

M E M O R A N D U M

TO: Council, SSC, and AP  
FROM: Jim H. Branson  
Executive Director  
DATE: February 17, 1981  
SUBJECT: Proposed CFEC Study of Salmon Limited Entry

*ACTION REQUIRED*

*Council guidance on developing a limited entry program for the Southeast Alaska salmon troll fishery.*

BACKGROUND

At the January meeting, the Council voted to postpone the discussion of limited entry until further information was obtained from the Commercial Fisheries Entry Commission. After the Council had adjourned, the Board of Fisheries approved new regulations for hand trollers. The Board removed all differential time and area restrictions between hand and power trollers. The Board also limited hand trollers to one gurdy and one sport line or four sport lines in an attempt to control the total catch of the hand troll fleet. This action, if implemented in the FCZ also, would probably eliminate the need for limited entry in the hand troll fleet. However, because the action effectively eliminates any professional hand trollers, the Secretary may not accept it.

We contacted CFEC in January to rough out a preliminary proposal for obtaining information on the number of fishermen who would be permitted to fish under different qualifying schemes. John Williams submitted a draft statement of work having five main tasks:

1. Data Compilation and Presentation
  - a. Sort landings in poundages by year and gear type for hand and power trollers.
  - b. Graphically display same.
2. Data Analysis
  - a. Evaluate various qualifying schemes.
  - b. Determine numbers of fishermen under each scheme.

3. Draft of Implementing Regulations

- a. Must be internally consistent.
- b. Includes substantive scheme, application procedures, adjudication procedures, delegation of authority, and special and miscellaneous provisions such as transferability, fees, etc.

4. Identification of Significant Legal Issues

- a. Requirements of MFCMA and other applicable federal law.
- b. Consistency with existing state law.
- c. Constitutional considerations.
- d. Consultation with NOAA Counsel.

5. Legal Analysis

- a. Consultation with NOAA Counsel and redraft of regulations.
- b. Final draft of fully conforming regulations.
- c. Council responsibilities for implementation of limited entry.

Given approval to proceed on this study, CFEC would probably have Task 1 completed by about March 20, 1981, Tasks 2, 3, and 4 by April 20, and Task 5 and final presentation of work products to the Council by May 20.

Anticipated costs are \$10,000 for the data compilation, presentation, and analysis in Tasks 1 and 2, and \$28,000 - \$30,000 for Tasks 3 - 5. The total cost of \$38,000 - \$40,000 could be mitigated somewhat by a greater use of NOAA General Counsel for the legal work, and also by similarities between the data analysis required here and that required by existing Contract Number 81-2, "Processing of Fisheries Data," between the Council, ADF&G, and CFEC.

Council guidance is needed on how far and fast it wishes to pursue a limited entry scheme for this year. It is unlikely that a system could be put in place for the 1981 fishery. If the above study is carried out, there will need to be considerable interaction between the Council and the contractor to identify thresholds in the qualifying schemes and goals and objectives of the limited entry program. The discussions of these issues should probably be spread over several meetings this year with the intention of having a program ready for the 1982 season.

M E M O R A N D U M

TO: Council, SSC and AP members

FROM: Jim H. Branson  
Executive Director

DATE: February 17, 1981

SUBJECT: Inter-Council Salmon

*ACTION REQUIRED*

*Approval of comprehensive Salmon Teams*

BACKGROUND

At the Inter-Council Salmon Committee meeting last November, the committee asked the salmon plan coordinators of the two Councils to draw up a list of concerns and suggestions for coordinating data exchange, management strategies, etc. The plan coordinators have suggested that a team be formed to identify problems and suggest solutions and to lay the groundwork for a coastwide chinook plan. The attached memo to Lorry Nakatsu suggests members from Alaska, and the Pacific Council has suggested members from Washington and Oregon. If the Council and inter-council committee approve the team concept and membership, the first meeting would probably take place around the end of April. The agenda would include discussion of data coordination, the U.S./Canada negotiations and methods to improve communication and coordination of management policies and philosophies.

# North Pacific Fishery Management Council

Clement V. Tillion, Chairman  
Jim H. Branson, Executive Director

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January 20, 1981

Mr. Lorry Nakatsu, Executive Director  
Pacific Fishery Management Council  
526 S.W. Mill Street  
Portland, Oregon 97201

Dear Lorry:

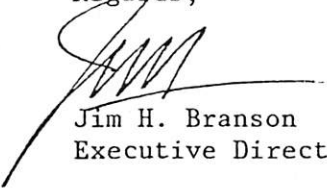
It appears that the U.S./Canada talks are about to gel and establish an avenue for dealing with salmon stocks coastwide. The inter-council salmon committee has given us some firm objectives for an approach to a coastwide plan. I think it's time to set up a Plan Development Team for the coastwide chinook plan and suggest we poll our SSC's and Councils to get it moving. I would hope for a relatively small group to start and am going to recommend the following scientists to NPFMC:

Dave Cantillon, ADF&G  
Bill Robinson, NMFS  
Jim Glock, NPFMC

The inter-council salmon committee has asked the salmon plan coordinators to come up with a list of data and coordination problems between Alaska and Washington/Oregon. An inter-council PDT would provide the machinery for addressing these problems and suggesting solutions. This could be their first task.

If you will work this into your Council schedule we can probably be ready to go by the time something firm is available in U.S./Canada agreements. It may be beneficial to have a Canadian team member also, assuming that's both legal and feasible. I would appreciate your thoughts on this subject.

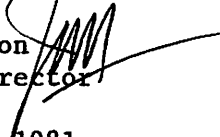
Regards,

  
Jim H. Branson  
Executive Director

cc: Jack Donaldson, ODF&W  
Roland Schmitten, WDF  
Ron Skoog, ADF&G

M E M O R A N D U M

TO: Council, SSC and AP members

FROM: Jim H. Branson   
Executive Director

DATE: February 17, 1981

SUBJECT: Comparison of Council and Board of Fisheries Actions in January

*ACTION REQUIRED*

*No action required; for informational purposes only.*

BACKGROUND

The Council took action on most items of Salmon amendment #2 at the January meeting in Juneau. The Board's actions were in most cases similar, but there were some notable exceptions. The attached table lists the actions taken by the Council and the Board. Discrepancies will have to be worked out at the March meeting.

COUNCIL ACTION	BOARD ACTION
Approve proposed Objective to FMP	
Optimum Yield: 15% reduction of both ends of ABC and OY range for chinook salmon (243,100 - 272,000)	Harvest Guideline 272,000 - 288,000
Chinook Season - May 15 - Sept. 20	Chinook Season - May 15 - Sept. 20 All state waters closed April 15 - May 15
Coho Season - no change	Coho Season - no change
Area Closures - no change	Area Closures - hand troll and power troll permit holders are subject to identical time and area closures. Certain openings in state waters changed from 1980.
<p>Gear Restrictions</p> <p>Power troll - no change Hand troll - no action taken</p> <p>Treble hooks - no change</p>	<p>Gear Restrictions</p> <p>Power troll - no change Hand troll - 1 gurdy and 1 sport pole or 4 sport poles Treble hooks - banned in state waters</p>
<p>Reporting Requirements</p> <p>Fishermen must submit fish tickets before transporting salmon out of state.</p>	Same as Council Action
<p>Heads-on Requirements</p> <p>Heads on fin-clipped fish only</p>	Same as Council action

M E M O R A N D U M

TO: Council, SSC and AP members  
FROM: Jim H. Branson  
Executive Director  
DATE: February 17, 1981  
SUBJECT: Status of Salmon Amendment

*ACTION REQUIRED*

*No action required; for informational purposes only.*

BACKGROUND

The salmon amendment, DEIS and DRA were sent to the Secretary for review in mid-January. The DEIS has been filed with EPA, and the NEPA comment period began on February 6. The amendment is on schedule, and the NEPA comment period ends on March 23.

ENFORCEMENT OF LIMITED ENTRY REGULATIONS  
UPON POWER TROLLERS AND/OR HAND TROLLERS  
IN THE FISHERY CONSERVATION ZONE

Enforcement of any scheme designed to limit the number of power trollers and/or hand trollers operating in the Fishery Conservation Zone (FCZ) off Alaska would be extremely difficult and very costly.

The basic objective of enforcement would, of course, be to determine that only authorized trollers operate in the FCZ. That will require frequent off-shore patrols to determine vessel identifies and precise locations of fishing.

Rapid identification will be the key to effective enforcement and, therefore, each troll vessel authorized to operate in the FCZ would have to be clearly marked with an identifier unique to each ship. Ideally, of course, each troll vessel operating in the FCZ and in State of Alaska waters should have such an identifier to provide immediate identification. At present, the authority to require such identifiers on all troll vessels is lacking under the FMP. We recommend imposition of such a system for trollers operating in the FCZ. We believe that in practice unauthorized vessels located in the FCZ can be adequately identified to permit follow-up legal action even though such identification may involve some trying moments on the part of the fishing vessel and the patrol equipment operators.

To illustrate the costs of patrol involved, we considered a number of alternative approaches, two of which are discussed below.

(1) An effective enforcement scheme is foreseen as requiring five helicopter flights from the Sitka Air Station per week at an average of 6 hours per flight. Operational costs for the Coast Guard H-3 helicopters are approximately \$1,500 per hour. The five flights per week foreseen by this approach would, therefore, cost about \$45,000. The fishing season of May 15 to September 20 is approximately 18 weeks in duration. The operational costs for the H-3 aerial patrols under this system would amount to about \$810,000. Some surface patrol time would also be required for effective enforcement. We envision at least one 10-day surface patrol each 6-week period. The most likely Coast Guard ships to be used for such patrols are 95-footers and buoy tenders. At-sea operational costs for 95-footers are approximately \$7,000 per day and for buoy tenders approximately \$15,000 per day. Costs for the surface segments of this patrol scheme would, therefore, be \$210,000 for 95-footers and \$450,000 for buoy tenders. Seventeen CGD would have difficulty guaranteeing at the present time the necessary ship time. Aircraft coverage required under this scheme cannot be met under present circumstances.

(2) A second and less effective enforcement program might involve two aircraft flights per week and 10 days of surface patrol per month. Operational costs for the H-3 helicopters would be \$18,000 per week or \$324,000 for the May 15-September 20 season. Surface patrol costs would



be \$315,000 for the season using 95-foot patrol vessels or \$675,000 using buoy tenders. It is extremely doubtful that the 17CGD could provide the above patrol efforts at this time without seriously eroding their capability to perform other critical missions off southeast Alaska.

Other less intensive enforcement approaches were considered. In our opinion, however, any scheme involving a significant reduction in the level of aerial or surface patrols from that described above would not be effective and the management objectives of a limited entry system would not be achieved.

Prepared 2/18/81 by:  
CGD17, OIL and NMFS, Juneau