

**DRAFT ACTION PLAN TO REMOVE SKATES FROM THE OTHER SPECIES ASSEMBLAGE
IN THE BERING SEA/ALEUTIAN ISLANDS GROUND FISH FMP
June 17, 2009**

PROPOSED ACTION The Council initiated action in April 2005 to eliminate the “other species” category and set annual catch limits (ACLs) for skates¹, squids², octopods, sharks, and sculpins (and grenadiers), based on recommendations from its Groundfish Plan Teams, Scientific and Statistical Committee, and Non-Target Species Committee. The Council separated this comprehensive analysis into analyses for each group after reviewing staff discussion papers in February 2008; the Council tasked the Non-Target Species Committee with ranking the separate analyses. In June 2008 the Council identified a proposed action to set a separate ACL for Bering Sea/Aleutian Islands (BSAI) skates as its top priority in managing other species. The Council also will consider several complementary amendments to federal fishery regulations as part of this action. Actions to revise management for the remaining groups and revise federal regulations will follow in separate analyses in 2009 and 2010.

PROBLEM STATEMENT/OBJECTIVE The BSAI Groundfish FMP requires that an ACL be set for the “other species” assemblage. Management of the assemblage, however, may not offer sufficient protection from overfishing of the component groups because its ACL is set equal to the total of the estimates for all the groups. Therefore, each group (or species within a group) is vulnerable to overfishing because it is managed under an ACL that is set above the level deemed appropriate for that group (or species). Current management of skates also no longer complies with national ACL policy for managing assemblages.

The proposed action is intended to enhance protection of these long-lived, slow-growing species with low fecundity based on 1) lack of a reliable estimate of biomass (thus its Tier 5 status), 2) potential economic value as a fishery, 3) parity with Gulf of Alaska FMP Amendment 63 that required separate catch specifications for skates in the GOA in 2005, and 4) enhanced protection of remaining groups in the other species complex by removing a high biomass from the total biomass (and ACL) set for the assemblage.

ANALYSIS An EA is required to amend the BSAI Groundfish FMP to remove skates from the other species assemblage. An EA/RIR/IRFA is required for related regulatory amendments.

RANGE OF ALTERNATIVES

- Alternative 1. (The No Action Alternative) Skates would continue to be managed as a part of the BSAI “other species” category.
- Alternative 2. Move skates from the “other species” assemblage to the “target species” category in the BSAI Groundfish FMP and revise federal groundfish regulations to list: 1) maximum retainable amounts for BSAI skates equal to maximum retainable amounts for other species in Table 11 of Part 679; 2) species code(s) for BSAI skates in Table 2a of Part 679; and 3) “pollock/Atka mackerel/skates/other species” as a category for setting a halibut prohibited species catch limit.
- Alternative 3. Move skates from the “other species” assemblage to the “target species” category in the BSAI Groundfish FMP and revise federal groundfish regulations to list: 1) species code(s) for BSAI skates in Table 2a of Part 679; and 2) “pollock/Atka mackerel/skates/other species” as a category for setting a halibut prohibited species catch limit.

APPLICABLE LAWS NEPA, MSA, Executive Order 12866, and the Regulatory Flexibility Act

¹ Skates are a separate ACL category in the GOA.

² Squids are a separate ACL category in the BSAI.

STAFF RESOURCES

NPFMC	Jane DiCosimo, Jon McCracken
NOAA AKR	Sally Bibb, Melanie Brown, Mary Furuness, Tom Pearson, Steve Lewis, Kristin Mabry, Josh Keaton
NOAA AFSC	Dr. Olav Ormseth, Beth Matta
NOAA Habitat	No habitat implications
NOAA PR	Kaja Brix
NOAA GCAK	Clayton Jernigan
HQ	No national policy implications

TIMELINE TO IMPLEMENTATION

August 2006	interagency staff meeting to draft the action plan for this analysis
October 2006	Council, AP, and SSC reviews action plan and analytical outline
November 2006	- AFSC prepares stock assessments for the groups - Plan Teams recommend 2007-2008 group OFLs and ABCs for analysis
December 2006	SSC recommends 2007-2008 groups OFLs and ABCs for analysis
March 2007	- SF In-Season Management staff prepares discussion paper on: 1) temporal/spatial fishery interactions between groups and directed groundfish fisheries; 2) effects of proposed group ACLs on groups and directed fisheries - Non-Target Species Committee, Council, AP, and SSC reviews paper
June 2007	Interagency staff meeting to revise the action plan for this analysis
September 2007	Groundfish Plan Teams review AKR staff discussion paper on fishery interactions
October 2007	SSC and AP reviews revised action plan and discussion paper
February 2008	Council reviews action plan and discussion papers and identifies preliminary priorities
April 2008	Non-Target Species Committee recommends priorities for action
December 2008	Interagency action plan meeting
January 2009	Council data request to AKRO
March 2009	Internal Review of draft EA/RIR/IRFA
May 2009	Release of initial review draft EA/RIR/IRFA
June 2009	Initial Review of draft EA/RIR/IRFA
August 1, 2009	AFSC vulnerability analysis released
August 2009	Public Review draft EA/RIR/IRFA released
September 2009	Plan Team reviews draft analysis and provides recommendation
October 2009	Final Action/Selection of Preferred Alternative
November 2009	Submission for NMFS review
Early 2010	Approval by the Secretary; implementation of amendments
September 2010	Plan Team recommends proposed OFL and ABC for BSAI skates for 2011/2012
October 2010	Council adopts proposed ACLs
November 2010	Plan Team recommends final OFL and ABC for BSAI skates for 2011/2012
December 2010	Council adopts final ACLs for 2011/2012
January 1 2011	Groundfish fisheries open under 2010/2011 ACLs
February 2011	Final ACLs for 2011/2012 are implemented

MANAGEMENT ISSUES

- Protect skates from overfishing and to meet ACL requirements
- Would allow the Council to set ACLs for skate species
- Difficulty in managing small TACs and area suballocations
- Complex temporal/spatial patterns of how fleets shift effort between directed fisheries
- Geographic hotspots where high levels of incidental catches occur
- Would increase workload on NMFS
- No enforcement or legal issues identified