P. cod with pot gear | June 10 (noon)-December 31 | September 1- December 31 |
| Atka Mackerel | September 1 - November 1 | September 1 - November 1 |

