

# DRAFT

## Fishery Management Plan

### for Fish Resources

### of the Arctic Management Area



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**NOTE:** This is an interim draft of what the Arctic FMP will look like. It is written assuming the Council chose Alternative 3 and exempted a small red king crab fishery in the eastern Chukchi Sea from this FMP. The Council has NOT chosen its preferred alternative, so this is merely an example of the FMP at this time. The Council also has not chosen its preferred option for specifying conservation and management measures; therefore, both Option 1 and Option 2 are included in this draft FMP. This draft does not fully respond to comments from the Council's SSC, particularly regarding Options 1 and 2; SSC comments on an earlier draft FMP are listed in the accompanying EA/RIR/IRFA. Please refer to this document for detailed analyses of the alternatives and options and for additional background information.

**NOTE:** This document has not been cleared by NOAA General Counsel, Alaska Region.

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# Executive Summary

This Fishery Management Plan (FMP) governs all commercial harvests of fish in the Chukchi and Beaufort Seas.<sup>1</sup> The FMP management area, the Arctic Management Area, is all marine waters in the U.S. Exclusive Economic Zone of the Chukchi and Beaufort Seas from 3 nautical miles offshore the coast of Alaska or its baseline to 200 nautical miles offshore, north of Bering Strait (from Cape Prince of Wales to Cape Dezhneva) and westward to the U.S./Russia Convention Line of 1867 and eastward to the U.S./Canada maritime boundary (see Appendix A). The FMP covers commercial fisheries (any commercial harvests) for all stocks of fish, which include all finfish, shellfish, or other marine living resources except salmonids, Pacific halibut, Pacific herring, whitefish, and Dolly Varden char.

The FMP was implemented on (\*\*DATE\*\*). It may be referred to as the Arctic Fishery Management Plan.

## 1.1 Management Policy

The Magnuson-Stevens Fishery Conservation and Management Act, as amended through January 12, 2007 (Magnuson-Stevens Act), is the primary domestic legislation governing management of the nation's marine fisheries. In 2007, the United States Congress reauthorized the Magnuson-Stevens Act to clarify and strengthen U.S. fishery management policy. The Magnuson-Stevens Act contains ten national standards, with which all FMPs must conform and which guide fishery management. Besides the Magnuson-Stevens Act, U.S. fisheries management must be consistent with the requirements of other regulations including the Marine Mammal Protection Act, the Endangered Species Act, the Migratory Bird Treaty Act, and several other Federal laws.

Under the Magnuson-Stevens Act, the North Pacific Fishery Management Council (Council) is authorized to prepare and submit to the Secretary of Commerce for approval, disapproval or partial approval, a FMP and any necessary amendments, for each fishery under its authority that requires conservation and management. The Council conducts public hearings so as to allow all interested persons an opportunity to be heard in the development of FMPs and amendments, and reviews and revises, as appropriate, the assessments and specifications with respect to the optimum yield from each fishery (16 U.S.C. 1852(h)).

The Council has developed a management policy and objectives to guide its development of management recommendations to the Secretary of Commerce. This management approach is described in Table ES- 1. For Arctic fish resources, the policy is to prohibit all commercial harvests except for a small red king crab fishery described in Appendix A. See Section 3.4 for a description of the annual specifications process the Council will use to implement this policy. Red king crab harvest management, for a fishery as described in Appendix A, is exempted from this FMP and is deferred to the State of Alaska.

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<sup>1</sup> The Magnuson-Stevens Fishery Conservation and Management Act defines "fish" as finfish, mollusks, crustaceans, and all other forms of marine animal and plant life other than marine mammals and birds.

**Table ES- 1 Arctic Fishery Management Approach**

The Council's policy is to apply judicious and responsible fisheries management practices, based on sound scientific research and analysis, proactively rather than reactively, to ensure the sustainability of fishery resources and associated ecosystems for the benefit of future, as well as current, generations. The productivity of the North Pacific ecosystem is acknowledged to be among the highest in the world. For the past 30 years, the Council management approach has incorporated forward looking conservation measures that address differing levels of uncertainty. This management approach has in recent years been labeled the precautionary approach. Recognizing that potential changes in productivity may be caused by fluctuations in natural oceanographic conditions, fisheries, and other, non-fishing activities, the Council intends to continue to take appropriate measures to insure the continued sustainability of the managed species. It will carry out this objective by considering reasonable, adaptive management measures, as described in the Magnuson-Stevens Act and in conformance with the National Standards, the Endangered Species Act, the National Environmental Policy Act, and other applicable law. This management approach takes into account the National Academy of Science's recommendations on Sustainable Fisheries Policy.

As part of its policy, the Council intends to consider and adopt, as appropriate, measures that accelerate the Council's precautionary, adaptive management approach through community-based or rights-based management, ecosystem-based management principles that protect managed species from overfishing and protect the health of the entire marine ecosystem, and where appropriate and practicable increase habitat protection and bycatch constraints. All management measures will be based on the best scientific information available. Given this intent, the fishery management goal is to provide sound conservation and sustainability of the fish resources; provide socially and economically viable fisheries for the well-being of fishing communities; minimize human-caused threats to protected species; maintain a healthy marine resource habitat; and incorporate ecosystem-based considerations into management decisions.

This management approach recognizes the need to balance many competing uses of marine resources and different social and economic goals for sustainable fishery management, including protection of the long-term health of the ecosystem and the optimization of yield from its fish resources. This policy will use and improve upon the Council's existing open and transparent process of public involvement in decision-making.

## **1.2 Summary of Management Measures**

The management measures that govern the Arctic Management Area are summarized in Table ES-2.

Pursuant to Title II of the Magnuson-Stevens Act, there is no allowable level of foreign fishing for the fisheries covered by this FMP. While fishing vessels and fish processors of the U.S. have the capacity to harvest and process up to the level of optimum yield of all species subject to other Council FMPs, Council policy as articulated in this Arctic FMP is to prohibit commercial harvests of all fish resources of the Arctic Management Area. Management of commercial harvest of red king crab in the Chukchi Sea of the size and scope of the historic fishery in the geographic area where the fishery has historically occurred is exempted from this FMP and deferred to the State of Alaska. A description of the specific red king crab fishery that is exempted from this FMP is provided in Appendix A to this FMP.

**Table ES-2 Summary of Management Measures for the Arctic**

<b>Management Area</b>	All marine waters in the U.S. Exclusive Economic Zone of the Chukchi and Beaufort Seas from 3 nautical miles offshore the coast of Alaska or its baseline to 200 nautical miles offshore, north of Bering Strait (from Cape Prince of Wales to Cape Dezhneva) and westward to the U.S./Russia Convention Line of 1867 and eastward to the U.S./Canada maritime boundary. <b>Subareas:</b> While two contiguous seas (Chukchi and Beaufort) of the Arctic Ocean are referenced, this FMP does not divide the Arctic into subareas.
<b>Stocks</b>	All stocks of finfish, marine invertebrates, and other fish resources in the management area except salmonids, Pacific halibut, Pacific herring, whitefish, and Dolly Varden char.
<b>Maximum Sustainable Yield (MSY)</b>	The process for specifying MSY in the Arctic Management Area is described in Section 3.4 of this FMP.
<b>Optimum Yield (OY)</b>	The process for specifying OY in the Arctic Management Area, is described in Section 3.4 of this FMP.
<b>Procedure to set Total Allowable Catch (TAC)</b>	In the future, if fisheries develop in the Arctic Management Area, measures that establish TAC will be specified following the procedures described in Section 3.4 of this FMP.
<b>Apportionment of TAC</b>	In the future, if fisheries develop in the Arctic Management Area, TAC may be apportioned by the Council based on criteria specified by the Council at that time. Currently, no TAC is specified for any fish resource of the Arctic Management Area..
<b>Attainment of TAC</b>	In the future, if fisheries develop in the Arctic Management Area, measures that determine the attainment of TAC will be specified following the procedures described in Section 3.4 of this FMP.
<b>Permit</b>	Fishing permits may be authorized, for limited experimental purposes (exempted fishing permits), for the target or incidental harvest of fish resources that would otherwise be prohibited.
<b>Authorized Gear</b>	Gear types authorized by this FMP will be determined in the future, if fisheries develop in the Arctic Management Area, and then defined in regulations.
<b>Time and Area Restrictions</b>	No time and area restriction measures are established in this FMP.
<b>Prohibited Species</b>	In the future, if fisheries develop in the Arctic Management Area, prohibited species are Pacific halibut, Pacific herring, Pacific salmon and steelhead, Dolly Varden char, red king crab, and whitefishes. These prohibited species must be returned to the sea with a minimum of injury except when their retention is authorized by other applicable law.
<b>Prohibited Species Catch (PSC) Limits</b>	No PSC catch limits or other restrictions are established in this FMP. If fisheries develop in the future in the Arctic Management Area, PSC limits will be prescribed by the Council at that time.
<b>Retention and Utilization Requirements</b>	No retention or utilization requirements are established in this FMP.
<b>Community Development Quota (CDQ) Multispecies Fishery</b>	No CDQ program is established for the Arctic Management Area.
<b>Flexible Authority</b>	In the future, if fisheries develop in the Arctic Management Area, the Regional Administrator of NMFS is authorized to make inseason adjustments through gear modifications, closures, or fishing area/quota restrictions, for conservation reasons, to protect identified habitat problems, or to increase vessel safety.
<b>Recordkeeping and Reporting</b>	In the future, if fisheries develop in the Arctic Management Area, recordkeeping that is necessary and appropriate to determine catch, production, effort, price, and other information necessary for conservation and management may be required. This may include the use of catch and/or product logs, product transfer logs, effort logs, or other records as specified in regulations. Recordkeeping and reporting requirements will be specified as part of any exempted fishing permits issued for fishing activities in the Arctic Management Area.

**Table ES-2 Summary of Management Measures for the Arctic**

<b>Observer Program</b>	In the future, if fisheries develop in the Arctic Management Area, U.S. fishing vessels that catch groundfish in the EEZ, or receive groundfish caught in the EEZ, and shoreside processors that receive groundfish caught in the EEZ, will be required to accommodate NMFS-certified observers as specified in regulations, in order to verify catch composition and quantity, including at-sea discards, and collect biological information on marine resources.
<b>Monitoring and Enforcement</b>	In the future, if fisheries develop in the Arctic Management Area, monitoring and enforcement measures necessary and appropriate to ensure conservation of Arctic fish stocks may be required. This may include the use of observers, electronic logbooks, VMS, or other measures that will be specified in regulations. Currently, commercial fisheries, other than the red king crab fishery described in Appendix A, are prohibited, and enforcement of the fishery closure of the Arctic Management Area will be by the U.S. Coast Guard and NOAA Office of Law Enforcement.
<b>Evaluation and Review of the FMP</b>	<p>The Council will maintain a continuing review of the fish resources managed under this FMP, and all critical components of the FMP will be reviewed periodically.</p> <p><b>Management Policy:</b> Objectives in the management policy statement will be reviewed every five years or as determined necessary by the Council.</p> <p><b>Essential Fish Habitat (EFH):</b> The Council will conduct a complete review of EFH once every 5 years, and in between these reviews the Council will solicit proposals on Habitat Areas of Particular Concern if fisheries develop, and/or conservation and enhancement measures to minimize potential adverse effects from fishing may be considered.</p>

### 1.3 Organization of the FMP

This FMP is organized into six chapters. Chapter 1 contains an introduction to the FMP, and Chapter 2 describes the policy and management objectives of the FMP.

Chapter 3 contains the conservation and management measures that regulate Arctic fish resource management. Two options are described; the Council will select one or a combination of these options for setting conservation and management measures. Sections 3.1 through 3.5 outline the details of the two options including procedures for determining harvest levels for the species and maximum sustainable yield and optimum yield specifications. Sections 3.6 and 3.7 describe overfishing criteria and procedures for setting TAC, respectively. Sections 3.8 to 3.11 contain permit and participation, gear, time and area, and catch restrictions information. No share-based programs are established for the Arctic Management Area (Section 3.12). Measures that allow flexible management authority are addressed in Section 3.13, and Section 3.14 designates monitoring and reporting requirements. Section 3.15 describes the schedule and procedures for review of the FMP or FMP components.

Chapter 4 contains a description of the Arctic's fish resources and their habitat (including essential fish habitat definitions), current fishing activities, the economic and socioeconomic characteristics of current fisheries and communities, and ecosystem characteristics. Additional descriptive information is also contained in the appendices. Section 4.4 provides a description of the Arctic ecosystem and interrelationships among the physical and biological components. It includes a discussion of potential climate change effects on the North Pacific and Arctic region. Chapter 5 specifies the relationship of the FMP with applicable law and other fisheries. Chapter 6 provides a fishery impact statement. Chapter 7 references additional sources of material about the Arctic, and includes the bibliography.

Appendices to the FMP include supplemental information. Appendix A describes the characteristics of the red king crab fishery exempted from this FMP and deferred to the State of Alaska. Appendix B contains descriptions of essential fish habitat and a discussion of adverse effects on essential fish habitat. Appendix C contains maps of EFH. Additional information about the Arctic Management Area, including its fish, bird, and marine mammal species, and an ecosystem description, are provided in the October 2008 Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) for this FMP.

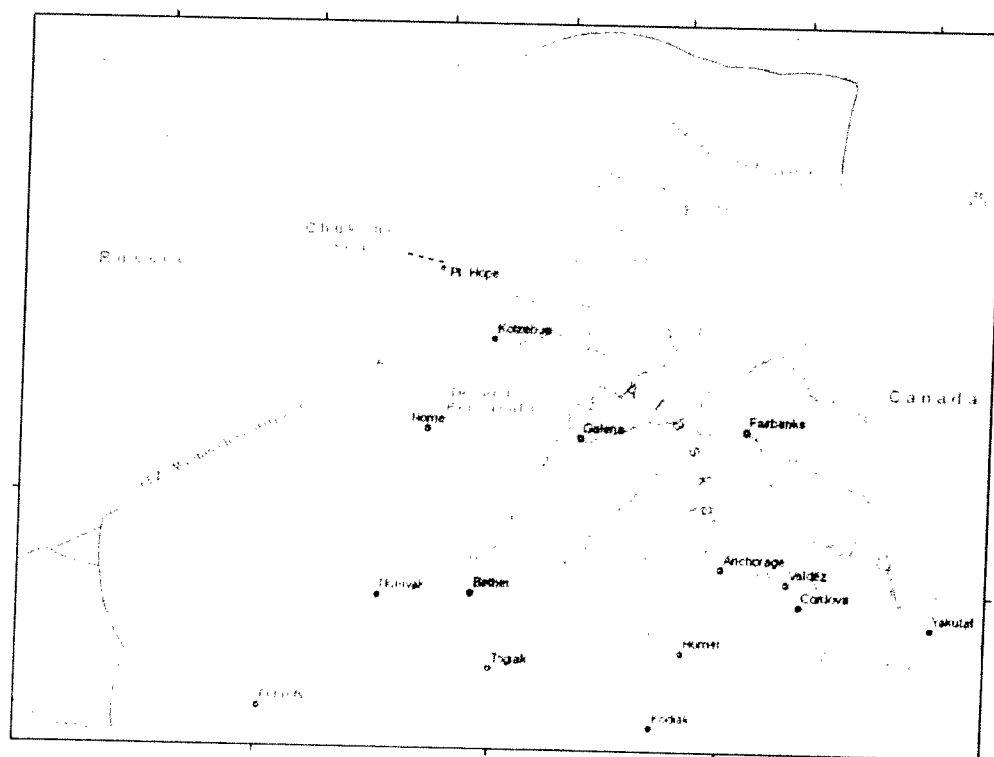
# Chapter 1 Introduction

This chapter contains a description of the fishery management unit covered by the FMP and addresses foreign fishing and processing in the Arctic Management Area.

## 1.1 Fishery Management Unit

This Fishery Management Plan (FMP) governs commercial fisheries or commercial harvests of fish resources of the Chukchi Sea and Beaufort Sea - the Arctic Management Area. The geographic extent of the FMP management unit is all marine waters in the U.S. Exclusive Economic Zone of the Chukchi and Beaufort Seas from 3 nautical miles offshore the coast of Alaska or its baseline to 200 nautical miles offshore, north of Bering Strait (from Cape Prince of Wales to Cape Dezhneva) and westward to the U.S./Russia Convention Line of 1867 and eastward to the U.S./Canada maritime boundary (Figure 1-1).

Figure 1-1 The Arctic Management Area.



The FMP covers management of all fish<sup>2</sup>, as defined by the Magnuson-Steven Act, except salmonids, Pacific halibut, Pacific herring, whitefish, and Dolly Varden char. In terms of geographic fish resource management, the Arctic Management Area includes the Chukchi Sea and Beaufort Sea without a distinct boundary between these two contiguous seas of the Arctic Ocean. Red king crab management, for a

<sup>2</sup> finfish, marine invertebrates, and other marine plant and animal life, other than marine mammals and birds

fishery of the size and scope and geographic location of the historic red king crab fishery as described in Appendix A, is exempted from this FMP and deferred to the State of Alaska. The Council closes the Arctic Management Area to commercial fishery development until such time in the future that sufficient information is available with which to initiate a planning process for commercial fishery development. Criteria the Council will consider in the planning process for opening a fishery in the Arctic Management Area are provided in Chapter 3.

## **1.2 Foreign Fishing**

Title II of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) establishes the criteria for the regulation of foreign fishing within the U.S. EEZ. These regulations are published in 50 CFR 600. The regulations provide for the setting of a total allowable level of foreign fishing (TALFF) for species based on the portion of the optimum yield that will not be caught by U.S. vessels. At the present time, no TALFF is available for any fisheries covered by this FMP and no processing capacity if needed to support commercial fishing. If in the future fisheries develop in the Arctic Management Area, the Council will specify TALFF and foreign processing at that time..

## **Chapter 2 Management Policy and Objectives**

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act or MSA) is the primary domestic legislation governing management of the nation's marine fisheries. In 1996, the United States Congress reauthorized the Magnuson-Stevens Act to include, among other things, a new emphasis on the precautionary approach in U.S. fishery management policy. The Magnuson-Stevens Act was reauthorized again in 2007 (PL 109-479). The Magnuson-Stevens Act contains ten national standards, with which all fishery management plans (FMPs) must conform and which guide fishery management. The national standards are listed in Section 2.1, and provide the primary guidance for the management of U.S. fisheries.

Under the Magnuson-Stevens Act, the North Pacific Fishery Management Council (Council) is authorized to prepare and submit to the Secretary of Commerce for approval, disapproval or partial approval, a FMP and any necessary amendments, for each fishery under its authority that requires conservation and management. The Council conducts public hearings so as to allow all interested persons an opportunity to be heard in the development of FMPs and amendments, and reviews and revises, as appropriate, the assessments and specifications with respect to the optimum yield from each fishery (16 U.S.C. 1852(h)).

The Council has developed a management policy and objectives to guide its development of management recommendations to the Secretary of Commerce for the Arctic Management Area. This management approach is described in Section 2.2.

### **2.1 National Standards for Fishery Conservation and Management**

The Magnuson-Stevens Act, as amended, sets out ten national standards for fishery conservation and management (16 U.S.C. § 1851), with which all fishery management plans must be consistent.

1. Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.
2. Conservation and management measures shall be based upon the best scientific information available.
3. To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination.
4. Conservation and management measures shall not discriminate between residents of different States. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be A) fair and equitable to all such fishermen; B) reasonably calculated to promote conservation; and C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.
5. Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose.
6. Conservation and management measures shall take into account and allow for variations among, and contingencies in, fisheries, fishery resources, and catches.
7. Conservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication.
8. Conservation and management measures shall, consistent with the conservation requirements of this Act (including the prevention of overfishing and rebuilding of overfished stocks), take into



- account the importance of fishery resources to fishing communities in order to A) provide for the sustained participation of such communities, and B) to the extent practicable, minimize adverse economic impacts on such communities.
9. Conservation and management measures shall, to the extent practicable, A) minimize bycatch and B) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.
  10. Conservation and management measures shall, to the extent practicable, promote the safety of human life at sea.

## 2.2 Management Approach for Arctic Fisheries

The Council's policy is to apply judicious and responsible fisheries management practices, based on sound scientific research and analysis, proactively rather than reactively, to ensure the sustainability of fishery resources and associated ecosystems for the benefit of future, as well as current, generations. The productivity of the North Pacific ecosystem is acknowledged to be among the highest in the world. For the past 30 years, the Council management approach has incorporated forward looking conservation measures that address differing levels of uncertainty. This management approach has in recent years been labeled the precautionary approach. Recognizing that potential changes in productivity may be caused by fluctuations in natural oceanographic conditions, fisheries, and other, non-fishing activities, the Council intends to continue to take appropriate measures to insure the continued sustainability of the managed species. It will carry out this objective by considering reasonable, adaptive management measures, as described in the Magnuson-Stevens Act and in conformance with the National Standards, the Endangered Species Act, the National Environmental Policy Act, and other applicable law. This management approach takes into account the National Academy of Science's recommendations on Sustainable Fisheries Policy.

As part of its policy, the Council intends to consider and adopt, as appropriate, measures that accelerate the Council's precautionary, adaptive management approach through community-based or rights-based management, ecosystem-based management principles that protect managed species from overfishing and protect the health of the entire marine ecosystem, and where appropriate and practicable increase habitat protection and bycatch constraints. All management measures will be based on the best scientific information available. Given this intent, the fishery management goal is to provide sound conservation and sustainability of the fish resources; provide socially and economically viable fisheries for the well-being of fishing communities; minimize human-caused threats to protected species; maintain a healthy marine resource habitat; and incorporate ecosystem-based considerations into management decisions.

This management approach recognizes the need to balance many competing uses of marine resources and different social and economic goals for sustainable fishery management, including protection of the long-term health of the ecosystem and the optimization of yield from its fish resources. This policy will use and improve upon the Council's existing open and transparent process of public involvement in decision-making.

### 2.2.1 Management Objectives

Adaptive management requires regular and periodic review. Objectives identified in this policy statement will be reviewed periodically by the Council. The Council will also review, modify, eliminate, or consider new issues, as appropriate, to best carry out the goals and objectives of this management policy.

To meet the goals of this overall management approach, the Council and NMFS will seek to maximize the overall long-term benefit to the nation of Arctic fish resources by coordinated Federal and State management. In this Arctic FMP, management of a red king crab fishery as described in Appendix A is exempted and deferred to the State of Alaska. The Council would follow these management objectives for the development of a fishery:

1. *Biological Conservation Objective. Ensure the long-term reproductive viability of fish populations, by: (a) preventing overfishing and rebuilding depleted stocks by adopting conservative harvest levels using adaptive management to develop harvest limits; (b) adopting procedures to adjust acceptable biological catch levels as necessary to account for uncertainty and ecosystem factors; (c) protecting the integrity of the food web by accounting for, and controlling bycatch mortality for target, prohibited species catch, and non-commercial species; (d) avoiding impacts to seabirds and marine mammals; and (e) incorporating ecosystem-based considerations into fishery management decisions, as appropriate.*
2. *Economic and Social Objective. Maximize economic and social benefits to the nation over time by: (a) promoting conservation while providing for optimum yield in terms of the greatest overall benefit to the nation with particular reference to food production, and sustainable opportunities for recreational, subsistence, and commercial fishing participants and fishing communities; (b) promoting management measures that, while meeting conservation objectives, are also designed to avoid significant disruption of existing social and economic structures; (c) promoting fair and equitable allocation of identified available resources in a manner such that no particular sector, group or entity acquires an excessive share of the privileges; and (d) promoting increased safety at sea.*
3. *Gear Conflict Objective. Minimize gear conflict among fisheries.*
4. *Habitat Objective. Preserve the quality and extent of suitable habitat by reducing or avoiding impacts to habitat where practicable.*
5. *Vessel Safety Objective. Include vessel safety considerations in the development of fisheries management measures, including temporary adjustments to the fishery to allow access, after consultation with the U. S. Coast Guard and fishery participants, for vessels that are otherwise excluded because of weather or ocean conditions causing safety concerns while ensuring not adverse effect on conservation in other fisheries or discrimination among fishery participants..*
6. *Due Process Objective. Ensure that access to the regulatory process and opportunity for redress are available to interested parties.*
7. *Research and Management Objective. Provide fisheries research, data collection, and analysis to ensure a sound information base for management decisions.*
8. *Alaska Native Consultation Objective: Incorporate local and traditional knowledge in fishery management and encourage Alaska Native participation and consultation in fishery management.*
9. *Enforceability Objective: Cooperate and coordinate management and enforcement programs with the Alaska Board of Fish, Alaska Department of Fish and Game, and Alaska Fish and Wildlife Protection, the U.S. Coast Guard, NMFS Enforcement, International Pacific Halibut Commission, Federal agencies, and other organizations to meet conservation requirements; promote economically healthy and sustainable fisheries and fishing communities; and maximize efficiencies in management and enforcement programs through continued consultation, coordination, and cooperation.*
10. *Marine Mammal and Seabird Objective: Cooperate and coordinate with the U. S. Fish and Wildlife Service and NMFS for the management and conservation of Arctic marine mammal and seabird species to ensure fisheries management includes conservation of these species in the Arctic*

### 2.2.2 Criteria for Opening a Fishery in the Arctic (NOTE - the following assumes a blend of elements in both Options 1 and 2)

Until information is available to develop a sustainable fisheries management program, the Council prohibits commercial fisheries in the Arctic Management Area. A small red king crab fishery may have previously occurred in a localized area of the southeastern Chukchi Sea, as described in Appendix A; the Council exempts management of this red king crab fishery in this FMP and defers management of this fishery to the State of Alaska.

The Council will consider the following criteria for opening a new fishery:

A. The Council will initially require a plan for a new fishery that will ensure resource conservation, minimize impacts on other users of the area, complies with the Magnuson-Stevens Act and its National Standards, complies with other applicable laws and orders, and provides net positive economic benefits.

B. Any proposed fishing in the Arctic would be organized into one or more target fisheries. In most cases, the target would be a single species, though there may be situations where designating several species as a mixed species target may be more appropriate. Establishing a target fishery may require that the species be transferred from the ecosystem component category to the target species category.

C. The Council will consider designating a new target fishery in the Arctic Management Area upon receiving a petition from the public, or a recommendation from NMFS or the State of Alaska. The Council will initiate a planning process to evaluate information in the petition and other information concerning the proposed target fishery. The Council will require a fishery development analysis to ensure the best available science is used to move a species from unfished status to full fishery development. This analysis could be included in any NEPA and economic analysis required to support FMP amendments. The fishery development analysis will contain the following information:

- A review of the life history of the target species
- A review of available information on any historic harvest of the species, commercial, sport or subsistence
- An analysis of customary and traditional subsistence use patterns and evaluation of impacts on existing users
- Initial estimates of stock abundance ( $B_0$ ) and productivity ( $M$ ) sufficiently reliable to apply a Tier 5 control rule
- Evaluation of the vulnerability (susceptibility and productivity) of species that will be caught as bycatch in the target fishery.
- Evaluation of potential direct and indirect impacts on endangered species
- Evaluation of ecosystem/trophic level effects
- Evaluation of potential impacts on essential fish habitat, including biogenic habitat
- A plan for inseason monitoring of the proposed fishery
- A plan for collecting fishery and survey data sufficient for a Tier 3 assessment of the target species within a defined period
- Identification of specific management goals and objectives during the transition from unexploited stock to exploited resource
- Descriptions of proposed fishery management measures and justification for each
- Proposed regulations to implement the management approach

D. The analysis described above will be reviewed by the Council, and if appropriate the Council will initiate an environmental review consistent with NEPA and MSA and proceed through the process of amending this Arctic FMP, including appropriate initial review, public review, and final review and

rulemaking and completion of the FMP amendment process as specified in the MSA and NOAA guidelines.

E. The Council may authorize the proposed fishery consistent with measures specified in the proposed FMP amendment and adopt additional measures it believes are necessary for stock conservation, fishery sustainability, and allocation considerations.

F. The Council may require onboard observers on fishing vessels, shoreside processing facilities, or at harvest sites if non-vessel platforms (i.e., ice) are used for harvesting. The Council also may require additional research associated with the new fishery, other monitoring programs, recordkeeping and reporting requirements, and periodic review of the fishery's performance relative to requirements of the MSA and other applicable law.