

Amendment 110
to the Fishery Management Plan for Groundfish of the
Bering Sea and Aleutian Islands Management Area
(bold shows additions and strike-out shows deletions)

1. In the Executive Summary, Table ES-2, in the section titled “Prohibited Species Catch (PSC) Limits”, revise the entries for “Chum salmon” and “Chinook salmon” to read as follows:

Chum salmon: Chum salmon bycatch in the Bering Sea pollock fishery is managed under incentive plan agreements (IPAs) that provide incentives to avoid chum bycatch.

Attainment of 42,000 fish limit in the Catcher Vessel Operational Area between August 15 and October 14 closes the Chum Salmon Savings Area for the rest of that time period. **Vessels that participate in the IPAs are exempt from this closure.**

Chinook salmon: Attainment of the Chinook salmon PSC limit in the Aleutian Islands subarea closes the Aleutian Islands Chinook Salmon Savings Areas to directed pollock trawl fishing for pollock. Chinook salmon bycatch in the Bering Sea pollock fishery is managed under a system of ~~two~~ PSC limits (~~60,000 Chinook salmon and 47,591 Chinook salmon~~), **performance standards**, allocations among the BS pollock fishery sectors, inshore cooperatives, and CDQ groups, and other measures designed to minimize bycatch below the higher PSC limit. Attainment of a Chinook salmon PSC allocation closes directed fishing for pollock in the Bering Sea subarea.

2. Revise Section 3.5.2.1.2 to read as follows:

The Chum Salmon Savings Area is closed to directed fishing for pollock with trawl gear from August 1 through August 31, unless the vessel directed fishing for pollock is operating under **an IPA salmon bycatch reduction inter-cooperative agreement**. See Appendix B and Figure 3-3. Directed fishing for pollock with trawl gear is also prohibited in this area upon the attainment of an ‘other salmon’ bycatch limit, unless the vessel directed fishing for pollock is operating under **an IPA a salmon bycatch reduction inter-cooperative agreement**. See description under Section 3.6.2.

3. Revise Section 3.6.2.1.6 to read as follows:

Aleutian Islands: The prohibited species catch (PSC) limit for Chinook salmon in the Aleutian Islands subarea is established in regulations implementing the FMP.

Bering Sea Chinook Salmon Bycatch Management Program: The annual PSC limit for Chinook salmon in the directed fishery for pollock in the Bering Sea subarea is either 47,591 Chinook salmon or 60,000 Chinook salmon, **or, in years of low Chinook salmon abundance, either 33,318 Chinook salmon or 45,000 Chinook salmon. Chinook salmon abundance will be considered low when abundance is less than or equal to the 250,000 Chinook salmon threshold, based on the State of Alaska’s post-season inriver Chinook salmon run size index.**

The Chinook salmon PSC limit is a hard cap which may not be exceeded. The PSC limit will be allocated seasonally 70 percent to the A season and 30 percent to the B season. The seasonal apportionments of the Chinook salmon PSC limit will be further allocated among the four AFA sectors: the AFA trawl catcher/processor sector, the AFA mothership sector, the AFA inshore sector, and the CDQ Program based on percentage allocations specified in regulation. Allocations to the inshore sector are further allocated among the inshore cooperatives and the inshore open access fishery. Allocations to the CDQ Program are further allocated among the CDQ groups. Chinook salmon PSC allocated to the sectors, inshore cooperatives, or CDQ groups is transferable under certain circumstances described in regulation.

The 60,000 Chinook salmon PSC limit **or 45,000 Chinook salmon PSC limit** is available to the AFA sectors whose members voluntarily participate in an incentive plan agreement (IPA) approved by NMFS and that meet a Chinook salmon bycatch performance standard. An IPA is a voluntary private contractual agreement among vessel owners, CDQ groups, or both that provides incentives to avoid Chinook salmon bycatch at all levels of Chinook salmon abundance and salmon encounters rates. The 47,591 PSC limit will be in effect for all sectors if no IPA is approved by NMFS. The 47,591 PSC limit also will be in effect for any sector that exceeds its Chinook salmon bycatch performance standard. The performance standard requires that, if any sector fishing under the 60,000 Chinook salmon PSC limit **or** exceeds its share of 47,591 Chinook salmon in three of seven consecutive years, that sector will be allocated a portion of the 47,591 PSC limit in all future years. **In low Chinook salmon abundance years, the 45,000 Chinook salmon PSC limit replaces the 60,000 PSC limit and the 33,318 PSC limit replaces the 47,591 PSC limit.**

The process for allocating the Bering Sea Chinook salmon PSC limits among participants in the Bering Sea pollock fishery; requirements governing the transfer and use of these allocations; and requirements for an IPA, the performance standard, annual reporting, and other aspects of the Bering Sea Chinook Salmon Bycatch Management Program are specified in Federal regulations implementing the FMP.

3. Revise Section 3.6.2.1.7 to read as follows:

Chum salmon bycatch in the Bering Sea pollock fishery is managed under the same IPAs as Chinook salmon. The IPAs include measures that provide incentives to avoid chum bycatch and reduce chum salmon bycatch rates relative to what would have occurred in absence of the incentive program.

When the Regional Administrator determines that 42,000 non-Chinook salmon have been caught by vessels using trawl gear during the time period of August 15 through October 14 in the catcher vessel operational area (see Section 3.5.2.1.5), NMFS will prohibit directed fishing for pollock with trawl gear for the remainder of the period September 14 through October 14 in the chum salmon savings area (see Section 3.6.2.2.4), unless the vessel is operating under an **IPA salmon bycatch reduction inter-cooperative agreement**. Accounting for the 42,000 fish PSC limit will begin on August 15.

4. Revise Section 3.6.2.2.4 to read as follows:

Upon attainment of the limit described in Section 3.6.2.1.7, NMFS will prohibit directed fishing for pollock with trawl gear for the remainder of the period September 14 through October 14 in the chum salmon savings area (described in Appendix B and Figure 3-3), unless the vessel is operating under an **IPA salmon bycatch reduction inter-cooperative agreement**. This area is also closed to vessels directed fishing for pollock and not operating under an **IPA a salmon bycatch reduction inter-cooperative agreement** from August 1 through August 31, as described in Section 3.5.2.1.2.

5. Revise Section 4.1.2.1, last paragraph, to read as follows:

Measures have also been implemented to reduce bycatch in the pollock fishery. Bycatch limits for chum salmon (42,000 fish), Chinook salmon (from ~~33,318~~ ~~47,594~~ to 60,000 fish in the Bering Sea subarea and 700 fish in the Aleutian Islands subarea), and herring (1 percent of total BSAI herring biomass) trigger area closures for the pollock fisheries in particular (see Section 3.6). Beginning in 1998, 100 percent retention was required for pollock under the improved retention/improved utilization (IR/IU) program. In 1999, the use of bottom trawl gear for directed pollock fishing was prohibited, to reduce bycatch of halibut and crabs.

6. Appendix A is amended to add the following text in Section A.1 between the entries for Amendment 109 and Amendment 111:

Amendment 110 implemented on _____ revised Amendment 91 and Amendment 84:

Change the Bering Sea Chinook Salmon Bycatch Management Program into the Bering Sea Salmon Bycatch Management Program by (1) adding two new Chinook salmon PSC limits in the Bering Sea pollock fishery for years of low Chinook salmon abundance, (2) incorporating chum salmon avoidance incentives into the incentive plan agreements, (3) enacting more stringent measures for avoiding Chinook salmon bycatch, and (4) removing Amendment 84 management measures.

18. Revisions as necessary to the Table of Contents.

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