

**ACTION PLAN FOR ANNUAL CATCH LIMIT AMENDMENTS TO THE GROUND FISH FMPs
OF THE BERING SEA/ALEUTIAN ISLANDS AND GULF OF ALASKA
December 14, 2009**

PROPOSED ACTION Amend the Groundfish FMPs of Bering Sea/Aleutian Islands (BSAI) and Gulf of Alaska (GOA) to comply with the Magnuson-Stevens Reauthorization Act (MSRA).

PURPOSE AND NEED This action is necessary to facilitate compliance with requirements of the MSA to end and prevent overfishing, rebuild overfished stocks, and achieve optimum yield, and to comply with statutory requirements for annual catch limits (ACLs) and accountability measures (AMs). Species and species groups must be identified in the fishery for which ACLs and AMs would be required. An ecosystem component category may also be included in the FMPs for species and species groups that are not targeted for harvest, or likely to become overfished or subject to overfishing, and are not generally retained for sale or personal use. The groundfish FMPs also have inadequacies in the FMP texts for documenting compliance with ACL and AM requirements through the harvest specification process.

ANALYSIS An EA for amendments to the BSAI and GOA Groundfish FMPs is required; categorical exclusions are planned for six housekeeping amendments.¹

RANGE OF ALTERNATIVES²

ACTION 1. IDENTIFY STOCKS IN THE FISHERY

Alternative 1. No action

Alternative 2. *Revise the Groundfish FMPs to comply with requirements to comply with annual catch limits and accountability measures*

- Eliminate the other species category and manage (GOA) squids, (BSAI and GOA) sculpins, (BSAI and GOA) sharks, and (BSAI and GOA) octopus separately in the target species category.
- Target Species are in “the fishery.”
- Prohibited species and forage fish are in the ecosystem component category.
- Non-specified species are removed from the FMPs.

Alternative 3. *Revise the Groundfish FMPs to comply with requirements to comply with annual catch limits and accountability measures*

- Eliminate the other species category and manage (GOA) squids, (BSAI and GOA) sculpins, (BSAI and GOA) sharks, and (BSAI and GOA) octopus separately in the target species category.
- Target Species and forage fish are in “the fishery.”
- Prohibited species are in the ecosystem component category.
- Non-specified species are removed from the FMPs.

Alternatives Considered and Not Moved Forward³

Alternative 4. - Target species, other species, prohibited species, forage fish, and non-specified species are in the fishery.

Alternative 5. - List the current target species and “other species” “in the fishery.”
- List prohibited species, forage fish, and non-specified species under an EC category.

¹ A regulatory amendment will be prepared separately to remove the “other species” category from regulations for the purposes of specifying OFL, ABCs, and TACs, but will be retained for the purposes of setting PSCs and MRAs.

² The Council may revise these alternatives during its initial review of the draft analysis.

³ Alternatives do not comply with NS1 Guidelines and/or MSRA or will be considered in future action(s)

- Alternative 6. - List current target species and “other species” “in the fishery.”
 - Remove prohibited species, forage fish, and non-specified species from the FMPs.
- Alternative 7. - List the current target species, skates, sculpins, sharks, squid, and octopus “in the fishery.”
 - List prohibited species catch, forage fish, and non-specified species under an EC category.
- Alternative 8. - List the current target species⁴, sculpins, and sharks “in the fishery.”
 - List prohibited species catch, forage fish, squid, and/or octopus under an EC category.
 - Remove the non-specified category from the FMPs.
- Alternative 9. - List the current target species, sculpins, and sharks “in the fishery.”
 - List prohibited species catch, forage fish, non-specified species, squid, and/or octopus under an EC category.
- ACTION 2: HOUSEKEEPING:** Amend FMP Texts to Document Practices in the Specification Process that Comply with ACL and AM Requirements.

Alternative 1. No action

Alternative 2. Add text to the FMPs to describe:

- Specification of Minimum Stock Size Thresholds (MSSTS). This description is currently incorporated into the annual Stock Assessment and Fishery Evaluation (SAFE) reports.
- Measures that are taken if and when a stock drops below MSST. This is an ongoing evaluation and a management response will occur when needed.
- Accountability measures that are triggered if an ACL (ABC) is exceeded; reference the current in-season management system which has a more timely response than what would occur in the following year.
- Ecological factors that are considered by the Council in reducing Optimum Yield from Maximum Sustainable Yield.
- How the tier levels for Acceptable Biological Catch and Overfishing Level (OFL) are based on the scientific knowledge about the stock/complex and the scientific uncertainty in the estimate of OFL and any other scientific uncertainty.
- How the stock assessments account for all catch

APPLICABLE LAWS NEPA, MSA

STAFF RESOURCES

NPFMC Jane DiCosimo
 NOAA AKR Sue Salveson, Melanie Brown
 NOAA AFSC Dr. Grant Thompson, Dr. Anne Hollowed, Dr. Paul Spencer, Dr. Olav Ormseth
 NOAA Habitat No habitat implications
 NOAA PR Kaja Brix
 NOAA GCAK Clayton Jernigan
 HQ Galen Tromble, Rick Methot, Mark Milliken, Mark Nelson

MAJOR ISSUES

- The Council and NMFS have placed this amendment (along with Crab FMP amendment) among its highest priorities for action. Statutory deadline of January 1, 2011 for implementation of ACL/AM requirements for groundfish requires final action no later than April 2010.
- NMFS identified that only technical changes to federal regulations will result from the proposed

⁴ In the GOA, skates are managed as a target species category, but squid are managed in the other species category. In the BSAI, squid are managed as a target species category; FMP Amendment 95 to manage skates separately is under NMFS review

action, therefore, a Regulatory Impact Review (RIR) and Regulatory Flexibility Analyses (IRFA/FRFA) will be prepared separately by NMFS

- Improvements to uncertainty calculations and management of vulnerable species beyond meeting legal requirements (i.e., non-specified species) would require separate trailing plan amendment(s).
- Additional plan and regulatory amendments beyond the scope of the minimum action necessary to comply with ACL requirements will be scheduled in a trailing amendment(s).

TIMELINE TO IMPLEMENTATION

January 2009	NMFS HQ issues final guidelines for National Standard 1.
April 2009	NMFS HQ issues draft working group reports (e.g., ABC/ACT Control Rules, Vulnerability Evaluations) on how to carry out the technical components of the guidelines.
April/May May 2009	Interagency staffs meet numerous times to coordinate NPFMC response. Annual Catch Limit Work Shop at AFSC coordinates SSC and Groundfish Plan Team (GPT) response(s).
June 2009	Council approves draft action and tasks staff with preparation of analysis
August 2009	AFSC releases technical analyses on 1) incorporating uncertainty into stock assessments and 2) groundfish vulnerable to overfishing
September 2009	Groundfish Plan Teams reviews draft alternatives and technical analyses on uncertainty and vulnerability Non-Target Species Committee convenes to refine alternatives
October 2009	AFSC staff presents vulnerability analysis to SSC AP refines alternatives Council tasks committee with continuing its efforts to refine alternatives
December 2009	Committee and AP refines alternatives; Council adopts final set of alternatives for analysis; Council tasks committee with developing alternatives for trailing ACL amendments
January 2010	Release of initial review draft of EA
February 2010	AP, SSC, and Council review initial review draft of EA; release for public review
April 2010	Council conducts final action and selects a preferred alternative; Council staff submits final EA for Secretarial review; Committee meets to develop alternatives for second ACL analysis; Council reviews committee recommendations and sets timeline for action on ACL II FMP/regulatory amendments
Spring 2010	NMFS prepares and finalizes RIR/IRFA for complementary regulatory amendments; NMFS publishes NOA to implement ACL FMP amendments
September 2010	GPTs recommends proposed 2011 and 2012 harvest specifications based on ACL amendments; SOC approves ACL amendments
October 2010	Council recommends proposed 2011 and 2012 harvest specifications based on ACL FMP amendments
November 2010	GPTs recommend final 2011 and 2012 harvest specifications
December 2010	AP, SSC, and Council recommend final 2011 and 2012 harvest specifications
January 2011	ACL FMP amendments in effect
February 2011	Revised Final 2011/2012 specifications in effect