

[Federal Register: April 15, 1994]

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DEPARTMENT OF COMMERCE [I.D. 030194C] Groundfish of the Gulf of Alaska  
AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and  
Atmospheric Administration (NOAA), Commerce.

ACTION: Approval of a fishery management plan amendment.  
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SUMMARY: NMFS announces approval of Amendment 32 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). This amendment establishes a plan to rebuild stocks of the rockfish Pacific ocean perch (POP) (*Sebastes alutus*) in the Gulf of Alaska (GOA). This action is necessary to improve the conservation and management of POP and is intended to further the goals and objectives of the FMP.

EFFECTIVE DATE: March 31, 1994. ADDRESSES: Copies of Amendment 32, the environmental assessment (EA), and the economic analyses prepared for the amendment are available from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510; telephone 907-271-2809.

FOR FURTHER INFORMATION CONTACT: Susan J. Salveson, NMFS, Alaska Region, 907-586-7228.

SUPPLEMENTARY INFORMATION: POP is a highly valued groundfish that has been commercially harvested in the GOA since the early 1960's. Annual harvest amounts of this species peaked in 1965 when foreign trawl operations took an estimated 350,000 metric tons (mt). Since then, harvests of POP have declined drastically and the 1993 domestic catch of POP totaled just over 2,000 mt. The current spawner biomass is estimated to be 15-20 percent of the level observed during the 1960's.

The North Pacific Fishery Management Council (Council) believes that increasing the biomass of POP is necessary to achieve optimum yield in the POP fishery. During 1992, the Council requested the development of an FMP amendment that would establish a plan to rebuild POP stocks. In spite of increasingly conservative management, these stocks remain below optimum levels. At its September 1993 meeting, the Council reviewed the resultant EA and approved Amendment 32 for review by the Secretary of Commerce (Secretary) under section 304(b) of the Magnuson Fishery Conservation and Management Act (Magnuson Act).

A Notice of Availability of Amendment 32, which described the proposed action and solicited comments from the public until March 7, 1994, was published in the Federal Register (59 FR 295, January 4, 1994). Due to a miscalculation in the comment period deadline of March 7, 1994, the Office of the Federal Register subsequently published a correction in the Federal Register (59 FR 4978, February 2, 1994) that adjusted the comment period deadline to February 28, 1994, the end of the 60-day comment period provided for FMP amendments under section 304(a)(1)(C) of the Magnuson Act.

NMFS received a request to extend the 60-day comment period to allow time for consideration of preliminary results of the NMFS 1993 Triennial Trawl Survey of GOA groundfish resources, including POP. NMFS agreed that 1993 survey information on POP stocks should be considered prior to the final decision by the Secretary and extended the comment period through March 11, 1994 (59 FR 10612, March 7, 1994). Three letters of comments were received through March 11 and are summarized and responded to in the ``Response to Comments'' section of this preamble. After review under the Magnuson Act, the Secretary determined that Amendment 32 is consistent with the Magnuson Act and other applicable laws and approved Amendment 32 on March 31, 1994. Additional information on the POP rebuilding strategy set forth under Amendment 32 is

contained in the January 4, 1994, Notice of Availability (59 FR 295).

#### Implementation of the Amendment

No regulatory changes are necessary to implement this FMP amendment. POP stocks will be considered to be rebuilt when the total biomass of mature females is equal to or greater than  $B < \text{INF} > \text{MSY}$  (currently estimated at 150,000 mt). Annual total allowable catch (TAC) amounts for POP established for the GOA regulatory areas will be based on procedures set forth under Amendment 32 and will be specified annually under existing regulations at Sec. 672.20(a)(2).

#### Response to Comments

Three letters of comments were received within the comment period that ended March 11, 1994. Two letters were supportive of the POP stock rebuilding strategy proposed under Amendment 32 and one letter opposed it. A summary of comments and NMFS's response follow.

Comment 1. The proposed Rockfish Rebuilding Plan is supported because it provides a good framework within which the Council can manage the POP stocks.

Response: NMFS concurs and has approved the amendment.

Comment 2. The results of the 1993 Triennial Trawl Survey in the GOA are encouraging. The new survey data and age structure data in NMFS stock assessment models should show the POP stock much closer to the target biomass of 150,000 mt. Under Amendment 32, the optimal target biomass should be reached even sooner than projected.

Response: Preliminary analysis of data collected during the 1993 Triennial Trawl Survey of the GOA groundfish resource indicates an increase in POP biomass relative to 1990 survey results. NMFS notes that the length-frequency samples collected during the 1993 survey show a relatively unimodal size composition with no obvious evidence of new recruitment which would account for the biomass increase from 1990. NMFS is cautious about placing too much emphasis on the results of the 1993 survey as the only indication of a strong recovery of the POP resource in the GOA, given the apparent lack of significant recruitment since 1990, the difficulties in assessing the biomass of rockfish resources, and the large uncertainty associated with estimating the biomass of POP (plus or minus 45 percent based on the 1993 trawl survey data). Additional data will need to be collected and assessed before definitive statements about the apparent recovery of the POP resource can be supported.

Comment 3. The POP stock rebuilding strategy proposed under Amendment 32 is inappropriate given the NMFS 1993 Triennial Trawl Survey data, which support vastly increased biomass estimates relative to those available to the Council when it adopted Amendment 32. Using data from the 1993 Triennial Survey and a 95 percent confidence interval, NMFS preliminarily estimates the POP biomass to be within the 255,000 mt to 666,000 mt range. This biomass estimate exceeds the target biomass of 150,000 mt and indicates that the costly rebuilding strategies proposed under Amendment 32 are unnecessary.

Response: Increasing the biomass of POP is necessary to achieve optimum yield in the POP fishery. The Council justified the lower POP harvests and resultant foregone revenues under the POP stock rebuilding strategy set forth under Amendment 32 as being necessary to rebuild stock biomass to the desired target level ( $B < \text{INF} > \text{MSY} = 150,000$  mt mature females) within a reasonable period of time (14 years).

Although the results of the 1993 Triennial Survey appear promising, NMFS does not recommend that resource abundance trends be projected from the results of a single survey (see the response to Comment 2). As a point of clarification, the preliminary biomass estimate from the 1993 survey data

(255-666 thousand mt) is calculated for all POP in the GOA, not just the component of the POP resource comprised of mature females. Additional analyses will need to be completed to estimate the biomass of mature females based on data collected during the 1993 Triennial Trawl Survey and to assess the status of this component of the POP resource relative to the target  $B < \text{INF} > \text{MSY}$ . NMFS, in consultation with the Council and its Scientific and Statistical Committee, will continue to assess the status of the POP stocks and will adjust the management of the resource consistent with the intent of Council's rebuilding policy set forth under Amendment 32.

Comment 4. Rather than pursue unnecessary and costly POP stock rebuilding strategies under Amendment 32, a more appropriate action would be to foster better understanding of POP population dynamics through resource funded annual survey programs, similar to the pilot project conducted during the summer of 1993.

Response: NMFS acknowledges that greater understanding of POP population dynamics generally would provide better stock assessments and biomass projections for this fishery resource. As a result, NMFS will continue to consider research projects that are designed to collect additional data on GOA fishery resources in addition to the triennial trawl surveys. However, NMFS believes that the POP stock rebuilding strategy set forth under Amendment 32 is a prudent conservation policy that should be pursued until analyses of data collected through either the NMFS triennial surveys or other research indicate that the target abundance level recommended by the Council has been reached.

Dated: April 11, 1994. David S. Crestin, Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.