

NMFS has determined that this rule will be implemented in a manner that is consistent to the maximum extent practicable with the approved coastal management program of the State of Alaska. This determination was submitted for review by the responsible State agency under section 307 of the Coastal Zone Management Act. Consistency is inferred because the appropriate State agency did not reply within the statutory time period.

This rule does not contain policies with federalism implications sufficient to warrant preparation of a federalism assessment under E.O. 12612.

Informal consultations under the Endangered Species Act were concluded for this action: for Steller sea lions, February 16, 1993; and for the short-tailed albatross, December 22, 1992. An informal consultation on impacts of groundfish fisheries under the FMP was concluded February 20, 1992, for Snake River sockeye salmon, fall chinook salmon, and spring/summer chinook salmon. As a result of the informal consultations, the Regional Director determined that fishing activities under this rule are not likely to adversely affect endangered or threatened species.

NMFS has determined that delaying the effectiveness of this final rule for 30 days under section 553 (d) of the Administrative Procedure Act is contrary to the public interest. This determination was reached because a delay in effectiveness beyond March 29, 1993, would result in the fishery commencing on that date, causing economic losses from low pollock flesh recovery, increased catches and discards of undersized pollock, and increased incidental catch amounts of chinook salmon. Therefore, the 30-day delayed effectiveness period for the final rule is waived to allow the effective date to be the date of filing for public inspection with the Office of the Federal Register.

List of Subjects in 50 CFR Part 672

Fisheries, Reporting, and Recordkeeping requirements.

Dated: March 26, 1993.

Samuel W. McKeen,
Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 672 is amended as follows:

PART 672—GROUND FISH OF THE GULF OF ALASKA

1. The authority citation for 50 CFR part 672 continues to read as follows:

Authority: 16 U.S.C. 1801, *et seq.*

§ 672.20 [Amended].

2. In § 672.20, the second sentence in paragraph (c)(1)(i)(A), which reads, "This notice also will include the dates that directed fishing may commence for each quarterly allowance of pollock." is removed.

3. In § 672.20, the second sentence in paragraph (c)(1)(ii)(A), which reads, "This notice will also include the dates that directed fishing may commence for each quarterly allowance of pollock." is removed.

4. In § 672.23, paragraph (a) is revised and a new paragraph (f) is added to read as follows:

§ 672.23 Seasons.

(a) Fishing for groundfish in the regulatory areas and districts of the Gulf of Alaska is authorized from 00:01 a.m., Alaska local time (A.l.t.), January 1, through 12 midnight, A.l.t., December 31, subject to the other provisions of this part, except as provided in paragraphs (c) through (f) of this section.

(f) Subject to other provisions of this part, directed fishing for pollock in the Western and Central Regulatory Areas of the Gulf of Alaska is authorized: from 00:01 a.m., A.l.t., January 1 through 12 noon, A.l.t., April 1; from 12 noon, A.l.t., June 1 through 12 noon, A.l.t., July 1; from 12 noon, A.l.t., July 1 through 12 noon, A.l.t., October 1; and from 12 noon, A.l.t., October 1 through 12 midnight, A.l.t., December 31.

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50 CFR Parts 611 and 672

[Docket No. 921107-3068]

Foreign Fishing; Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final 1993 initial specifications of groundfish and associated management measures; closures; request for comments.

SUMMARY: NMFS announces initial 1993 harvest specifications of Gulf of Alaska (GOA) groundfish, other than Pacific ocean perch (POP), and associated determinations pertaining to management of GOA groundfish fisheries during 1993. This action is necessary to establish harvest limits for groundfish during the 1993 fishing year and associated management measures. NMFS also is closing specified fisheries consistent with the final 1993 groundfish specifications and fishery

bycatch allowances of prohibited species. These measures are intended to carry out management objectives contained in the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP).

DATES: Effective March 26, 1993, 4:15 p.m., including closures to directed fishing described herein. All closures to directed fishing are effective through 24:00 a.l.t., December 31, 1993, except that closures to directed fishing for pollock in Statistical Areas 62 and 63 are effective through 12 noon, a.l.t., on March 29, 1993. Comments are invited on the apportionments of reserves on or before April 15, 1993.

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 a Final Environmental Assessment for 1993 Total Allowable Catch Specifications for the GOA, dated January 1993 (EA), may be obtained from this address. The Final Stock Assessment and Fishery Evaluation Report, dated November 1992, is available from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, Alaska 99510.

FOR FURTHER INFORMATION CONTACT: Jessica A. Gharrett, Fishery Management Biologist, Alaska Region, NMFS, (907) 586-7230.

SUPPLEMENTARY INFORMATION:

Background

NMFS announces for the 1993 fishing year: (1) Total allowable catches (TAC) for each groundfish target species category, other than POP, 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) apportionment of the "other species" TAC among regulatory areas; (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. The interim specification for POP established by 57 FR 57982 (December 8, 1992) of 1,062 metric tons (mt) remains in effect. 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 the authority of the Magnuson Fishery Conservation and Management Act (Magnuson 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 part 672. 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 established for these species of 116,000–800,000 mt 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 TAC for pollock, Pacific cod, flounder target 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 during September 22–27, 1992, and developed recommendations for proposed 1993 TAC specifications for each target species category of groundfish on the basis of the best available scientific information. The Council also recommended other management measures pertaining to the 1993 fishing year. Under § 672.20(c)(1)(ii), 1993 specifications were proposed in the *Federal Register* (57 FR 57982, December 8, 1992). No JVP or TALFF amounts were specified because GOA groundfish are fully utilized by DAP fisheries. Under § 672.20(c)(1)(ii), one-fourth of the preliminary specifications and gear apportionments and one-fourth of the Pacific halibut PSC amounts were effective January 1 on an interim basis and are now superseded by this *Federal Register* notice of final 1993 specifications, except for POP.

The Council met December 8–13, 1992, to review the best available scientific information concerning groundfish stocks, and to consider

public testimony regarding 1993 groundfish fisheries. Scientific information is contained in the Stock Assessment and Fishery Evaluation Report for the 1993 Gulf of Alaska Groundfish Fishery (SAFE report) dated November 1992, which 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). New information contained in the November 1992 SAFE report includes the following:

a. For Pollock

Hydroacoustic data from a spring 1992 survey in the Shelikof Strait conducted by the Alaska Fisheries Science Center; estimates of catch-at-age from the 1991 fishery; updated estimates of catch; and length frequency data from the 1992 hydroacoustic survey and the first quarter 1992 fishery.

b. For POP

Revised biomass estimates from the 1984 and 1987 GOA trawl surveys; and length frequency data from 1990 and 1991 fisheries.

c. For Groundfish, Generally

Data from the NMFS Observer Program Office for 1992; revised estimates of biomass from the 1990 bottom trawl survey in the GOA; data from the 1992 cooperative and domestic longline surveys; and updated estimates of catch.

The SSC adopted Acceptable Biological Catch (ABC) recommendations from the Plan Team as provided in the SAFE report for all target species categories, except those for pollock and black rockfish. The recommended ABCs, listed in Table 1, reflect harvest amounts that would not cause overfishing as defined in the FMP. The Council adopted SSC recommendations for the ABC for each target species category, except for pollock. The following is a discussion of the Plan Team, SSC, and Council actions on ABCs for pollock, Northern rockfish, and black rockfish.

The exploitable biomass for pollock in the combined Western and Central Regulatory Areas (W/C GOA) during 1993 is estimated at 1,062,000 mt, which is based on the Stock Synthesis (SS) model. The SAFE report, dated November 1992, presents a detailed discussion of new information and stock assessment methodology for pollock. The Plan Team estimated ABC for pollock in the W/C GOA to be 203,000 mt, an increase from 1992 of 84,000 mt but well below the overfishing level of 286,000 mt. The Plan Team commented, although the recommended ABC

was biologically defensible, it might not represent an adequate conservative TAC in view of unquantifiable concerns about: (1) Low probability of recruitment of a strong year class; (2) continued declines in spawning biomass; (3) disproportionate targeting on older year classes; (4) indications of large-scale ecosystem changes that may affect carrying capacity for pollock in the GOA; and (5) change in age-at-maturity.

The SSC concurred with the model used to generate pollock biomass, but felt the ABC should be more conservative than the ABC recommended by the Plan Team (203,000 mt) for the W/C GOA. The SSC calculated an ABC of 111,000 mt using the 1992 fishing exploitation rate (10 percent). The SSC then averaged its figure with the ABC recommended by the Plan Team to arrive at a "stock-specific" pollock ABC of 157,000 mt for the W/C GOA. The SSC further noted that an ABC of 157,000 mt may not adequately consider the status of Steller sea lions and certain seabirds that prey on pollock, although it remains unclear whether fishing practices contribute to declines in those species. The SSC finally recommended a pollock ABC of 111,000 mt, to incorporate ecosystem concerns.

The Council, on reviewing the Plan Team, SSC, and AP recommendations, recommended that the ABC for pollock in the W/C GOA be 157,000 mt and that ecosystem concerns, particularly Steller sea lions, be addressed in the recommended TAC of 111,000 mt. The Council also adopted the SSC and AP recommendations that the ABC for pollock in the Eastern Regulatory Area be 3,400 mt.

For Northern rockfish, the Plan Team recommended that the species be managed separately from the remaining "other (slope) rockfish" to prevent over harvesting. Northern rockfish are currently harvested disproportionately to their relative abundance in the "other rockfish" complex. The Plan Team, SSC, and AP recommended ABCs for Northern rockfish and for the remaining "other rockfish" complex of 5,760 mt and 8,300 mt, respectively. The Council adopted the SSC and AP recommendations.

The Plan Team also recommended separate management for black rockfish to prevent harvests out of proportion to the species' abundance in the pelagic shelf rockfish complex. The recommended ABC was based on historical catches. The SSC felt that insufficient information existed on which to base an ABC or manage the fishery, and declined to establish an

ABC for that species. The AP recommended that the species remain in the pelagic shelf rockfish complex pending availability of additional biological and fishery information. The Council adopted the AP recommendation.

1. Specifications of TAC and Apportionments Thereof Among DAP, JVP, TALFF, and Reserves

The Council recommended TACs equal to ABCs for Pacific cod, sablefish, Northern rockfish, pelagic shelf rockfish, and demersal shelf rockfish (DSR). The Council recommended TACs less than ABCs for all other species and species groups: pollock; deep-and shallow water flatfish; flathead sole; arrowtooth flounder; POP; shortraker/rougeye rockfish (SR/RE); "other rockfish;" and thornyhead rockfish (Table 1).

The reduced TAC recommended for pollock in the W/C GOA includes ecosystem concerns, in particular the importance of pollock as prey for Steller sea lions and seabirds as discussed above. Regulations that implement Amendment 25 to the FMP authorize the apportionment of pollock TAC specified for the combined W/C GOA Regulatory Area among the Shumagin, Chirikof, and Kodiak Districts. These are co-extensive with Statistical Areas 61, 62, and 63, respectively.

Apportionments are proportional to distribution of exploitable biomass as determined by the most recent NMFS biomass surveys. These respective proportions are 21.7, 23.4, and 54.9 percent. Accordingly, respective apportionments are 24,087 mt, 25,974 mt, and 60,939 mt (Table 1). For rockfishes, the Council recommended reduced TACs because of the depleted status of many of the target species. For POP, the Council recommended a TAC (2,560 mt) that is 46 percent of the recommended ABC (5,560 mt), and 49 percent of the 1992 TAC (5,200 mt). The

Council expressed concern over (1) a history of high commercial exploitation for POP, (2) the current low biomass of POP relative to estimated pre-exploitation levels, (3) uncertainties about the accuracy of surveys, biomass estimates, and exploitation rates, (4) apparent low recruitment and relatively old age of the POP population, and (5) the increase in exploitation rate being proposed for 1993 over that used in 1992.

The Council heard public testimony (1) supporting the 5,560 mt ABC adopted by the Council and its committees, (2) indicating that the recommended TAC would likely preclude directed fisheries for POP, (3) estimating the gross wholesale value of the 1992 GOA POP TAC was \$6.2 million annually, of which \$3.4 million might be foregone under the recommended 1993 TAC, and (4) that the POP fishery is conducted by a relatively small number of factory trawlers, each of which might bear a significant loss from the reduced TAC. The Council responded that biological concerns about POP stocks warranted immediate reduction of catches. The Council directed staff to begin analyses that would examine rebuilding potential for POP, establish options, and enumerate associated biological and socioeconomic costs and benefits, as required by the FMP for any such program. The Council is scheduled to review this analysis at its April 1993 meeting.

The sum of the TACs approved by the Council for GOA groundfish, including POP and "other species", is 306,651 mt, which is within the OY range specified by the FMP.

The Council, after adopting the TACs, then recommended 1993 apportionments of the TACs for each species category among DAP, JVP, TALFF, and reserve. Existing harvesting and processing capacity of the U.S. industry is capable of utilizing the

entire 1993 TAC specification for GOA groundfish. Therefore, the Council recommended that DAP equal TAC for each species category, resulting in no TALFF or JVP apportionments for the 1993 fishing year.

NMFS has reviewed the Council's recommendations for TAC specifications and apportionments and hereby approves these specifications under § 672.20(c)(1)(ii)(B), except for POP and "other species" which is calculated as a percent of TACs in each regulatory area.

For POP, the Council made its recommendation without the benefit of biological and economic data that have recently become available and that NMFS believes should be considered in establishing the 1993 POP TAC, particularly in consideration of the potential economic value of that fishery. Therefore, NMFS is requesting that the Council reexamine available information and reconsider at its April 1993 meeting the recommendation for the 1993 POP TAC. NMFS anticipates specifying a 1993 TAC for POP prior to the beginning of the trawl season for rockfish on June 28. Until that time, interim amounts of POP previously specified in the Federal Register (57 FR 57982, December 8, 1992) are anticipated to be sufficient to support ongoing fisheries without unintentional waste and discard.

For "other species," the FMP establishes a TAC equal to 5 percent of the sum of TACs of target species. The Council recommended that "other species" be allocated separately for each regulatory area. Table 1 shows the resultant TAC for "other species" in each regulatory area based on target TACs, excluding POP.

The sum of: (1) Final TACs for groundfish target species; (2) the interim TAC specified for POP, which remains in effect; and (3) "other species," is 305,078 mt.

TABLE 1.—FINAL 1993 SPECIFICATIONS, OVERFISHING LEVELS, ACCEPTABLE BIOLOGICAL CATCHES (ABC), AND TOTAL ALLOWABLE CATCHES (TAC) FOR THE WESTERN/CENTRAL (W/C), WESTERN (W), CENTRAL (C), AND EASTERN (E) REGULATORY AREAS AND IN THE SHUMAGIN (SH), CHIRIKOF (CH), KODIAK (KD), WEST YAKUTAT (WYK), AND SOUTHEAST OUTSIDE (SEO) DISTRICTS OF THE GULF OF ALASKA (GW)¹.

[Specifications of domestic annual processing (DAP) equal TAC. Values are in metric tons.]

Species	Area ²	Overfishing level	ABC	TAC=DAP
Pollock ³	SH	286,000	34,068	24,087
	CH	36,737	25,974
	KD	86,195	60,939
	W/C	157,000	111,000
	E	9,020	3,400	3,400

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[Specifications of domestic annual processing (DAP) equal TAC. Values are in metric tons.]

Species	Area ²	Overfishing level	ABC	TAC=DAP
Total			160,400	114,400
Pacific cod ⁴	W C E	.....	18,700	18,700
		.....	35,200	35,200
		.....	2,800	2,800
Total		78,100	56,700	56,700
Deep water flatfish ⁵	W C E	.....	2,020	1,740
		.....	35,580	15,000
		.....	7,930	3,000
Total		59,650	45,530	19,740
Shallow water flatfish ⁶	W C E	.....	27,480	4,500
		.....	21,260	10,000
		.....	1,740	1,740
Total		70,860	50,480	16,240
Flathead sole	W C E	.....	12,580	2,000
		.....	31,830	5,000
		.....	5,040	3,000
Total		64,780	49,450	10,000
Arrowtooth flounder	W C E	.....	38,880	5,000
		.....	253,330	20,000
		.....	29,080	5,000
Total		451,690	321,290	30,000
Sablefish ⁷	W C WYK SEO	.....	2,030	2,030
		.....	9,610	9,610
		.....	3,830	3,830
		.....	5,430	5,430
Total		27,750	20,900	20,900
Northern rockfish ⁸	W C E	.....	1,000	1,000
		.....	4,720	4,720
		.....	40	40
Total		10,360	5,760	5,760
Other rockfish ⁹	W C E	.....	330	214
		.....	1,640	1,064
		.....	6,330	4,105
Total		9,850	8,300	5,383
Shortraker/rougheye rockfish ¹⁰	W C E	.....	100	90
		.....	1,290	1,161
		.....	570	513
Total		2,900	1,960	1,764
Pelagic shelf rockfish ¹¹	W C E	.....	1,010	1,010
		.....	4,450	4,450
		.....	1,280	1,280
Total		11,300	6,740	6,740
Demersal shelf rockfish ¹²	SEO	1,600	800	800
Thornyhead rockfish	GW	1,441	1,180	1,062
Other species ¹³	W C	na	3,045
		na	9,687

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[Specifications of domestic annual processing (DAP) equal TAC. Values are in metric tons.]

Species	Area ²	Overfishing level	ABC	TAC=DAP
Total	E	.....	na	1,795
		na	na	14,527
		.....	735,220	305,078
Grand total ¹⁴				

¹ Table 1 shows final TACs for all groundfish, except for POP, for which the interim TAC specified at 57 FR 57982 (December 8, 1992) remains in effect. See footnote 14 for an explanation of the "Total".

² See figure 1 of § 672.20 for description of regulatory areas/districts.

³ TAC for W/C Regulatory Area is 111,000 mt, representing the sum of the Shumagin (SH), Chirikof (CH), and Kodiak (KD) districts. The category pollock is allocated entirely to vessels catching pollock for processing by the inshore component after subtraction of an amount that is projected by the Regional Director to be caught by, or delivered to, the offshore component incidental to fishing for other groundfish species.

⁴ The category Pacific cod is allocated 90 percent to vessels catching Pacific cod for processing by the inshore component and 10 percent to vessels catching Pacific cod for processing by the offshore component (Table 4).

⁵ The category "deep water flatfish" means rex sole, Dover sole, and Greenland turbot.

⁶ The category "shallow water flatfish" means flounders not including "deep water flatfish," flathead sole, or arrowtooth flounder.

⁷ The category sablefish is allocated to trawl and hook-and-line gears (Table 2).

⁸ The category Northern rockfish (*Sebastes polyspinis*) was previously part of the "Other rockfish" complex.

⁹ The category "other rockfish" in the Western and Central Regulatory Areas and in the West Yakutat District includes slope rockfish, and demersal shelf rockfish as defined in #12 below. The category "other rockfish" in the Southeast Outside District includes only the slope rockfish.

Slope rockfish means all members of the genus *Sebastes* not defined as pelagic shelf rockfish, demersal shelf rockfish, or Pacific Ocean perch, including the following:

Sebastes aurora (aurora rockfish), *S. melanostomus* (blackgill rockfish), *S. paucispinis* (bocaccio), (*S. goodell* (chillipepper rockfish), *S. crameri* (darkblotch rockfish), *S. elongatus* (greenstriped rockfish), *S. variegatus* (harlequin rockfish), *S. wilsoni* (pygmy rockfish), *S. proriger* (redstripe rockfish), *S. zacentrus* (sharpchin rockfish), *S. jordani* (shortbelly rockfish), *S. brevispinis* (silverygrey rockfish), *S. diploproa* (splitnose rockfish), *S. saxicola* (stripetail rockfish), *S. miniatus* (vermillion rockfish), and *S. reedi* (yellowmouth rockfish).

"Pacific Ocean perch" means *Sebastes alutus*.

¹⁰ The category "shortraker/rougheye rockfish" includes *Sebastes borealis* and *S. aleutianus*, respectively.

¹¹ The category "pelagic shelf rockfish" includes: *Sebastes melanops* (black rockfish), *S. mystinus* (blue rockfish), *S. ciliatus* (dusky rockfish), *S. entomelas* (widow rockfish), and *S. flavidus* (yellowtail rockfish).

¹² The category "demersal shelf rockfish" includes: *Sebastes pinniger* (canary rockfish), *S. nebulosus* (China rockfish), *S. caurinus* (copper rockfish), *S. maliger* (quillback rockfish), *S. babcocki* (redbanded rockfish), *S. helvomaculatus* (rosethorn rockfish), *S. nigrocinctus* (tiger rockfish), and *S. ruberrimus* (yelloweye rockfish).

¹³ The category "other species" includes Atka mackerel, sculpins, sharks, skates, eulachon, smelts, capelin, squid, and octopus. The "other species" TAC is equal to the sum of: (1) 5 percent of the final TACs of the target species except POP, and (2) 5 percent of the interim TAC of POP, in each Regulatory Area.

¹⁴ "Total" includes the ABC and the interim TAC for POP (1062 mt) established at 57 FR 57982 (December 8, 1992).

2. Apportionment of Reserves to DAP

Regulations implementing the FMP require 20 percent of each TAC for pollock, Pacific cod, flounder species and the "other species" category be set aside in reserves for possible apportionment at a later date (§ 672.20(a)(2)(ii)). NMFS apportioned all the reserves to DAP effective on January 1 for the preceding 5 years, including 1992. For 1993, NMFS apportions reserves for each species category to DAP, anticipating that domestic harvesters and processors will need all the DAP amounts. Specifications of DAP shown in Table 1 reflect apportioned reserves. Under § 672.20(d)(5)(iv), the public may submit comments on the apportionments of reserves. Comments should focus on whether, and the extent to which, operators of vessels of the United States will harvest reserve or DAP amounts during the remainder of the year and whether, and the extent to which, U.S. harvested groundfish can or will be processed by U.S. fish

processors or received at sea by foreign fishing vessels.

3. Assignments of the Sablefish TACs to Authorized Fishing Gear Users

Under § 672.24(c), sablefish TACs for each of the regulatory areas and districts are assigned to hook-and-line and trawl gear. In the W/C GOA Regulatory Areas, 80 percent of each TAC is assigned to hook-and-line gear and 20 percent is assigned to trawl gear. In the Eastern Regulatory Area, 95 percent of the TAC is assigned to hook-and-line gear and 5 percent is assigned to trawl gear. This latter amount may only be used as bycatch to support directed fisheries for other target species. Sablefish caught with pot gear may not be retained. Table 2 shows the 1993 apportionments of sablefish TACs between the gear types.

TABLE 2.—1993 SABLEFISH TAC SPECIFICATIONS IN THE GULF OF ALASKA AND ASSIGNMENTS THEREOF TO HOOK-AND-LINE TRAWL GEAR.

[Values are in metric tons.]

Area/district	TAC	Hook-and-line share	Trawl
Western	2,030	1,624	406
Central	9,610	7,688	1,922
Eastern:			
West Yakutat	3,830	3,638	192
Southeast Outside	5,430	5,158	272
Total	20,900	18,108	2,792

4. Apportionments of Pollock TAC Among Regulatory Areas, Seasons, and Between Inshore and Offshore Components

In the GOA, pollock is apportioned by area, season, and to inshore and offshore components. Regulations at § 672.20(a)(2)(iv) require that the TAC for pollock in the combined W/C GOA

Regulatory Areas be apportioned among statistical areas Shumagin (61), Chirikof (62), and Kodiak (63) in proportion to known distribution of the pollock biomass. This measure was implemented under Amendment 25 and is intended to distribute spatially the pollock harvest to protect sea lions. Each statistical area apportionment is further divided equally among the four quarterly reporting periods of the fishing year. Within any fishing year, any unharvested amount of any quarterly allowance of pollock TAC is added in equal proportions to the quarterly allowances of following quarters, resulting in a sum for each quarter that does not exceed 150 percent of the initial quarterly allowance. Similarly, harvests in excess of a quarterly allowance of TAC are deducted in equal proportions from the remaining quarterly allowances of that fishing year. The Eastern Regulatory Area pollock TAC of 3,400 mt is not allocated among smaller areas of quarters.

Regulations at § 672.20(a)(2)(v)(A) require that the DAP apportionment for pollock in all regulatory areas and all quarterly allowances thereof be allocated to vessels catching pollock for processing by the inshore and offshore components. After subtracting an amount of pollock that is projected by the Regional Director to be caught by, or delivered to, the offshore component incidental to fishing for other groundfish species, the pollock TAC is allocated entirely to vessels catching pollock for processing by the inshore component. At this time, incidental amounts of pollock to be caught by the offshore component are unknown, and will be determined during the fishing year. The distribution of pollock within the combined W/C GOA Regulatory Areas is shown in Table 3.

TABLE 3.—DISTRIBUTION OF POLLOCK IN THE WESTERN AND CENTRAL GULF OF ALASKA FOR 1993; BIOMASS DISTRIBUTION, AREA APPORTIONMENTS, AND QUARTERLY ALLOWANCES. BIOMASS DISTRIBUTION IS BASED ON 1990 SURVEY DATA

[Values are in metric tons]			
Statistical area	Bio-mass percent	1993 TAC	Quarterly allowance
Shumagin (SH, 61)	21.7	24,087	6,022
Chirikof (CH, 62)	23.4	25,974	6,494
Kodiak (KD, 63)	54.9	60,939	15,234
Total ..	100	111,000	27,750

NMFS issued a final rule to delay the opening of the second season pollock fishery in the combined Western and Central Regulatory Areas of the GOA to June 1. The final rule is contained elsewhere in this Federal Register publication. The final rule also specified that directed fishing for the four quarterly pollock allowances would start on January 1, June 1, July 1, and October 1. Therefore, under § 672.23(f), pollock fishing seasons are as follows:

Pollock quarter	Pollock quarter dates and times*
1	01/01 (00:01 a.m.)–04/01 (12 noon)
2	06/01 (12 noon)–07/01 (12 noon)
3	07/01 (12 noon)–10/01 (12 noon)
4	10/01 (12 noon)–12/31 (12 mid-night)

*The time of openings and closures is Alaska local time.

5. Apportionment of Pacific Cod TAC Between Inshore and Offshore Components

Regulations at § 672.20(a)(2)(v)(B) require that the DAP apportionment of Pacific cod in all regulatory areas be allocated to vessels catching Pacific cod for processing by the inshore and offshore components. Pacific cod is allocated 90 percent to vessels catching Pacific cod for processing by the inshore component and 10 percent to vessels catching Pacific cod for processing by the offshore component. Inshore and offshore allocations of the 56,700 mt Pacific cod TAC for 1993 are shown in Table 4.

TABLE 4.—ALLOCATION OF PACIFIC COD TAC FOR 1993 IN THE GULF OF ALASKA; ALLOCATIONS TO INSHORE AND OFFSHORE COMPONENTS

Regulatory area	TAC	Component	
		Inshore (90%)	(Off-shore (10%))
Western	18,700	16,830	1,870
Central	35,200	31,680	3,520
Eastern	2,800	2,520	280
Total	56,700	51,030	5,670

6. Apportionment of "Other Species" TAC Among Regulatory Areas

The FMP specifies that the TAC for the "other species" category is equal to 5 percent of the combined TACs for target species. The Council recommended that for 1993, separate amounts of "other species" be made available in each of the three regulatory areas. This more accurately reflects the

intended use of "other species" as incidental catch to support groundfish target fisheries, and will reduce competition among users of other species. Therefore, the TAC for "other species" in each regulatory area is equal to 5 percent of the sum of the final TACs of target species and the interim POP TAC for each regulatory area, as follows (in mt):

Regulatory area	Sum of target TACs*	"Other species"
Western	60,905	3,045
Central	193,749	9,687
Eastern	35,897	1,795
Total	290,551	14,527

*The total for each regulatory area includes one-third of the TAC for thornyhead rockfish.

7. PSC Limits Relevant to Fully Utilized Species

Under § 672.20(b)(1), if NMFS determines after consultation with the Council that the TAC for any species or species group will be fully utilized in the DAP fishery, a groundfish PSC limit applicable to the JVP fisheries may be specified for that species or species group.

The Council recommended that DAP equal TAC for each species category. Zero amounts of JVP are available. NMFS concurs with the Council's recommendation, and has not established any JVP amounts. Therefore, no groundfish PSC limits under § 672.20(b)(1) are necessary.

8. Closures to Directed Fishing

The "Proposed 1993 Initial Specifications of Groundfish and Associated Management Measures" for the GOA (57 FR 57982, December 8, 1992) contained several closures to directed fishing for groundfish during 1993. These final specifications affirm previous closures, and include some additional closures.

Under § 672.20(c)(2)(ii), the Regional Director determined that the entire TACs or allocations of TAC of some groundfish species and species groups will be needed as incidental catch to support other anticipated groundfish fisheries during 1993. The Regional Director is establishing directed fishing allowances of zero mt and prohibiting directed fishing for the remainder of the fishing year for the following: (1) Pacific cod for processing by the offshore component in the Western, Central, and Eastern Regulatory Areas; (2) pollock for processing by the offshore component in the Western, Central, and Eastern Regulatory Areas; (3) sablefish caught by trawl gear in the Western and Central

Regulatory Areas; (4) SR/RE in the Western and Eastern Regulatory Areas; (5) "other rockfish" in the Western Regulatory Area; and, (6) Northern rockfish in the Eastern Regulatory Area. Additionally, regulations at § 672.24(c)(1) prohibit directed fishing for sablefish with gear other than hook-and-line gear in the Eastern Regulatory Area.

Under authority of the interim specifications (57 FR 57982, December 8, 1992) and at §§ 672.20(c)(1)(ii)(A) and 672.20(c)(2)(ii), the Regional Director established a directed fishing allowance and closed directed fishing for Pacific cod by vessels harvesting Pacific cod in the Western Regulatory Area for processing by the inshore component (58 FR 13214, March 10, 1993). Under this current action, and § 672.20(c)(2)(ii) the Regional Director has determined that amounts of Pacific cod remaining in the final specification for the Western Regulatory Area in 1993 for the inshore component are needed as incidental bycatch to support anticipated groundfish fishing activity later in 1993. Therefore, the Regional Director is establishing a directed fishing allowance of 16,000 mt (which has already been harvested), and NMFS is closing directed fishing for Pacific cod by vessels harvesting Pacific cod in the Western Regulatory Area for processing by the inshore component, for the remainder of the fishing year.

The Regional Director determined that the interim first quarterly allowances of pollock apportioned to Statistical Areas 62 and 63 had been reached. NMFS closed directed fishing for pollock in those areas (58 FR 11985, March 2, 1993, and 58 FR 11986, March 2, 1993, respectively). The Regional Director has now determined that the final first quarterly allowances of pollock for areas 62 and 63 (6,494 mt and 15,234 mt, respectively) have been taken. Therefore, NMFS is closing directed fishing for pollock by all vessels catching pollock in those areas under § 672.20(c)(2)(ii), until the second quarterly pollock allowances become available. On March 29, fishing for pollock in Statistical Areas 62 and 63 will resume for vessels catching pollock for delivery for processing by the inshore component. A proposed regulatory change would delay the second quarter pollock season until June 1, 1993.

Directed fishing standards for the aforementioned closures may be found at § 672.20(g).

9. Halibut Prohibited Species Catch (PSC) Mortality Limits

Under § 672.20(f)(2), annual Pacific halibut PSC limits are established and apportioned to trawl and hook-and-line gear and may be apportioned to pot gear. At its December 1992 meeting, the Council recommended that NMFS establish halibut PSC limits of 2,000 mt and 750 mt for trawl and hook-and-line gear, respectively, for 1993. Further, 10 mt of the hook-and-line PSC limit is apportioned to DSR, and the remaining 740 mt is apportioned to all other hook-and-line fisheries.

The Council recommended that pot gear be exempt from Pacific halibut PSC limits for the 1993 fishing year. Operators of vessels using pot gear caught approximately 10,000 mt of groundfish, mostly Pacific cod, during 1992. Observer information suggests that the mortality of Pacific halibut caught in pots is low, approximately 5 percent. Using this rate, NMFS estimates that approximately 4 mt of Pacific halibut mortality occurred in the GOA pot fisheries during 1992.

The Regional Director will project when the 1993 Pacific halibut PSC limits will be reached during the fishing year on the basis of observed halibut bycatch rates, assumed mortality rates, and reported groundfish catch. Assumed mortality rates for halibut bycatch vary, depending on the gear being used and the groundfish target. After reviewing information contained in the November 1992 SAFE report, NMFS observer data, and information provided by the International Pacific Halibut Commission (IPHC), the Council recommended the following assumed mortality rates for Pacific halibut that are caught as bycatch in the following fisheries: 75 percent for pelagic trawl pollock; 60 percent for trawl rockfish, shallow water flatfish, and "other species"; 55 percent for non-pelagic trawl pollock and deep water flatfish; 20.5 percent for hook-and-line sablefish; 16 percent for all other hook-and-line fisheries; and 5 percent for all pot fisheries. These rates may be adjusted during the fishing year if warranted by new information.

If halibut bycatch is caught at the same rate in 1993 as in 1992, the assumed halibut mortality rates for trawl gear will result in faster accrual of Pacific halibut mortality in the pelagic trawl pollock fishery, and slower accrual in all other trawl fisheries than in 1992 when a 65 percent assumed rate was used for all targets. For hook-and-line gear, the sablefish fishery will accrue more halibut mortality than in

1992 when a 16 percent rate was assumed.

NMFS cannot predict whether the 1993 assumed mortality rates will constrain the trawl and hook-and-line groundfish fisheries. Harvesters are expected to change fishing methods in response to: (1) A vessel incentive program in which trawl fishermen are subject to enforcement actions if observed Pacific halibut bycatch rates exceed a bycatch rate standard specified in regulations; (2) a proposed change in the definition of pelagic trawl gear and new performance-based standards for this gear type; and, (3) a proposed requirement for careful release or gangion-cutting for halibut bycatch taken with hook-and-line gear. Groundfish may be fully harvested, subject to market constraints, even under lower Pacific halibut mortality caps.

NMFS concurs with the Council's recommendations listed above. The following types of information as presented in, and summarized from, the 1992 SAFE report, or as otherwise available from NMFS, Alaska Department of Fish and Game (ADF&G), the IPHC, or public testimony were considered.

(A) Estimated Halibut Bycatch in Prior Years

The best available information on estimated halibut bycatch is from 1992 observer data. Assumed halibut mortality rates are based on 1990 and 1991 observer data. The calculated halibut bycatch mortality amounts by trawl, hook-and-line, and pot gear for 1992 are 1,718 mt, 1,131 mt, and 4 mt, respectively, for a total of 2,853 mt. These mortality amounts seasonally constrained trawl fisheries during the first and third quarters of the fishing year. Trawling, with the exception of trawling for pollock with pelagic trawl gear, was closed from March 22 to March 31, 1992 (57 FR 10297, March 25, 1992), from August 5 to September 30 (57 FR 35765, August 11, 1992), and from October 30 through December 31 (57 FR 52737, November 5, 1992), as a result of halibut PSC seasonal allowances. Hook-and-line fishing was closed from October 30 through December 31 (57 FR 52594, November 4, 1992), due to attainment of halibut PSC seasonal allowances.

The amount of groundfish that could have been harvested in 1992 without halibut PSC constraints is unknown. The EA estimates 25,500 mt of groundfish, worth an estimated \$11.3 million, were foregone by the trawl fishery. Lacking market incentives, some groundfish would not have been

harvested, regardless of halibut PSC bycatch availability.

(B) Expected Changes in Groundfish Stocks

At its December 1992 meeting, the Council adopted lower ABCs for Pacific cod, POP, and thornyhead rockfish and a higher ABC for pollock, deep water flatfish, and arrowtooth flounder than ABCs adopted for these species for 1992. Other ABCs are essentially unchanged from 1992 levels, including those for DSR after adjustment for the increase in the size of the Southeast Outside District, and for the combined Northern rockfish and "other rockfish" species groups. More information on these changes is included in the Final SAFE Report dated November 1992 and in the Council and SSC minutes.

(C) Expected Changes in Groundfish Catch

The total of the 1993 TACs for the GOA, including the interim TAC for POP, is 305,078 mt, an increase of 6 percent over the 1992 TAC total of 289,066 mt (including POP). This notice significantly changes TACs from 1992 for certain target species categories, including reductions in Pacific cod, SR/RE, Northern rockfish and "other rockfish," pelagic shelf rockfish, and thornyhead rockfish, and increases in pollock, shallow water flatfish, and arrowtooth flounder.

TACs for Pacific cod and for the combined rockfishes (SR/RE, Northern rockfish and "other rockfish," pelagic shelf rockfish, and thornyhead rockfish) are decreased from 63,500 mt in 1992 to 56,700 mt in 1993, and from 24,704 mt in 1992 to 20,709 mt in 1993, respectively. The lower Pacific cod and rockfish TACs could reduce halibut mortality associated with those fisheries, and make more halibut bycatch available to support other trawl fisheries, especially those for flounders. TACs for shallow water flatfishes and arrowtooth flounder and for pollock increased from 36,740 mt to 46,240 mt, and from 87,400 mt to 114,400 mt, respectively. Greater participation in flounder fisheries is anticipated due to stronger markets and displacement of the offshore fleet from the pollock and Pacific cod fisheries. Additionally, recent technical developments suggest that arrowtooth flounder might be suitable for surimi production. Any increase in directed fishing for flounders will result in additional halibut PSC bycatch mortality, which might constrain trawlers in 1993. The increase in pollock TAC is not expected to affect halibut bycatch, because most of the pollock in the GOA is harvested

with pelagic trawls that have low bycatches of halibut.

(D) Current Estimates of Halibut Biomass and Stock Condition

The IPHC 1992 stock assessment for the 1993 fishing year indicates that the total exploitable biomass of Pacific halibut available for 1992 was 265.8 million pounds (120,566 mt). Halibut biomass declined 11 percent from the previous stock assessment, a rate similar to declines observed in previous years. Recruitment (abundance of 8-year-old fish) appears to have dropped off coastwide, attributable to declines in Areas 3A, 3B, and 4, and stable recruitment in Area 2C, in spite of increases in Areas 2A and 2B. The 15-year-old age class, which recruited strongly as 8-year-old fish in 1985, is contributing less and less to the fishery yield. The low recruitment in recent years, in conjunction with recent exploitation rates in the commercial fishery, is expected to contribute to a continued decline in the overall stock at a rate of 5-10 percent per year over the next several years. A return to historically low recruitment levels as indicated by the numbers of 8-year-old fish in Area 3A supports the hypothesis of cyclically driven recruitment. The IPHC is recommending a decrease in the exploitation rate from 0.35 to 0.30 by 1994.

(E) Potential Impacts of Expected Fishing for Groundfish on Halibut Stocks and U.S. Halibut Fisheries

Impacts of the groundfish fishery on Pacific halibut stocks and the halibut fisheries will be minimized by the overall PSC mortality limit. The 1993 groundfish fisheries are expected to catch the entire halibut PSC limit of 2,750 mt. According to the IPHC, allowable directed commercial catch of halibut is determined by subtracting recreational catch, waste, and bycatch amounts from a portion of the exploitable biomass. Therefore, although the amount of halibut available for directed halibut fisheries will be reduced, halibut bycatch in groundfish fisheries is not expected to have any effect on halibut stocks.

(F) Methods Available for, and Costs of, Reducing Halibut Bycatches in Groundfish Fisheries

Halibut bycatch may be reduced by: (1) Reducing amounts of groundfish TACs; (2) reducing halibut bycatch rates through Vessel Incentive Programs; (3) gear modifications; (4) changes in groundfish fishing seasons; and (5) reducing the PSC mortality limits.

Reductions in groundfish TACs do not encourage fishermen to reduce bycatch rates. Costs that would be imposed on fishermen as a result of reducing TACs depend on species and amounts of groundfish foregone.

Trawl vessels carrying observers for purposes of complying with § 672.27 are subject to the Vessel Incentive Program outlined in § 672.26. The program encourages trawl fishermen fishing for groundfish to avoid high halibut bycatch rates by specifying bycatch rate standards for various target fisheries.

Current regulations at § 672.24(b)(2) require groundfish pots to have halibut exclusion devices to reduce halibut bycatches. Resulting low bycatch and mortality rates of halibut in pot fisheries have justified exempting pot gear from PSC limits. Because none of the halibut PSC limit was needed during 1992 pot gear fisheries, it was apportioned entirely to support bycatch needs in trawl and hook-and-line gear. Pending approval by NMFS, a proposed change in the definition of pelagic trawl gear, together with a new performance-based standard, is expected to reduce halibut bycatch by displacing fishing activity away from the bottom when specified halibut bycatch levels are reached during the fishing year. This would allow operators of vessels using midwater trawls to continue to fish for groundfish without halibut PSC constraints.

Groundfish fishing seasons have reduced halibut bycatch. The sablefish hook-and-line season starts May 15, and the rockfish trawl fishery is delayed until the beginning of the third fishing quarter, June 28, 1993. These delays postpone sablefish and rockfish fisheries until halibut have migrated into shallow water.

For 1993, it will be difficult to predict when halibut mortality limits will be reached. Although the PSC limits are the same as in 1992, new assumptions about mortality rates and changes in TACs make predictions speculative for trawl gear. The increased mortality associated with the sablefish fishery will likely result in earlier attainment of the hook-and-line halibut mortality limit.

NMFS and the Council will review methods listed under (F), above, to determine their effectiveness. Changes will be initiated as necessary in response to this review or to public testimony and comment, either through regulatory or FMP amendments.

Consistent with the goals and objectives of the FMP to reduce halibut bycatches while providing an opportunity to harvest the groundfish OY, NMFS assigns 2,000 mt and 750 mt

of halibut PSC mortality limits to trawl and hook-and-line gear, respectively. While these limits reduce the harvest quota for commercial halibut fishermen, NMFS has determined that they will not result in unfair allocation to any particular user group. NMFS recognizes that some halibut bycatch will occur in the groundfish fishery, but expansion of the Vessel Incentive Program, required gear modifications, a delay in the hook-and-line sablefish and trawl rockfish seasons, and the proposed requirement of "careful release" techniques for

halibut in the hook-and-line gear fisheries are intended to reduce adverse impacts on halibut fishermen while promoting the opportunity to achieve the OY from the groundfish fishery. The success of those measures depends, in part, on action taken by vessel operators to reduce Pacific halibut bycatches and bycatch mortalities as they respond to regulatory requirements.

10. Seasonal Apportionments of the Halibut PSC Limits

Under § 672.20(f)(2), the Pacific halibut PSC limits are apportioned

based on recommendations from the Council. For 1993, the Council recommended that Pacific halibut PSC limits for trawl gear for the second and third quarters be reversed from amounts in 1992 (Table 5). Slight adjustments were made to allow PSC limits to coincide with 1993 fishing weeks and quarterly reporting periods. Regulations specify that overages or shortfalls in PSC catches will be accounted for within the 1993 fishing year.

TABLE 5.—PACIFIC HALIBUT PSC LIMITS, ALLOWANCES, AND APPORTIONMENTS FOR 1993. THE PACIFIC HALIBUT PSC LIMIT FOR HOOK-AND-LINE GEAR IS ALLOCATED TO THE DEMERSAL SHELF ROCKFISH (DSR) FISHERY, AND TO FISHERIES OTHER THAN DSR.

[Values are in metric tons]

Trawl gear		Hook-and-line gear			
Dates	Amount	Other than DSR		Dates	Amount
		Dates	Amount		
Jan 1–Mar 28	600 (30%)	Jan 1–May 14	200 (27%)	Jan 1–Dec 31	10 (100%)
Mar 29–Jun 27	400 (20%)	May 15–Aug 31	500 (68%)		
Jun 28–Oct 3	600 (30%)	Sep 1–Dec 31	40 (5%)		
Oct 4–Dec 31	400 (20%)				
Total	2,000 (100%)		740 (100%)		10 (100%)

As required by § 672.20(f)(2)(iii), season apportionments of the halibut PSC limits are based on information summarized in the SAFE report, or as otherwise available, which is summarized below:

(A) Seasonal Distribution of Pacific Halibut

Adult Pacific halibut generally spawn in water 230–450 meters (m) deep from November through March; the peak of spawning is in December and January. During April and May, Pacific halibut migrate onto the offshore banks in water 135–270 m deep. During June through August, Pacific halibut are found in much shallower water, 45 m or less. During September and October, Pacific halibut migrate back to deeper water for spawning.

(B) Seasonal Distribution of Target Groundfish Species Relative to Pacific Halibut Distribution

Most of the groundfish species are found in deep water during winter when water temperatures are relatively warmer (4 °C) than temperatures in shallower water (1 °C). As detailed in the SAFE report, pollock, Pacific cod, shallow water flatfish species, and certain rockfish species are in deep water during winter but generally at depths shallower than where Pacific

halibut are found. In summer, these species are in the same shallow water as Pacific halibut.

The recommended seasonal trawl apportionments will accommodate intensive fishing for flounder species during the first half of the fishing year when halibut are in deep water, and for deep water rockfish in the third quarter when halibut are in shallow water. These amounts will also accommodate early-year fishing for Pacific cod, generally a shallow water species. The recommended seasonal hook-and-line apportionments will accommodate intensive fishing for sablefish starting on May 15. Even though Pacific halibut bycatches should be markedly reduced after that date as Pacific halibut migrate into shallow water, the industry prefers to have substantial bycatch to support the valuable sablefish fishery.

(C) Expected Pacific Halibut Bycatch Needs on a Seasonal Basis Relevant to Changes in Pacific Halibut Biomass and Expected Catches of Target Groundfish Species.

TACs for Pacific cod and for all rockfishes except DSR are lower in 1993 than in 1992. TACs for pollock, shallow water flatfish, and arrowtooth flounder are substantially increased. Because of the TAC changes and changes in the assumed halibut bycatch mortality rates,

all 2,000 mt of Pacific halibut bycatch mortality allocated to trawl gear and 750 mt allocated to hook-and-line gear are expected to be taken.

The Council recommended four seasonal apportionments of Pacific halibut PSC limit for trawl gear, equal to 30, 20, 30, and 20 percent. Most of the trawl share of the Pacific halibut PSC limit is expected to be taken during the first three quarters. Other than flounders and a limited amount of rockfishes, little groundfish is expected to be available or of high market demand for trawlers late in the year. Therefore, bycatch needs of Pacific halibut during the fourth quarter are expected to be smaller.

For the first quarter, most halibut bycatch will be needed in trawl fisheries for Pacific cod and flounders. Because halibut are in deep water in the winter, bycatch mortality in deep water flounder fisheries will likely be higher than at times later in the year. Pollock will be harvested primarily with pelagic trawl gear which has a low bycatch of halibut.

The second and third quarter proportions are reversed from those in 1992. This recommendation was made because a regulatory delay of trawling for rockfish and a proposed delay of the second quarter pollock season will reverse halibut bycatch needs during the

second and third quarters. Additionally, an anticipated increase in catch of shallow water flatfish during 1993 will increase halibut needs in the third quarter.

(D) Expected Variations in Bycatch Rates Throughout the Fishing Year

Pacific halibut bycatch rates will vary with the seasonal distribution of Pacific halibut. During winter months when Pacific halibut are in deep water, groundfish fisheries for deep-water species will experience higher Pacific halibut bycatch rates. Fisheries for shallow-water species will encounter lower Pacific halibut bycatch rates. This situation will be reversed during summer months when Pacific halibut are in shallower water. The Council's recommended large first and third quarterly apportionments to trawl gear reflect expected harvest patterns for Pacific cod and flounders in the first quarter, and pollock, rockfish and flounders in the third quarter. The allocation of 67 percent of the halibut PSC for hook-and-line gear to the second trimester reflects the needs of the lucrative sablefish fishery commencing on May 15.

(E) Expected Changes in Directed Groundfish Fishing Seasons

Two changes in the groundfish fishing seasons are anticipated from 1992 to 1993. The trawl rockfish fisheries will begin at the beginning of the third quarter, and the second pollock season, if approved, will be delayed from April 1 to a date near June 1. The rockfish season was changed, in part, to decrease halibut bycatch. Because Pacific halibut bycatch is relatively minor in the pollock fishery, the Council's recommended season change for pollock is not a major consideration in Pacific halibut PSC management.

(F) Expected Start of Fishing Effort

Except for GOA rockfish, fishing with trawl gear started on January 20. Trawling for rockfish species will start on June 28. Fishing with hook-and-line and pot gear for Pacific cod started in early January because Pacific cod were aggregated into spawning schools promoting good catch rates. Fishing with hook-and-line gear for sablefish will start on May 15.

(G) Economic Effects of Establishing Seasonal Pacific Halibut Allocations on Segments of the Target Groundfish Industry

The manner in which PSC limits are seasonally apportioned will affect the amount of groundfish OY that will be harvested during a season. Ideally, the

seasonal apportionment of Pacific halibut PSC limits will permit each fishery to harvest fully the available resource without exceeding the PSC limits for each gear group. In reality, seasonal apportionments may not allow full harvests.

After the trawl fisheries were closed October 30, 1992, upon reaching the PSC limit for Pacific halibut, substantial amounts of flounder target categories (excluding arrowtooth flounder, which is largely a bycatch species) and some pelagic shelf rockfish and "other rockfish" remained unharvested. The amount of groundfish foregone in 1992 by harvesters using trawl gear is estimated at 25,500 mt, worth approximately \$11.3 million exvessel. Lacking market incentives, some amounts of groundfish would not have been harvested, regardless of halibut PSC bycatch availability. A more thorough discussion of economic effects is contained in the SAFE report and EA.

NMFS has determined that the Council's recommendation for the seasonal apportionments of the Pacific halibut PSC to gear types is appropriate and is implementing the Council's recommendation.

Response to Comments

Written comments on the proposed 1993 specifications and other management measures were requested until January 4, 1993. No written comments were received during the comment period on the specifications as proposed. However, four letters were received by the Director, Alaska Region, NMFS (Regional Director), during the comment period on Council recommendations for final specifications. Two of these letters expressed support for the Council's recommendation of TAC for POP and "other rockfish"; one additionally supported the recommendation for SR/RE. Two other letters opposed to the Council recommendation for POP, and supported a higher TAC for POP. NMFS will respond to comments regarding POP when NMFS specifies a TAC for that species; the comments regarding other rockfishes and SR/RE are summarized and addressed below.

Comment 1: The TACs recommended for "other rockfish" and SR/RE by the Council were appropriate. The fisheries for "other rockfish" and SR/RE have a high bycatch of POP; allowing a TAC equal to the ABC of "other rockfish" would compromise the conservation and rebuilding measures adopted by the Council in recommending a reduced POP TAC. Additionally, the ABC for "other rockfish" was based on the average natural mortality rate for the

complex. A TAC set at ABC would not provide sufficient protection to any species that has a low natural mortality rate and may be harvested disproportionately to its relative abundance in the complex.

Response: NMFS has adopted the Council's TAC recommendation for "other rockfish." NMFS agrees that a conservative harvest approach is warranted for rockfishes, and unnecessary bycatches, particularly of POP, should be minimized until a detailed population and rebuilding analysis can be evaluated. NMFS also concurs that for species managed as a complex, harvest levels should be set in such a manner as to afford protection for vulnerable species within the complex.

Classification

This action is authorized under 50 CFR 611.92 and 672.20 and complies with E.O. 12291.

This action apportionments reserves to DAP fisheries on a date other than those specified in § 672.20(d)(i). The Assistant Administrator for Fisheries, NOAA (Assistant Administrator), finds that it is necessary to waive the opportunity for prior public comment to prevent premature closure of the fishery. In accordance with § 672.20(d)(5)(iv), comments are invited on the reserve apportionments as noted in "DATES" above.

NMFS prepared an environmental assessment on the 1993 TAC specifications. The Assistant Administrator concluded that no significant impact on the environment will result from their implementation.

An informal consultation under the Endangered Species Act for the final 1993 initial groundfish specifications was concluded for Steller sea lions, on January 27, 1993, and for listed, proposed, and candidate seabirds on February 3, 1993. An informal consultation for listed species of Pacific salmon was concluded for groundfish fisheries under the FMPs on February 20, 1992. As a result of the informal consultations, the Regional Director determined that fishing activities under the final 1993 TACs are not likely to adversely affect endangered or threatened species in a manner or to an extent not previously considered.

List of Subjects

50 CFR Part 611

Fisheries, Foreign relations.

50 CFR Part 672

Fisheries, Reporting and recordkeeping requirements.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 26, 1993.

Samuel W. McKeen,
Program Management Officer, National
Marine Fisheries Service.
[FR Doc. 93-7435 Filed 3-26-93; 4:15 pm]
BILLING CODE 3510-22-M

50 CFR Part 672

[Docket No. 921107-3068]

Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries
Service (NMFS), NOAA, Commerce.
ACTION: Closure.

SUMMARY: NMFS is closing the directed fishery for Pacific cod by the inshore component in the Central Regulatory area (CG) (statistical areas 62 and 63) in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the Pacific cod total allowable catch (TAC) for the inshore component in this area.

EFFECTIVE DATES: 12 noon, Alaska local time (A.l.t.), March 26, 1993, through 12 midnight, A.l.t., December 31, 1993.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, Resource Management Specialist, Fisheries Management Division, NMFS, (907) 586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by the Secretary of Commerce according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

In accordance with § 672.20(c)(1)(ii)(B), the allowance of Pacific cod TAC for the inshore component in the CG was established by the final specifications (contained elsewhere in this *Federal Register* document) as 31,680 mt.

The Director of the Alaska Region, NMFS (Regional Director), has determined, in accordance with § 672.20(c)(2)(ii), that the allowance of the 1993 Pacific cod TAC for the inshore component in the CG soon will be reached. Therefore, in accordance with § 672.20(a)(2)(v)(B), the Regional Director has established a directed fishing allowance for vessels catching Pacific cod for processing by the inshore component of 27,680 mt, with consideration that 4,000 mt will be

taken as incidental catch in directed fishing for other species in the CG. The Regional Director had determined that the directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the CG, effective from 12 noon, A.l.t., March 26, 1993, through 12 midnight, A.l.t., December 31, 1993.

Directed fishing standards for applicable gear types may be found in the regulations at § 672.20(g).

Classification

This action is taken under 50 CFR 672.20, and is in compliance with Executive Order 12291.

List of Subjects in 50 CFR Part 672

Fisheries, Reporting and recordkeeping requirements.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 26, 1993.

David S. Crestin,

Acting Director, Office of Fisheries
Conservation and Management, National
Marine Fisheries Service.

[FR Doc. 93-7436 Filed 3-26-93; 8:45 am]

BILLING CODE 3510-22-M