

Comparison of Council Recommended Alternatives and Draft Steller Sea Lion Protection Measures EIS Alternatives 1/31/13

In December 2012, the Council recommended three alternatives for analysis in the Steller sea lion protection measures EIS. The Council's recommended Alternatives 1 and 2 were the basis for Alternatives 2 and 3 in the EIS. The alternatives are based on the recommendations from the Steller Sea Lion Mitigation Committee (SSLMC) and review by the Council's Advisory Panel. The Council heard public testimony on the SSLMC's alternatives before making its recommendations.

The Council's Alternative 3 is a return to the Steller sea lion protection measures before the implementation of the interim final rule in 2011, with adjustments made to account for fisheries management changes since the adoption of the protection measures in 2003 (Amendment 80, etc.). The Council's recommended Alternative 3 is Alternative 4 in the EIS. No details were provided for the Council's Alternative 3 so no comparison is possible of the specific features of the EIS Alternative 4 with the Council's Alternative 3.

The following text shows the changes made to the Council's recommended alternatives to develop Alternatives 2 and 3 in the EIS. Where the alternative contains substantial additions to the Council's recommendation, the text is italicized. Where the text was left out of the alternative in the EIS, the text is struck. Items struck from the alternative may be due to a variety of reasons. These include that the Council's intent in the alternative does not require a change in the regulations, or the recommendation cannot be implemented under this action. The alternatives will be explained in detail in Chapter 2 of the EIS. Section 2.3.2 of the EIS will contain the explanation of why certain Council recommended provisions of the alternatives were not included for analysis in the EIS.

EIS Alternative 2 (based on Council's Alternative 1)

Groundfish

Close waters from 0–3 nm around Kanaga Island/Ship Rock to directed fishing for groundfish by federally permitted vessels.

Atka mackerel

- A season : 1/ 20 – 6/10
- B season: 6/10 – 12/31
- 50:50 seasonal apportionment of TAC *and critical habitat harvest limit*, including CDQ
- Allow rollover between seasons, ~~with no limit on rollover~~
- ~~Allow MRA when directed fishing for Atka mackerel is closed or in areas where directed fishing for Atka mackerel is prohibited~~

Area 543

- Remove the area-wide retention prohibition
- Prohibit directed fishing inside Steller sea lion critical habitat *by vessels using trawl gear*
- Prohibit directed fishing *with trawl gear* for Atka mackerel west of 174.5° East longitude
- TAC set at 65% of ABC
 - Suboption: TAC set at 50% of ABC
 - Suboption: TAC set at 40% of ABC

542

- ~~Apply 2010 SSL closures around rookeries and haulouts (0–10 nm)~~

- Prohibit directed fishing *with trawl gear* in waters 0-3 nm at haulouts and 0-10 nm at rookeries.
- Prohibit directed fishing *with trawl gear* inside Steller sea lion critical habitat from 178° East longitude to 180° longitude, and from 178° West longitude to 177° West longitude.
 - option: Prohibit directed fishing *with trawl gear* inside Steller sea lion critical habitat in Area 542 by the Bering Sea trawl limited access vessels
- TAC is set at 65% of Area 542 ABC.
- ~~Catch limit inside Critical Habitat established, based on most recent estimates of local biomass (e.g., FIT studies), to maintain harvest \leq 5% of local abundance, but not to exceed 50% of TAC~~
- Harvest limit inside Steller sea lion critical habitat \leq at 50% of Area 542 TAC, evenly distributed between seasons.
- Prohibit fishing rollover amounts inside Steller sea lion critical habitat.
- Limits apply to all sectors

Area 541/Bering Sea

- Prohibit directed fishing *with trawl gear* inside Steller sea lion critical habitat except for a portion of critical habitat between 12 nm and 20 nm southeast of Seguam.
- Prohibit directed fishing *with trawl gear* inside Steller sea lion critical habitat by the BSAI trawl limited access sector.
- Harvest limit inside critical habitat \leq is 50% of area 541 TAC, evenly distributed between seasons.
- Prohibit fishing of seasonal rollover amount inside critical habitat.
- Modify MRA regulations for Amendment 80 vessels and CDQ entities operating in the Bering Sea subarea to calculate MRAs for *Atka mackerel* as an incidental species on an offload-to-offload basis (in the same manner as pollock).

Pacific cod

~~Catch limit in Aleutian Islands is that portion of the Pacific cod stock(s) in the Aleutian Islands, as identified by stock assessment, split between the Aleutian Islands management areas (543, 542, 541) by the 4 survey rolling average of cod occurrence (e.g., for 2013 25% in 543, 75% in 541/542).~~

Apportion the Aleutian Islands portion of the BSAI Pacific cod TAC or the Aleutian Islands Pacific cod TAC as catch limits among the statistical areas in the Aleutian Islands subarea based on the annual stock assessment process. The Council establishes the TAC after accounting for the State guideline harvest level (GHL) fishery. The CDQ fishery is subtracted from the Aleutian Island TAC to get the initial TAC (ITAC) for the Aleutian Islands. Apportion the ITAC among the statistical areas based on the stock assessment process. NMFS Inseason Management will establish a directed fishing allowance (DFA) for each area considering incidental catch needs.

Seasonal apportionment by sector of Pacific cod harvest would be set at the BSAI TAC level.

CPs are vessels that harvest and process only their own catch.

Motherships are vessels that receive and process catch from other vessels. This would include CPs that receive fish from another vessel, stationary floating processors, and vessels that operate and report like a stationary floating processor but operate under a mothership permit.

- Seasons
 - Nontrawl gear:
 - Hook and Line:
 - A season: 1/1-6/10
 - B seasons: 6/10-11/1
 - Pot:
 - A season: 1/1-6/10

- *B season: 9/1-11/1*
 - *Jig:*
 - *A season: 1/1-4/30*
 - *B season: 4/30-8/31*
 - *C season: 8/31-11/1*
- *BSAI Trawl Limited Access and trawl catcher vessel:*
 - *A season: 1/20-4/30*
 - *B season: 4/30-6/10*
 - *C season: 6/10-11/1*
- *CDQ Trawl and Amendment 80 CP:*
 - *A season: 1/20-4/30*
 - *B season: 4/30-6/10*
 - *C season: 6/10-12/31*

Area 543

- Remove the area-wide retention prohibition
- Set the catch limit as a portion of Area 543 abundance in relation to total abundance in Aleutian Islands subarea *based on the annual stock assessment process.*
- *Prohibit directed fishing with trawl gear after April 30.*

Option 1: Prohibit directed fishing by vessels except ~~HAL~~ *nontrawl gear CP and trawl CP and catcher vessels delivering shoreside (No mothership participation)*

- Establish catch limits for *nontrawl CPs and trawl gear CPs, including CDQ, based on average ratio of annual catch in the Pacific cod target in these two sectors during 2006 – 2010.*
- Prohibit directed fishing in critical habitat 0- 6 nm from rookeries and haulouts for *nontrawl gear vessels.*
- *Prohibit directed fishing in critical habitat 0-20 nm from rookeries and haulouts by trawl vessels, except prohibit directed fishing in critical habitat 0-10 nm from rookeries and haulouts between 173° East longitude and 174.5° East longitude*
- ~~No more than 2 HAL CP vessels and 2 Trawl CP vessels at one time in the directed fishery~~

Option 2: Include mothership participation

- Establish a catch limit for the ~~HAL~~ *nontrawl gear and trawl gear CP sectors, including motherships and CDQ, based on the portion of average annual catch in the Pacific cod target in these sectors during 2006 – 2010.*
- Prohibit directed fishing in critical habitat 0- 6 nm from rookeries and haulouts by *nontrawl gear CPs and CVs.*
- *Prohibit directed fishing in critical habitat 0-20 nm from rookeries and haulouts by trawl gear CPs and CVs, except between 173° East longitude and 174.5° East longitude prohibit directed fishing in critical habitat 0-10 nm from rookeries and haulouts by trawl gear CPs and CVs.*
- ~~No more than 2 HAL CP vessels and 2 Trawl CP vessels at one time in the directed fishery~~

Protective Option:

Trawl Gear

- *A season and B Season: Close 0-10 nm from rookeries, close 0-20 nm from haulouts*

- *C season: Close 0-10 nm from rookeries and haulouts*

Non-trawl Gear

- *A season: Close 0-10 nm from rookeries and haulouts*
- *B and C seasons: Close 0-6 nm from rookeries and haulouts*

Areas 542/541

- Establish an Area 542/541 annual catch limit based on the *Area 541/542 portion of Aleutian Islands abundance TAC or Aleutian Islands portion of the BSAI Pacific cod TAC as determined by the from the annual stock assessment process, minus the State waters Pacific cod guideline harvest limit (GHL) fishery, and minus the area catch limit for Area 543.*
- Establish a catch limit for nontrawl gear CP, trawl gear CP, *including CDQ*, and mothership (CV delivering to mothership processor) based on the *average annual catch in the Pacific cod target during 2006 – 2010 expressed as a ratio of the sector's catch to the total catch in 541 and 542.* Catcher vessels delivering to shoreside and stationary floating processors are subject to *the overall Area 541/542 catch limit.*
- Prohibit directed fishing in critical habitat 0-3 nm at rookeries *and in the Seguam Foraging Area* by *nontrawl gear*
- *Prohibit directed fishing in critical habitat 0-20 nm west of 178° West longitude and east of 174° West longitude and in the Seguam Foraging Area by trawl gear*
- Prohibit directed fishing in critical habitat east of 178° West longitude and west of 174° West longitude by trawl gear
 - 0- 3 nm from haulouts
 - 0-10 nm from rookeries

Walleye pollock

Area 543

- Prohibit directed fishing for walleye pollock

Areas 542/541

- ~~Apportion ABC between 541 and 542 based on the best estimate of total AI biomass ratio using the same methods as applied to Atka mackerel ABC, while allowing TAC to be harvested in any ration within the limits of each area ABC.~~
- ~~Catch limit in 541 or 542 cannot exceed corresponding ratio of ABC from survey biomass~~
- Establish an A-season catch limit at 40% of ABC.
- Prohibit directed fishing inside Steller sea lion critical habitat except for:
 - a portion of Steller sea lion critical habitat west of 178° West longitude outside of 3 nm from Krysi Pt. (Hawadax Island), Tanadak, and Segula haulouts, and outside 10 nm from Little Sitkin haulout and Ayugudak rookery *and*
 - a portion of Kanaga Sound east of 178° West longitude outside 3 nm from haulouts
 - *option 1: prohibit directed fishing inside the open portion of critical habitat at Kanaga Sound by vessels ≥ 60 feet length overall.*
 - *option 2: prohibit directed fishing 0- 10 nm around Kanaga I./Ship Rock rookery*
 - *option 3 prohibit directed fishing 0-6 nm around Kanaga I./Ship Rock rookery*
- Prohibit directed fishing inside Steller sea lion critical habitat in Area 541 except for

- a portion of critical habitat *outside of 3 nm of haulouts* at Atka North Cape,
- a portion of critical habitat *outside of 3 nm of haulouts* at Amukta Pass/Seguam-southside

Protective Option:

Area 542

- *A season: close 0-10 nm from rookeries, close 0-20 nm from haulouts*
- *B season: close 0-10 nm from rookeries and haulouts*

Area 541

- *A season: close 0-10 nm from rookeries, 0-20 nm from haulouts*
- *B season: close 0-20 nm from rookeries, 0-10 nm from haulouts*

EIS Alternative 3 (Based on Council’s Alternative 2)

Groundfish

Close waters from 0–3 nm around Kanaga Island/Ship Rock to directed fishing for groundfish by federally permitted vessels.

Atka mackerel

- A-season Jan 20 – Jun 10; B-season Jun 10 – Dec 31
 - option: B-season Jun 10 – Nov 1
- 50:50 seasonal apportionment of TAC *and critical habitat harvest limit*, including CDQ
- Allow rollover between seasons ~~with no limit on rollovers~~
- Establish a critical habitat catch limit west of 178° W longitude at 60 percent of TAC, *evenly distributed between seasons.*

Area 543

- Remove the area-wide retention prohibition.
- Prohibit directed fishing *with trawl gear* for Atka mackerel in waters *0-3 nm from haulouts and 0-10 nm from rookeries.*
 - option: prohibit directed fishing *with trawl gear* in Steller sea lion critical habitat
- Prohibit directed fishing *with trawl gear* 0-15 nm at Buldir, except for portions of critical habitat from 10-15 nm at Buldir Island
 - option: Prohibit directed fishing *with trawl gear* for Atka mackerel in waters west of 174.5° E longitude.

Area 542

- Prohibit directed fishing *with trawl gear* for Atka mackerel in Steller sea lion critical habitat *from 0-3 nm of haulouts and 0-10 nm of rookeries west of 178° W longitude*, except prohibit directed fishing *with trawl gear* for Atka mackerel in critical habitat between 178°E longitude and 180° longitude (around Amchitka Island).
- *Prohibit directed fishing with trawl gear for Atka mackerel in Steller sea lion critical habitat east of 178° W longitude.*

Area 541/Bering Sea

- Prohibit directed fishing *with trawl gear* inside critical habitat except a portion of critical habitat 10-20 nm at Seguam and prohibit directed fishing *with trawl gear* in the Bering Sea subarea.
- *Modify MRA regulations for Amendment 80 vessels and CDQ entities operating in the Bering Sea subarea to calculate MRAs for Atka mackerel as an incidental species on an offload-to-offload basis (in the same manner as pollock).*

Pacific cod

~~Catch limit in Aleutian Islands is that portion of the Pacific cod stock(s) in the Aleutian Islands, as identified by stock assessment, split between the Aleutian Islands management areas (543, 542, 541) by the 4 survey rolling average of cod occurrence (e.g., for 2013 25% in 543, 75% in 541/542).~~

Apportion the Aleutian Islands portion of the BSAI Pacific cod TAC or the Aleutian Islands Pacific cod TAC as catch limits among the statistical areas in Aleutian Islands subarea based on the annual stock assessment process. The Council establishes the TAC after accounting for the State guideline harvest level (GHL) fishery. The CDQ fishery is subtracted from the Aleutian Island TAC to get the initial TAC (ITAC) for the Aleutian Islands. Apportion the ITAC among the statistical areas based on the stock assessment process. NMFS Inseason Management will establish a directed fishing allowance (DFA) for each area considering incidental catch needs.

Area 543

- Remove the area-wide retention prohibition
- ~~• Catch limit in area 543 is the AI portion of Pacific cod stock(s), as identified by the stock assessment, multiplied by the 4 survey biomass proportion for 543 (e.g., 25% for 2013)~~
- Establish an annual catch limit in area 543 *based on the annual stock assessment process.*
- Establish catch limits for *nontrawl gear* CP and *trawl gear* CP, *including CDQ and motherships*, based on *average ratio of annual catch in the Pacific cod target in these sectors during 2006 – 2010.*
- Prohibit directed fishing for Pacific cod in waters *0-3 nm from rookeries and 0-10 nm from Buldir for nontrawl gear* vessels.
- Prohibited directed fishing for Pacific cod in waters *0-3 nm of haulouts and 0-10 nm of rookeries* by *trawl gear* vessels.
- Seasons
 - *Nontrawl gear:*
 - *Hook and Line:*
 - *A season: 1/1-6/10*
 - *B seasons: 6/10-12/31*
 - *Pot:*
 - *A season: 1/1-6/10*
 - *B season: 9/1-12/31*
 - *Jig:*
 - *A season: 1/1-4/30*
 - *B season: 4/30-8/31*
 - *C season: 8/31-12/31*
 - *Trawl gear:*
 - *A season: 1/1-4/30*
 - *B season: 4/30-6/10*
 - *C season: 6/10-11/1*

- ~~• No more than 2 HAL CP vessels and 2 TRW CP vessels at one time in directed fishery~~

Areas 542 and 541

Pacific cod measures under Alternative 3 for Areas 542 and 541 are the same as Alternative 2

Walleye pollock

- ~~• Apportion ABC between 543, 541, and 542 based on the best estimate of total AI biomass ratio using the same methods as applied to Atka mackerel ABC, while allowing TAC to be harvested in any ratio within the limits of each area ABC~~
- Establish an A season catch limit at 40% of the Aleutian Islands pollock ABC.

Area 543

- Prohibit directed fishing for pollock in critical habitat except open a portion of Steller sea lion critical habitat outside 3 nm from Shemya, Alaid, and Chirikof haulouts.

Area 542

- Prohibit directed fishing in waters 0-10 nm from rookeries and haulouts west of 178° West longitude
- Prohibit directed fishing in waters 0-10 nm from rookeries and 0-3 nm from haulouts east of 178° West longitude
- Open portions of critical habitat identified in Alternative 2

Area 541

- Prohibit directed fishing for pollock in critical habitat to 0-10 nm from rookeries and 0-3 nm from haulouts *and in the Segum Foraging Area.*

Protective Option

Area 542

- *A season: close 0-10 nm from rookeries, close 0-20 nm from haulouts*
- *B season: close 0-10 nm from rookeries and haulouts*

Area 541

- *A season: close 0-10 nm from rookeries, close 0-20 nm from haulouts*
- *B season: close 0-20 nm from rookeries, close 0-10 nm from haulouts*

The figures provided in the Council's motion were further reviewed with the developers of the proposed areas and refined to the figures provided in Chapter 2 of the EIS.