

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 611, 672, and 676

[Docket No. 950206041-5041-01; I.D. 112894A]

Groundfish of the Gulf of Alaska; Foreign Fishing; Limited Access Management of Federal Fisheries In and Off of Alaska; Final 1995 Harvest Specifications of Groundfish

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

ACTION: Final 1995 harvest specifications of groundfish and associated management measures; closures; request for comments.

SUMMARY: NMFS announces final 1995 harvest specifications for Gulf of Alaska (GOA) groundfish and associated management measures. This action is necessary to establish harvest limits and associated management measures for groundfish during the 1995 fishing year. NMFS is also closing specified fisheries consistent with the final 1995 groundfish specifications. These measures are intended to carry out management objectives contained in the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP).

DATES: The final 1995 harvest specifications are effective on February 8, 1995 through 2400 Alaska local time (A.l.t.), December 31, 1995, or until changed by subsequent notification in the **Federal Register**. The closures to directed fishing are effective February 8, 1995 through 2400 A.l.t., December 31, 1995, or until changed by subsequent notification in the **Federal Register**. Comments are invited on the apportionments of reserves on or before February 23, 1995.

ADDRESSES: Comments should be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Gravel. Copies of the Environmental Assessment (EA) for 1995 Total Allowable Catch Specifications for the Gulf of Alaska, dated February 1995, may be obtained from the above address or by calling (907) 586-7229. The Final Stock Assessment and Fishery Evaluation Report (SAFE report), dated November 1994, is available from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510 or by calling (907) 271-2809.

FOR FURTHER INFORMATION CONTACT: Kaja Brix, NMFS, (907) 586-7228.

SUPPLEMENTARY INFORMATION:

Background

NMFS announces for the 1995 fishing year: (1) Total allowable catch (TAC) amounts for each groundfish species category in the GOA and apportionments thereof among domestic annual processing (DAP), joint venture processing (JVP), total allowable level of foreign fishing (TALFF), and reserves; (2) apportionments of reserves to DAP; (3) assignments of the sablefish TAC to authorized fishing gear users; (4) apportionments of pollock TAC among regulatory areas, seasons, and between inshore and offshore components; (5) apportionment of Pacific cod TAC between inshore and offshore components; (6) "other species" TAC; (7) prohibited species catch (PSC) limits relevant to fully utilized groundfish species; (8) closures to directed fishing; (9) Pacific halibut PSC mortality limits; and, (10) seasonal apportionments of the halibut PSC limits. A discussion of each of these measures follows.

The process of determining TACs for groundfish species in the GOA is established in regulations implementing the FMP, which was prepared by the North Pacific Fishery Management Council (Council) under authority of the Magnuson Fishery Conservation and Management Act. The FMP is implemented by regulations for the foreign fishery at 50 CFR part 611 and for the U.S. fishery at 50 CFR parts 672 and 676. General regulations that also pertain to U.S. fisheries appear at 50 CFR part 620.

Pursuant to § 672.20(a)(2)(ii), the sum of the TACs for all species must fall within the combined optimum yield (OY) range of 116,000-800,000 metric tons (mt) established for these species in § 672.20(a)(1). Under §§ 611.92(c)(1) and 672.20(a)(2)(i), TACs are apportioned initially among DAP, JVP, TALFF, and reserves. The DAP amounts are intended for harvest by U.S. fishermen for delivery and sale to U.S. processors. JVP amounts are intended for joint ventures in which U.S. fishermen typically deliver their catches to foreign processors at sea. TALFF amounts are intended for harvest by foreign fishermen.

Regulations at § 672.20(a)(2)(ii) establish initial reserves equal to 20 percent of the TACs for pollock, Pacific cod, flatfish species categories, and "other species." Reserve amounts are set aside for possible reapportionment to DAP and/or JVP if the initial apportionments prove inadequate.

Reserves that are not reapportioned to DAP or JVP may be reapportioned to TALFF according to § 672.20(d)(2).

The Council met from September 28 to October 5, 1994, and developed recommendations for proposed 1995 TAC specifications for each species category of groundfish on the basis of the best available scientific information. The Council also recommended other management measures pertaining to the 1995 fishing year. Under § 672.20(c)(1)(ii), proposed GOA groundfish specifications and specifications for prohibited species bycatch allowances for the groundfish fishery of the GOA were published in the **Federal Register** on December 22, 1994 (59 FR 65990). Interim amounts of one-fourth the proposed TAC levels were published in the **Federal Register** on December 22, 1994 (59 FR 65975). The final 1995 groundfish harvest specifications and prohibited species bycatch allowances contained in this action supersede the interim specifications.

The Council met on December 7-11, 1994, to review the best available scientific information concerning groundfish stocks, and to consider public testimony regarding 1995 groundfish fisheries. Scientific information is contained in the November 1994 SAFE report for the GOA. The November 1994 SAFE report was prepared and presented by the GOA Plan Team to the Council and the Council's Scientific and Statistical Committee (SSC) and Advisory Panel (AP) and includes the most recent information concerning the status of groundfish stocks based on the most recent catch data, survey data, and biomass projections using different modeling approaches or assumptions.

For establishment of the acceptable biological catches (ABCs) and TACs, the Council considered information in the SAFE report, recommendations from its SSC and AP, as well as public testimony. The SSC adopted the ABC recommendations from the Plan Team, which were provided in the SAFE report, for all of the groundfish species categories, except Pacific ocean perch (POP), Pacific cod, and Atka mackerel.

The Plan Team separated black rockfish from the pelagic shelf rockfish and established an ABC for this species. The SSC did not believe adequate biological information is available to separate this species and did not recommend a separate category. The Council accepted the advice of the SSC and this action continues to include black rockfish as a part of the pelagic shelf rockfish group.