

Amendment 89 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area

1. In Table ES-2, the Time and Area Restrictions description is revised to read as follows:

<p>Time and Area Restrictions</p>	<p>All trawl: Fishing with trawl vessels is not permitted year-round in the Crab and Halibut Protection Zone and the Pribilof Island Habitat Conservation Area. The Nearshore Bristol Bay Trawl Closure area is also closed year-round except for a subarea that remains open between April 1 and June 15 each year. The Chum Salmon Savings Area is closed to trawling from August 1 through August 31.</p> <p>Nonpelagic trawl: The Red King Crab Savings Area is closed to nonpelagic trawling year-round, except for a subarea that may be opened at the discretion of the Council and NMFS when a guideline harvest level for Bristol Bay red king crab has been established. The Aleutian Islands Habitat Conservation Area, Bering Sea Habitat Conservation Area, St. Matthew Island Habitat Conservation Area, St. Lawrence Island Habitat Conservation Area, Nunivak Island, Etolin Strait, and Kuskokwim Bay Habitat Conservation Area, and the Northern Bering Sea Research Area are closed to nonpelagic trawling year-round.</p> <p>Bottom contact gear: The use of bottom contact gear is prohibited in the Aleutian Islands Coral and Alaska Seamount Habitat Protection Areas year-round. The use of mobile bottom contact gear is prohibited year-round in Bowers Ridge Habitat Conservation Zone.</p> <p>Directed pollock fishery: Catcher/processor vessels identified in the American Fisheries Act are prohibited from engaging in directed fishing for pollock in the Catcher Vessel Operational Area during the non-roe ("B") season unless they are participating in a community development quota fishery.</p> <p>Marine mammal measures: Regulations implementing the FMP may include conservation measures that temporally and spatially limit fishing effort around areas important to marine mammals.</p> <p>Gear test area exemption: Specific gear test areas for use when the fishing grounds are closed to that gear type, are established in regulations that implement the FMP.</p>
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2. Add sections 3.5.2.1.8 through 3.5.2.1.12 to read as follows:

3.5.2.1.8 Bering Sea Habitat Conservation Area

The use of nonpelagic trawl gear, as described in 50 CFR part 679, in the Bering Sea Habitat Conservation Area is prohibited. See Appendix B and Figure 3-16.

3.5.2.1.9 St. Matthew Island Habitat Conservation Area

The use of nonpelagic trawl gear, as described in 50 CFR part 679, in the St. Matthew Island Habitat Conservation Area is prohibited. See Appendix B and Figure 3-17.

3.5.2.1.10 St. Lawrence Island Habitat Conservation Area

The use of nonpelagic trawl gear, as described in 50 CFR part 679, in the St. Lawrence Island

Habitat Conservation Area is prohibited. See Appendix B and Figure 3-18

3.5.2.1.11 Nunivak Island, Etolin Strait, and Kuskokwim Bay Habitat Conservation Area

The use of nonpelagic trawl gear, as described in 50 CFR part 679, in the Nunivak Island, Etolin Strait, and Kuskokwim Bay Habitat Conservation Area is prohibited. See Appendix B and Figure 3-19.

3.5.2.1.12 Northern Bering Sea Research Area

The use of nonpelagic trawl gear, as described in 50 CFR part 679, in the Northern Bering Sea Research Area is prohibited, except as allowed through exempted fishing permits under 50 CFR 679.6 that are consistent with a Council approved research plan to examine the effects of nonpelagic trawling on the management of crab species, marine mammals, ESA-listed species, and subsistence needs for Western Alaska communities. See Appendix B and Figure 3-20.

3. Add figures 3-16 through 3-20 as follows:

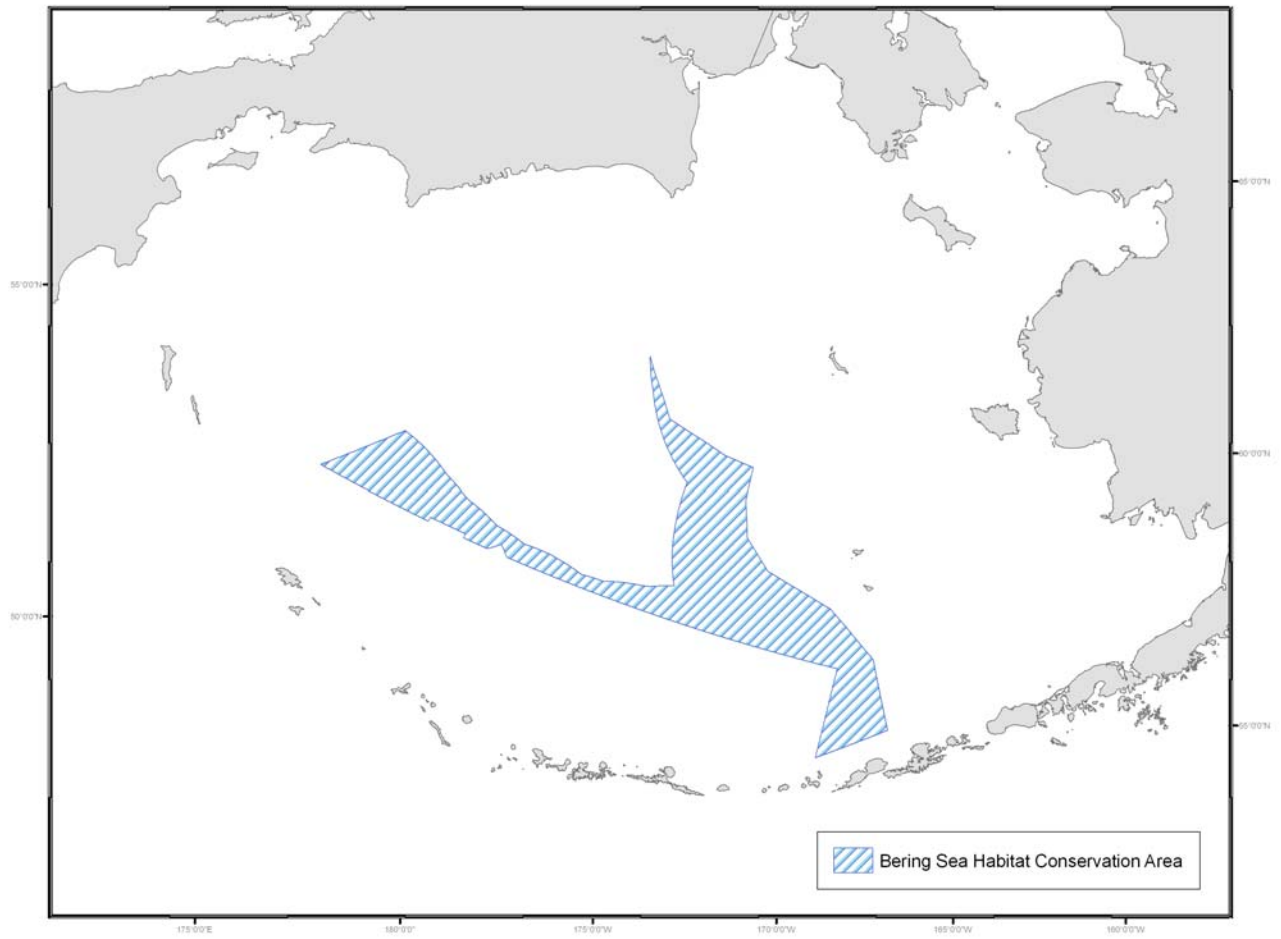


Figure 3-16 Bering Sea Habitat Conservation Area

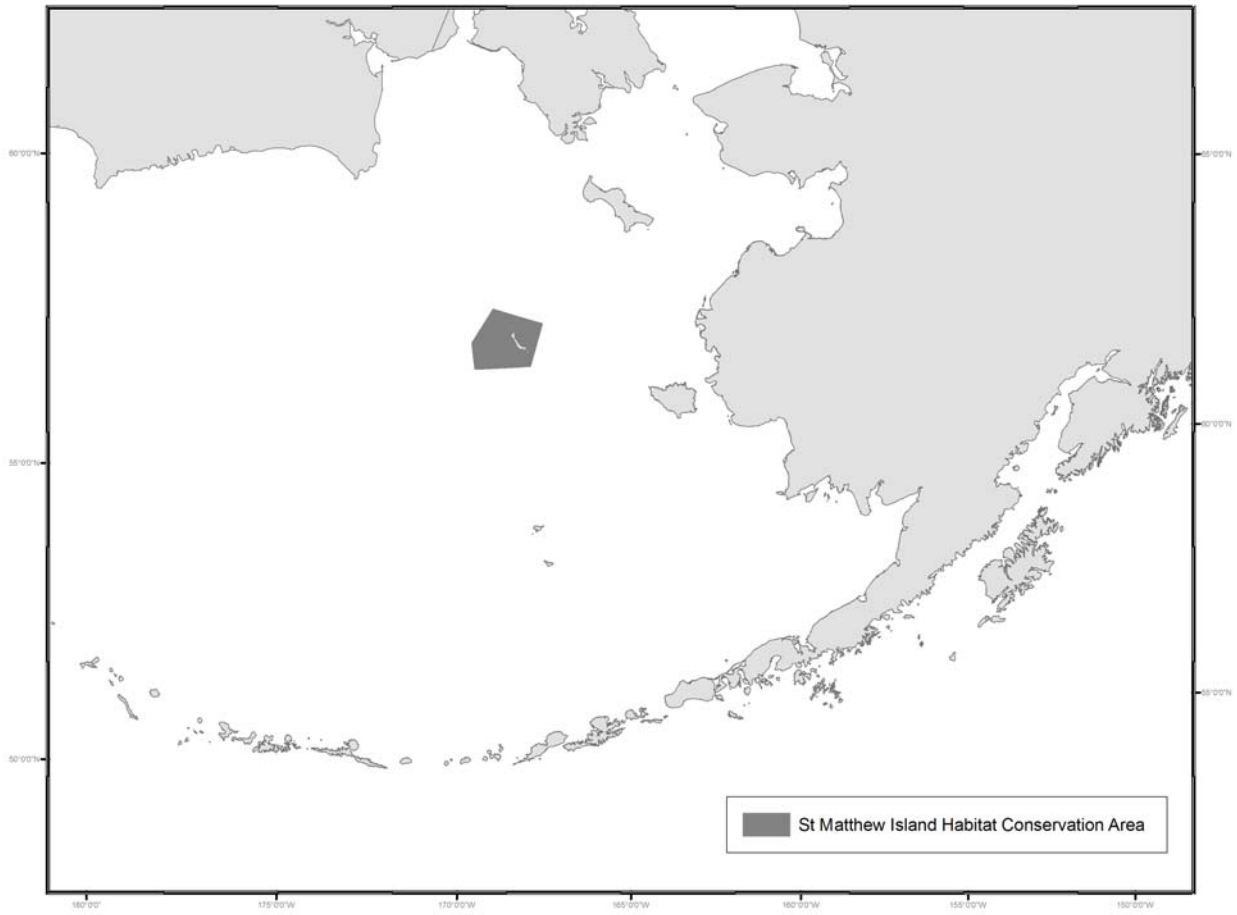


Figure 3-17 St. Matthew Island Habitat Conservation Area

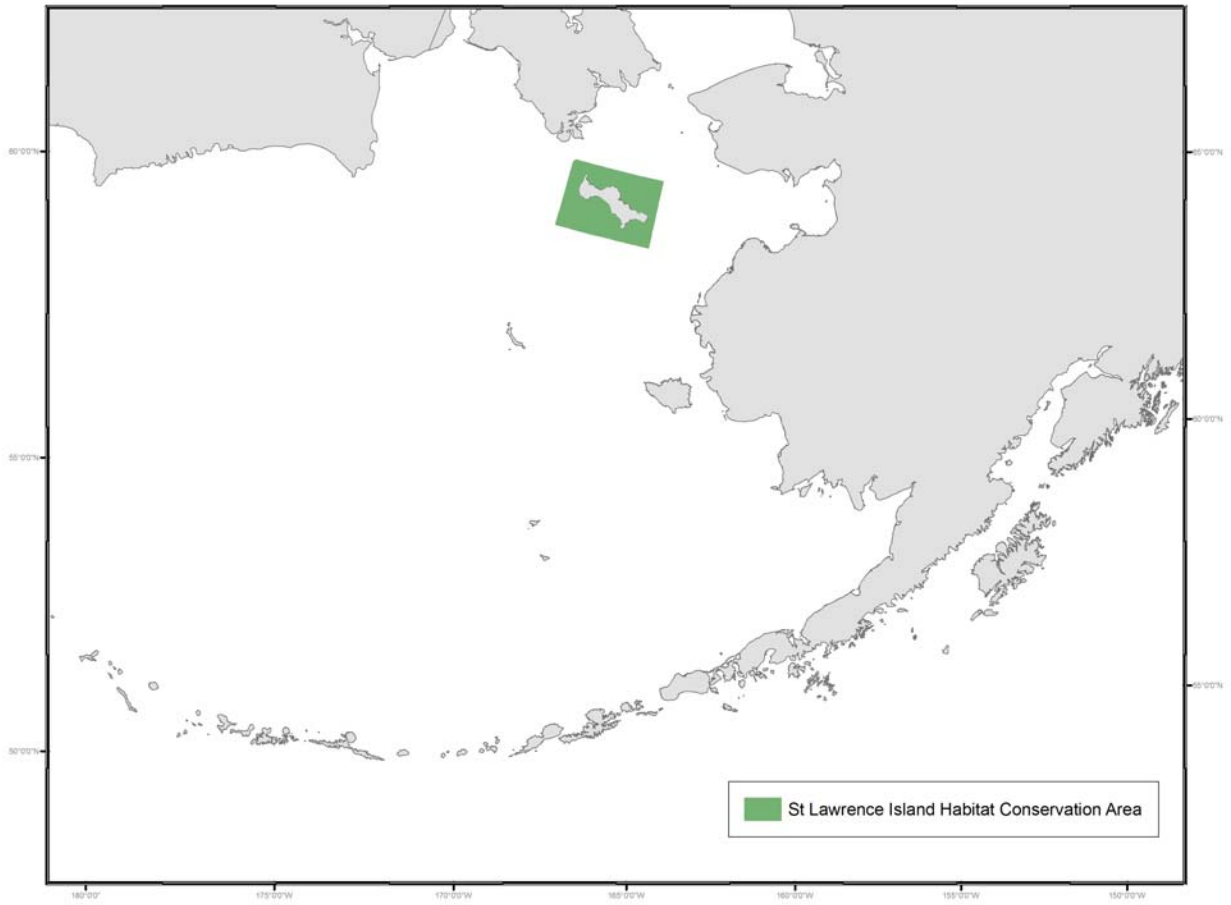


Figure 3-18 St. Lawrence Island Habitat Conservation Area

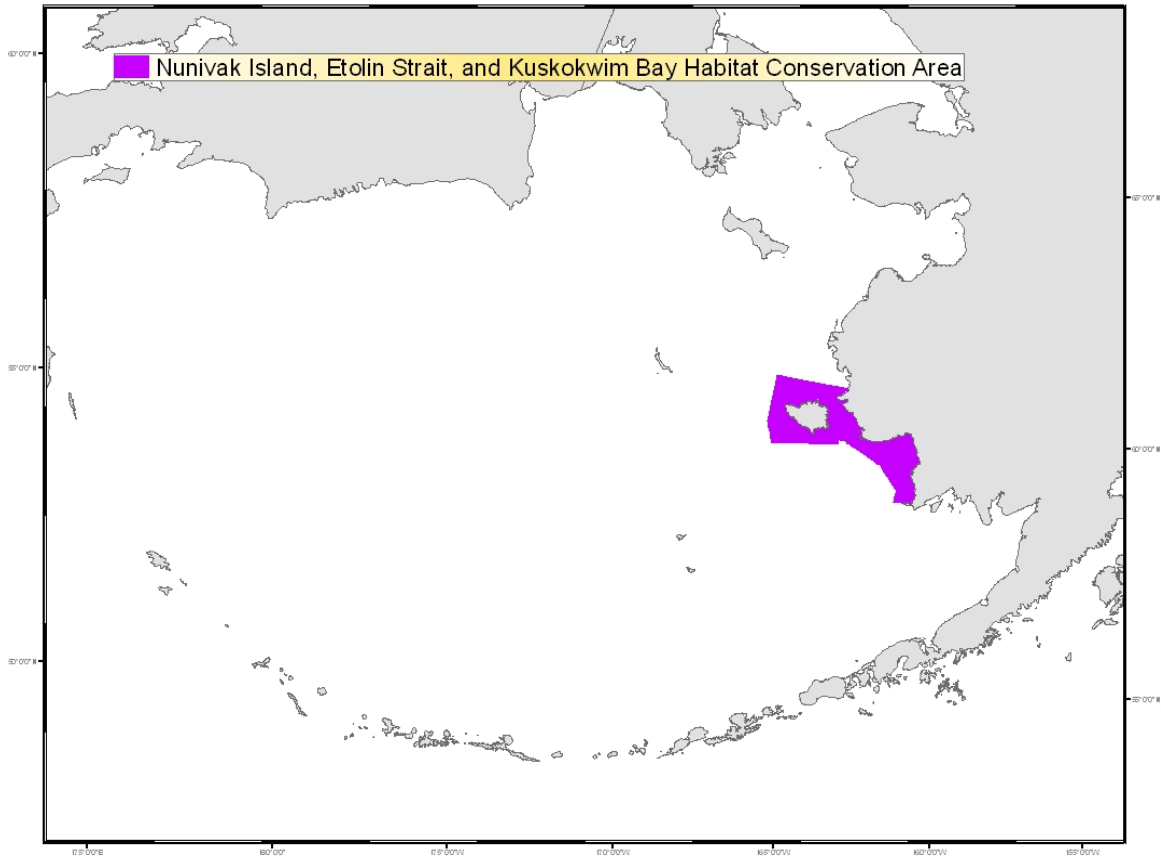


Figure 3-19 Nunivak Island, Etolin Strait, and Kuskokwim Bay Habitat Conservation Area

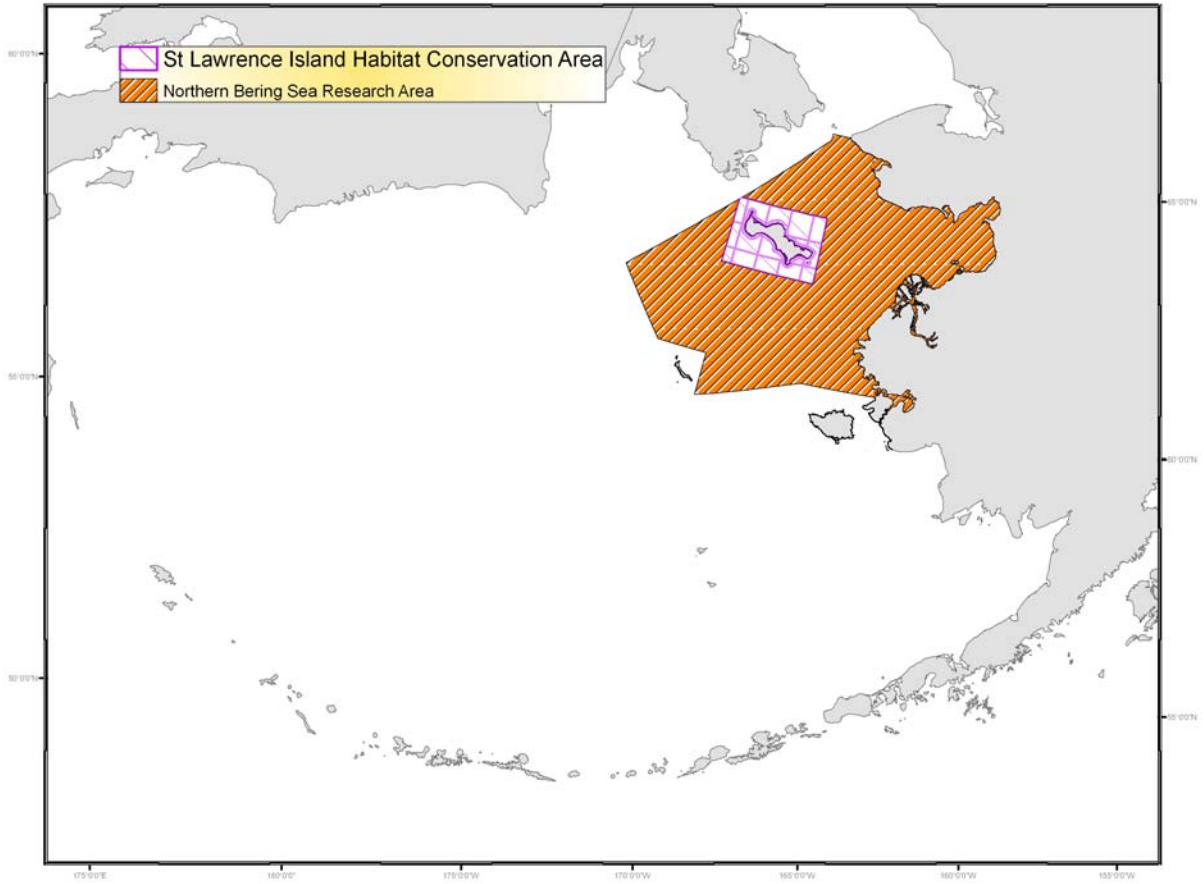


Figure 3-20 Northern Bering Sea Research Area

4. In Appendix A, the text for Amendment 89 is revised to read as follows:

Amendment 89 implemented _____, 2008:

1. Established new habitat conservation areas (HCA) (Bering Sea HCA; St. Matthew Island HCA; St. Lawrence Island HCA; and Nunivak Island, Etolin Strait, and Kuskokwim Bay HCA) in which nonpelagic trawling is prohibited, to protect bottom habitat from potential adverse effects of fishing.
2. Established the Northern Bering Sea Research Area in which nonpelagic trawling is prohibited except under an exempted fishing permit that is consistent with a research plan approved by the Council to study the effects of nonpelagic trawling on the management of crab species, marine mammals, ESA-listed species, and subsistence needs for Western Alaska communities.

5. In Appendix B, add descriptions for the Bering Sea Habitat Conservation Area, the St. Matthew Island Habitat Conservation Area, the St. Lawrence Island Habitat Conservation Area, the Nunivak Island, Etolin Strait, and Kuskokwim Bay Habitat Conservation Area and the Northern Bering Sea Research Area to the end of section B.2 to read as follows:

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Bering Sea Habitat Conservation Area

Nonpelagic trawl gear fishing is prohibited in Bering Sea Habitat Conservation Area. Coordinates for this habitat conservation area are listed in the table below. The area is delineated by connecting the coordinates in the order listed by straight lines. The last set of coordinates for each area is connected to the first set of coordinates for the area by a straight line. The projected coordinate system is North American Datum 1983, Albers.

Longitude		Latitude	
179	19.95W	59	25.15N
177	51.76W	58	28.85N
175	36.52W	58	11.78N
174	32.36W	58	8.37N
174	26.33W	57	31.31N
174	0.82W	56	52.83N
173	0.71W	56	24.05N
170	40.32W	56	1.97N
168	56.63W	55	19.30N
168	0.08W	54	5.95N

170	0.00W	53	18.24N
170	0.00W	55	0.00N
178	46.69E	55	0.00N
178	27.25E	55	10.50N
178	6.48E	55	0.00N
177	15.00E	55	0.00N
177	15.00E	55	5.00N
176	0.00E	55	5.00N
176	0.00E	55	0.00N
172	6.35E	55	0.00N
173	59.70E	56	16.96N

St. Matthew Island Habitat Conservation Area

Nonpelagic trawl gear fishing is prohibited in St. Matthew Island Habitat Conservation Area. Coordinates for this habitat conservation area are listed in the table below. The area is delineated by connecting the coordinates in the order listed by straight lines. The last set of coordinates for each area is connected to the first set of coordinates for the area by a straight line. The projected coordinate system is North American Datum 1983, Albers.

Longitude		Latitude	
172	0.00W	60	54.00N
171	59.92W	60	3.52N
174	0.50W	59	42.26N
174	24.98W	60	9.98N
174	1.24W	60	54.00N

St. Lawrence Island Habitat Conservation Area

Nonpelagic trawl gear fishing is prohibited in St. Lawrence Island Habitat Conservation Area. Coordinates for this habitat conservation area are listed in the table below. The area is delineated by connecting the coordinates in the order listed by straight lines. The last set of coordinates for each area is connected to the first set of coordinates for the area by a straight line. The projected coordinate system is North American Datum 1983, Albers.

Longitude		Latitude	
168	24.00W	64	0.00N
168	24.00W	62	42.00N
172	24.00W	62	42.00N
172	24.00W	63	57.03N
172	17.42W	64	0.01N

Nunivak Island, Etolin Strait, and Kuskokwim Bay Habitat Conservation Area

Nonpelagic trawl gear fishing is prohibited in Nunivak Island, Etolin Strait, and Kuskokwim Bay Habitat Conservation Area. Coordinates for this habitat conservation area are listed in the table below. The area is delineated by connecting the coordinates in the order listed by straight lines. The last set of coordinates for each area is connected to the first set of coordinates for the area by a straight line. The projected coordinate system is North American Datum 1983, Albers.

Longitude		Latitude	
165	1.54W	60	45.54N*
162	7.01W	58	38.27N
162	10.51W	58	38.35N
162	34.31W	58	38.36N
162	34.32W	58	39.16N
162	34.23W	58	40.48N
162	34.09W	58	41.79N
162	33.91W	58	43.08N
162	33.63W	58	44.41N
162	33.32W	58	45.62N
162	32.93W	58	46.80N
162	32.44W	58	48.11N
162	31.95W	58	49.22N
162	31.33W	58	50.43N
162	30.83W	58	51.42N
162	30.57W	58	51.97N
163	17.72W	59	20.16N
164	11.01W	59	34.15N
164	42.00W	59	41.80N

165	0.00W	59	42.60N
165	1.45W	59	37.39N
167	40.20W	59	24.47N
168	0.00W	59	49.13N
167	59.98W	60	45.55N

* The boundary extends in a clockwise direction from this set of geographic coordinates along the shoreline at mean lower-low tide line to the next set of coordinates.

Northern Bering Sea Research Area

Nonpelagic trawl gear fishing in the Northern Bering Sea Research Area is prohibited, except as allowed through exempted fishing permits under 50 CFR 679.6 and described in section 3.5.2.1.12. The area is delineated by connecting the coordinates in the order listed by straight lines. The last set of coordinates for each area is connected to the first set of coordinates for the area by a straight line. The projected coordinate system is North American Datum 1983, Albers.

Longitude		Latitude	
168	7.48W	65	37.48N*
165	1.54W	60	45.54N
167	59.98W	60	45.55N
171	59.92W	60	3.52N
172	0.00W	60	54.00N
174	1.24W	60	54.00N
176	13.51W	62	6.56N
172	24.00W	63	57.03N
172	24.00W	62	42.00N
168	24.00W	62	42.00N
168	24.00W	64	0.00N
172	17.42W	64	0.01N
168	58.62W	65	30.00N
168	58.62W	65	37.48N

* The boundary extends in a clockwise direction from this set of geographic coordinates along the shoreline at mean lower-low tide line to the next set of coordinates.

mnbrown: 11/28/07

jscheurer: 12/6/07

jkurland: 1/9/08

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