

The Council recommended seasonal apportionments of the halibut bycatch allowances specified for the yellowfin sole, and rocksole, flathead sole, and other flatfish categories to provide additional fishing opportunities in the BSAI early in the year and to reduce the incentive for trawl vessel operators to move from the BSAI to the Gulf of Alaska after the rock sole roe fishery is closed, typically at the end of February.

The AP's recommended seasonal apportionment of the halibut bycatch allowance for the pollock/Atka mackerel/"other species" fishery category is based on the seasonal allowances of the Bering Sea pollock ITAC recommended for the roe and non-roe seasons, and the assumption that most of the pollock taken during the roe season will be taken with pelagic trawl gear with reduced halibut bycatch rates.

The AP recommended seasonal apportionment of the halibut bycatch allowance for the Pacific cod fishery based on: (1) Anticipation that the proposed rule published in the **Federal Register** on December 29, 1994 (59 FR 67268) would exempt the BSAI jig gear fishery and the sablefish hook-and-line gear fishery from halibut-catch restrictions, and (2) the Council's desire to limit a hook-and-line fishery for Pacific cod during summer months when halibut bycatch rates are high. Seasonal apportionments of the halibut bycatch allowances for 1995 are specified in Table 8.

TABLE 8.—FINAL SEASONAL APPORTIONMENTS OF THE 1995 PACIFIC HALIBUT BYCATCH MORTALITY ALLOWANCES FOR THE BSAI TRAWL AND NON-TRAWL FISHERIES.

Fishery	Seasonal bycatch mortality allowance (mt halibut)
<i>Trawl gear:</i>	
<i>Yellowfin sole:</i>	
Jan. 20–Jul. 31	280
Aug. 01–Dec. 31	470
Total	750
<i>Rock sole/flathead sole/"other flatfish":</i>	
Jan. 20–Mar. 31	428
Apr. 01–Jun. 30	180
Jul. 01–Dec. 31	82
Total	690
Turbot/arrowtooth flounder/sablefish Total	120
<i>Rockfish:</i>	
Jan. 20–Mar. 31	30
Apr. 01–Jun. 30	60

TABLE 8.—FINAL SEASONAL APPORTIONMENTS OF THE 1995 PACIFIC HALIBUT BYCATCH MORTALITY ALLOWANCES FOR THE BSAI TRAWL AND NON-TRAWL FISHERIES.—Continued

Fishery	Seasonal bycatch mortality allowance (mt halibut)
Jul. 01–Dec. 31	20
Total	110
<i>Pacific cod:</i>	
Jan. 20–Oct. 24	1,450
Oct. 25–Dec. 31	100
Total	1,550
<i>Pollock/Atka mackerel/"other species":</i>	
Jan. 20–Apr. 15.	455
Apr. 15–Dec. 31	100
Total	555
Total Trawl Halibut Mortality	3,775
<i>Non-trawl gear</i>	
<i>Pacific cod:</i>	
Jan. 01–Apr. 30	475
May 01–Aug. 31	40
Sep. 01–Dec. 31	210
Total	725
Other non-trawl	175
Groundfish pot	(1)
Total Non-trawl Halibut Mortality	900

¹ Exempt.

For purposes of monitoring the fishery halibut bycatch mortality allowances and apportionments, the Regional Director will use observed halibut bycatch rates reported and observed groundfish catch to project when a fishery's halibut bycatch mortality allowance or apportionment is reached. The Regional Director monitors the fishery's halibut bycatch mortality allowances using assumed mortality rates that are based on the best information available, including information contained in the final annual SAFE report.

The Council recommended that the assumed halibut mortality rates for the BSAI groundfish fisheries remain unchanged from those used in 1994. This recommendation is contrary to the recommendation of International Pacific Halibut Commission (IPHC) staff, who advocated assumed mortality rates that are generally higher, based on 1992–93 observer data. The Council further recommended that NMFS, if possible, conduct a mid-year evaluation of the

halibut mortality rates, based on final 1994 and 1995 observer data, and adjust the rates for the remainder of 1995.

NMFS will use the assumed halibut mortality rates recommended by the IPHC staff for the BSAI groundfish fisheries in 1995 except for the BSAI Pacific cod hook-and-line gear fishery. Except for that fishery, NMFS believes data presented by the IPHC staff represent the best available information on halibut discard mortality rates and should be used to estimate halibut bycatch mortality levels.

NMFS will use an assumed halibut mortality rate of 12.5 percent for the BSAI hook-and-line cod fishery during the first half of 1995, instead of the IPHC's recommended rate of 18 percent, for the following reason: Mandatory careful release requirements are expected to result in reduced halibut discard mortality rates relative to the rates experienced in 1992–93; the BSAI hook-and-line fishery for Pacific cod has initiated a program to disseminate timely in-season data on halibut bycatch rates and individual vessel mortality rates that is anticipated to further reduce discard mortality rates within the fleet; vessels using hook-and-line or pot gear are allocated a specified portion of the BSAI Pacific cod TAC; the Council recommended that the halibut bycatch allowance apportioned to the BSAI Pacific cod hook-and-line fishery be apportioned into three seasons, with 28 percent of the annual apportionment allocated to the third season that starts September 1; the NMFS Observer Program Office has indicated that 1995 in-season observer data and final 1994 observer data for the BSAI Pacific cod hook-and-line fishery will be available by mid-1995 to allow for an analysis of observed halibut discard mortality rates and an adjustment from the 12.5 assumed rate in time for the beginning of the third season (September 1). This reconsideration could result in an increase or decrease of the assumed rate; and if the mid-1995 assessment of observer data indicates that the halibut mortality rate in the hook-and-line cod fishery has not declined to the extent anticipated, retroactive adjustments in the estimated 1995 halibut bycatch mortality would be accommodated within the third seasonal apportionment of the annual bycatch allowance specified for this fishery. Although an upward adjustment in estimated bycatch mortality may preclude a fishery for Pacific cod in the third season, NMFS believes that the amount of halibut bycatch mortality apportioned to the third season should prevent the halibut bycatch limit from being exceeded.