

Revised Gulf of Alaska Halibut Prohibited Species Catch Limit Action Plan¹

October 12, 2011

Proposed action

The Council has long been cognizant of and continues to recognize the extreme importance of halibut to all resource user groups. The Council also acknowledges that, for a wide variety of reasons, the dynamics of the directed and non-directed halibut fisheries have changed significantly since halibut PSC limits were first established. Given concerns with the current halibut PSC limits in the GOA, and the effect this bycatch has on both directed fishing opportunities and productivity of the stock, there is a need to evaluate existing halibut PSC limits and the way in which these limits are established.

The Council revises its previous approach to reducing halibut PSC limits in the GOA and initiates action to remove GOA halibut PSC limits from the annual harvest specifications process through an amendment to the GOA Groundfish FMP that would set halibut PSC limits in federal regulation whereby halibut PSC limits may be revised through subsequent regulatory amendment. This action would mirror the process for BSAI groundfish fisheries.

Problem statement²

Currently, the GOA Groundfish harvest specifications annually establish a 2,000 mt halibut Prohibited Species Catch (PSC) limit for trawl gear and a 300 mt halibut PSC limit for hook and line gear. The GOA Groundfish FMP authorizes the Council to recommend, and NMFS to approve, annual halibut mortality limits as a component of the proposed and final groundfish harvest specifications. Halibut PSC limits are set separately for trawl and fixed gear, which may be further apportioned by season, regulatory area, and/or PSC fishery category.

The Council is concerned about the feasibility of revising GOA halibut PSC limits through groundfish harvest specifications and recognizes that addressing halibut PSC limits in this manner on an annual basis is not in the best interest of the Council's deliberative process in the long run.

With the exception of PSC limit reductions in the IFQ sablefish fishery and the Rockfish Pilot Program, the current PSC limits have not been revised since 1989 for trawl gear and 1995 for hook and line gear. Since that time there have been significant changes in groundfish and halibut management programs and fishing patterns, environmental conditions, fishing technology, and knowledge of halibut and groundfish stocks. Halibut is fully utilized in the directed sport, subsistence, and commercial fisheries and is of significant social, cultural, and economic importance to communities throughout the geographical range of the resource. Halibut PSC limits are also critical to the prosecution of many groundfish fisheries operating in the GOA.

Since the existing GOA halibut PSC limits were established, the total biomass and abundance of Pacific halibut has varied and in recent years the stock has experienced an ongoing decline in size at age for all ages in all areas. Exploitable biomass has decreased 50 percent over the past decade. In recent years, the directed halibut catch limits in regulatory areas 2C, 3A and 3B have declined steadily. From 2002 to 2011 the catch limit for the combined areas 2C, 3A and 3B declined by almost 50 percent and the Guideline Harvest Level (GHL) to the charter halibut sector in Area 2C has been reduced by a similar percentage.

While the IPHC accounts for bycatch mortality when establishing catch limits for the directed fisheries in order to maintain the halibut stock's productivity, it is the Council's responsibility to manage halibut PSC limits and meet the requirements of National Standard 9 to minimize bycatch.

¹ Motion adopted by the Council in October 2011

² Adopted by the Council in October 2011

Analysis

EA, RIR, IRFA

Applicable laws

MSA, NEPA, EO 12866, Regulatory Flexibility Act

Range of alternatives¹

Alternative 1 (Status quo) Retain the process for changing GOA halibut PSC limits through the annual groundfish harvest specifications process.

Alternative 2 Amend the GOA Groundfish FMP to remove setting GOA halibut PSC limits from the annual harvest specifications process. GOA halibut PSC limits would be established (and amended) in federal regulation.

Option 1 (Status quo) Retain the existing 2,000 mt trawl and 300 mt hook and line halibut PSC limits and write them into regulation.

Option 2 Revise the current GOA halibut PSC limits and write the new limits into regulation.

Suboption 1 Reduce the halibut PSC limit for hook and line gear CP sector by:

- a) 5 percent
- b) 10 percent
- c) 15 percent

Suboption 2 Reduce the halibut PSC limit for hook and line gear CV sector by:

- a) 5 percent
- b) 10 percent
- c) 15 percent

Suboption 3 Reduce the halibut PSC limit for trawl gear by:

- a) 5 percent
- b) 10 percent
- c) 15 percent

Suboption 3.1 Apply the full trawl PSC limit reduction to the 5th season only.

Suboption 3.2 AFA/Amendment 80/Rockfish Program sideboard limits will be:

- a) Applied as percentage against the GOA halibut PSC limit (Status quo)
- b) Redefined in mt, calculated against the status quo GOA halibut PSC limits

Staff resources

NPFMC	Jane DiCosimo	action plan, EA document coordination; introduction; background; purpose and needs, biological impacts on resources and fisheries: halibut (commercial halibut setline, guided sport, sport, subsistence); commercial groundfish: (trawl, longline); marine mammals, seabirds, ecosystem, habitat, cumulative effects
contractor	Darrell Brannan	economic/social impacts on groundfish fisheries and halibut fisheries in EA, RIR/IRFA
NPFMC	Mark Fina	economic impacts on rationalized groundfish fisheries
	Jon McCracken	
contractor	Marcus Hartley	commercial groundfish database/tables
contractor	Mike Downs	communities impact analysis
AKFIN	Michael Fey	data support

NMFS SF	Mary Furuness Josh Keaton	in-season management, sideboards data summaries of halibut catch rates as a function of total halibut catch by complex/year/target/season/area
IPHC	Gregg Williams Bruce Leaman Steven Hare Juan Valero	halibut information (stock assessment/"bycatch"/wastage/effects of proposed reductions of halibut PSC)
NOAA GC State of Alaska	Maura Sullivan Ruth Christiansen	applicable laws halibut bycatch information in state water, state managed fisheries

Timeline to implementation

February 2010	NMFS discussion paper
June 2010	NPFMC discussion paper on FMP criteria
October 2010	NPFMC supplemental discussion paper/Northern Economics tables
December 2010	NPFMC supplemental discussion paper
April 2011	IPHC discussion paper/NMFS AKRO SF discussion paper Council adopts purpose statement and alternatives
May 2011	Interagency Staff Conference Call to Review Draft Action Plan; data requests
June 2011	Council adopts draft Action Plan/Analytical Outline under Executive Director's Report (B-1); AFSC provides draft proposed GOA groundfish OFLs and ABCs
August 2011	GOA Groundfish Plan Team reviews preliminary analysis of proposed action Initial review draft is released.
October 2011	Council drops harvest specification approach and initiates amendments to the GOA Groundfish FMP and federal regulations for 2013 and beyond
February 2012	Initial review of EA/RIR/IRFA
April 2012	Final Action/Selection of Preferred Alternative
Mid-2013	Implementation

Alternative Approaches (Cumulative Effects)

- Long term step: "comprehensive" rationalization plan to allocate halibut PSC limits: i) exploratory discussion paper of all other "bycatch" allocations programs and previous NPFMC initiatives (October 2011); ii) publication of IPHC Halibut Bycatch Working Group II Technical Report (December 2011); iii) Canada and Pacific reports on halibut bycatch reduction efforts; iv) other

APPENDIX 1. GOA FMP POLICY REGARDING HALIBUT PSC LIMITS
(Section 3.6.2.1.1 Apportionment and Seasonal Allocation of Pacific Halibut)

Apportionments of PSC limits, and seasonal allocations thereof, will be determined annually by the Secretary of Commerce in consultation with the Council. Separate PSC limits may be established for specific gear. PSC limits, apportionments, and seasonal allocations will be determined using the following procedure:

1. Prior to the October Council meeting. The GOA Groundfish Plan Team will provide the Council the best available information on estimated halibut bycatch and mortality rates in the target groundfish fisheries.
2. October Council meeting. While developing proposed groundfish harvest levels under Section 3.2.3, the Council will also review the need to control the bycatch of halibut and, if necessary, recommend proposed halibut PSC mortality limits and apportionments thereof. The Council will also review the need for seasonal allocations of the halibut PSC. The Council will make proposed recommendations to the Secretary about some or all of the following:
 - a. the regulatory areas and districts for which PSC mortality limits might be established;
 - b. PSC for particular target fisheries and gear types;
 - c. seasonal allocations by target fisheries, gear types, and/or regulatory areas and district;
 - d. PSC allocations to individual operations; and
 - e. types of gear or modes of fishing operations that might be prohibited once a PSC is reached.

The Council will consider the best available information in doing so. Types of information that the Council will consider relevant to recommending proposed PSCs include:

- a. estimated change in biomass and stock condition of halibut;
- b. potential impact on halibut stocks;
- c. potential impacts on the halibut fisheries;
- d. estimated bycatch in years prior to that for which the halibut PSC mortality limit is being established;
- e. expected change in target groundfish catch;
- f. estimated change in target groundfish biomass;
- g. methods available to reduce halibut bycatch;
- h. the cost of reducing halibut bycatch; and
- i. other biological and socioeconomic factors that affect the appropriateness of specific bycatch measures in terms of objectives.

Types of information that the Council will consider in recommending seasonal allocations of halibut include:

- a. seasonal distribution of halibut;
- b. seasonal distribution of target groundfish species relative to halibut distribution;
- c. expected halibut bycatch needs on a seasonal basis relevant to changes in halibut biomass and expected catches of target groundfish species;
- d. expected bycatch rates on a seasonal basis;
- e. expected changes in directed groundfish fishing seasons;
- f. expected start of fishing effort; and
- g. economic effects of establishing seasonal halibut allocations on segments of the target groundfish industry.

3. As soon as practicable after the Council's October meeting, the Secretary will publish the Council's recommendations as a notice in the Federal Register. Information on which the recommendations are based will also be published in the Federal Register or otherwise made available by the Council. Public comments will be invited by means specified in regulations implementing the FMP for a minimum of 15 days.

4. Prior to the December Council meeting, the Plan Team will prepare for the Council a final Stock Assessment and Fishery Evaluation (SAFE) report under Section 3.2.3 which provides the best available information on estimated halibut bycatch rates in the target groundfish fisheries and recommendations for halibut PSCs. If the Council requests, the Plan Team also may provide PSC apportionments and allocations thereof among target fisheries and gear types, and an economic analysis of the effects of the apportionments.

5. December Council meeting. While recommending final groundfish harvest levels, the Council reviews public comments, takes public testimony, and makes final decisions on annual halibut PSC limits and seasonal apportionments, using the factors set forth under (2) above relevant to proposed PSC limits, and concerning seasonal allocations of PSC limits. The Council will provide recommendations, including no change for the new fishing year, to the Secretary of Commerce for review and implementation.

6. As soon as practicable after the Council's December meeting, the Secretary will publish the Council's final recommendations as a notice of final harvest specifications in the Federal Register. Information on which the final harvest specifications are based will also be published in the Federal Register or otherwise made available by the Council.

Appendix 2. Flowchart of Current GOA Halibut Prohibited Species Catch Limits



