

M E M O R A N D U M

TO: Council, SSC, and AP Members

FROM: Clarence G. Pautzke *Cgp*
Executive Director

DATE: January 10, 1989

SUBJECT: Fishery Observer Programs

ACTION REQUIRED

- (a) Receive status report on current domestic observer programs.
- (b) Draft declaration of Council position on observers.

BACKGROUND

Domestic Observer Programs

In December, with the accelerated phase-out of joint venture fisheries, it became increasingly apparent that accompanying this phase-out is a loss of observer data considered critical for fisheries management. The development of a domestic observer program must now be similarly accelerated if the Council, NMFS, and ADF&G are to adequately monitor and enforce harvest quotas, bycatch limits, and prevent overfishing. The Council directed its Observer Committee to take a lead role as management agencies attempt to put an observer program together. An "observer technical team" is being assembled to work with the committee and Council. Agency representatives will meet with the observer committee on Wednesday, January 18, to discuss the composition of the technical team and develop a work schedule. A report should be available.

To begin developing a comprehensive domestic observer program it's important to review current programs and extract as much useful information as possible from these small, pilot programs. A summary of the current groundfish programs is provided as item C-7(a). Oral reports from ADF&G on their groundfish and crab observer programs, and a report from University of Alaska Sea Grant on the Council's pilot program also are available.

A new federal observer program is imminent following reauthorization of the Marine Mammal Protection Act (MMPA). The groundfish fisheries and several salmon fisheries have been identified as having potentially high impact on marine mammal populations and therefore must carry observers. It has been estimated that as many as 50 observers may be needed to provide a minimum 20% coverage of the groundfish fleet alone [item C-7(b)].

Amendments to the MMPA allow observers to perform other natural resource, or fishery-related duties, and therefore can complement any other domestic observer program developed for fisheries management. A NMFS task force from

Washington, DC will meet with managers and the industry to discuss implementation of the MMPA at 9:00 a.m., Friday, January 20, at the Anchorage Hilton Hotel. Steve Zimmerman, Chief of NMFS Regional Office of Marine Mammals and Endangered Species, will brief the Council on the MMPA on Tuesday.

Draft Declaration

In December Commissioner Collinsworth offered the following draft declaration on the Council's position on observers with the intent of having it forwarded to the Secretary of Commerce requesting a domestic observer program be developed for 1990:

At this time the North Pacific Fishery Management Council has concluded that the lack of observer data and oversight prevents the Council from meeting its obligations under the MFCMA to prepare management plans which will provide on a continuing basis the optimum yield from the fisheries in the Gulf of Alaska and the Bering Sea and Aleutian Islands under its jurisdiction.

The Council also may wish to review its Domestic Observer Policy to assure that it still accurately reflects the Council's views [item C-7(c)].

Also in December, the Alaska Factory Trawlers Association (AFTA) proposed a private, industry-supported foundation as a source of funding for a domestic observer program. A letter from AFTA describing their efforts is provided as item C-7(d). A memo from the Alaska Crab Coalition regarding AFTA's proposal is also included in your notebooks as item C-7(e).

RECEIVED
 DEC 15 1988

MEMORANDUM

TO: Oscar Dyson, Chairman
 Observer Committee
 North Pacific Fishery Management Council

FROM: Peter Craig (486-4791)
 Groundfish Coordinator
 ADF&G, Kodiak

SECTION	TERMS	OFFICE	TO	ALASKA	INITIALS	DATE
			Exec. Dir.			
			Deputy Dir.			
			Admin. Off.			December 13, 1988
			Exec. Sec.			File: 7m70a
			Staff Asst. 1			
			Staff Asst. 2			
			Staff Asst. 3			
			Economist			
			Sec./Dir.			
			Sec./Typist			

SUBJECT: GROUND FISH OBSERVER AND PORT SAMPLING PROGRAMS IN ALASKA

At the December NPFMC meeting, a question arose about how many observer programs currently exist in Alaska. I've listed below those that I'm aware of.

Despite the long list of programs, however, keep in mind that the total observer coverage of DAP groundfish fisheries amounted to only 1% in 1988.

A. ALASKA DEPT. FISH AND GAME PROGRAMS

1. ADF&G groundfish observers (2-5 observers), operate mostly out of Kodiak. A few trips are also made out of Dutch Harbor. Some port sampling.
2. ADF&G Mandatory Crab Observer Program (15-25 observers), hired directly by private companies who have contracts with vessels that are required to take observers. Operates mostly out of Dutch Harbor. At present, this program focuses on crabs and provides little information about fish.
3. ADF&G in Southeast Alaska conducts port sampling of sablefish and rockfish. Up to 5 seasonal technicians operate out of Sitka, Petersburg, Ketchikan, Craig, and Yakutat.

B. NATIONAL MARINE FISHERIES SERVICE PROGRAMS

4. NMFS still has observers on foreign vessels, but their overall program has declined because U.S. vessels have replaced foreign and JV fisheries. This program operates out of Seattle at NWAFC.
5. NMFS may also conduct shore-side sampling at Kodiak, etc.

C. NORTH PACIFIC FISHERY MANAGEMENT COUNCIL PROGRAM

6. The NPFMC pilot observer program (4 observers), conducted by SeaGrant, will be in Kodiak January-April 1989 for the last phase of their program. They'll be monitoring pollock at Kodiak ports and on vessels searching for spawning pollock.

D. UNIVERSITY OF ALASKA PROGRAMS

7. In addition to #5 above, SeaGrant, as part of a multi-agency agreement, sent 2 observers to monitor interactions between marine mammals and gillnet fisheries in the Copper River Delta.

E. INDUSTRY PROGRAMS

8. There's a small industry-funded observer program for the Pacific cod fishery off Port Moller. Two or so observers monitor the bycatch of red king crab, etc.

POSSIBLE NEW PROGRAMS

9. A new federal observer program is supposed to result from the reauthorization of the Marine Mammal Protection Act. The observers will monitor fish and seabirds as well as marine mammals. Some 20-50 observers may be needed year-round, but the program has not yet been funded.
10. At the December NPFMC meeting, there was great interest in initiating an industry-funded observer program in 1989 for groundfish fisheries in the Gulf and Bering Sea.

OBSERVER TRAINING PROGRAMS IN ALASKA

An observer training course in the state would be very beneficial and two groups are interested in providing this service. Kodiak College (Gil Bane, 486-4161) is planning a test run of such a course in January 1989, and SeaGrant (Ron Dearborn, 474-7086) at the University of Alaska had its first attempt at this a few months ago.

cc. Ken Parker, Larry Nicholson, Clarence Pautzke

DEC 19 1988

MEMORANDUM

TO: Distribution

FROM: Peter Craig (907) 486-4791
 Groundfish Coordinator
 ADF&G, Kodiak

SUBJECT: ESTIMATED NUMBER OF MMPA OBSERVERS NEEDED

ACTION	ROUTE TO	INITIAL
STATE	OSBY DA L A S K A	
	AGENCY	
	DATE	
	December 13, 1988	
	File # 16m/2	
	Staff Asst 3	
	Accountant	
	Sec. Asst.	
	Sec. Typist	

The re-authorization of the Marine Mammal Protection Act (MMPA) requires that selected fisheries be monitored by "Marine Resource" observers. The purpose of this memo is to estimate how many observers will be needed in Alaska to monitor the fisheries that have been identified as Category 1 fisheries which have "frequent incidental taking of marine mammals". Jim Brooks, NMFS Acting Regional Director, has drafted a preliminary list of such fisheries as of 1 December 1988:

1. Trawl Fisheries
 Bering Sea/Gulf of Alaska groundfish
2. Longline Fisheries
 Sablefish, Prince William Sound
 Sablefish, Southern Bering Sea
3. Salmon Gillnet Fisheries
 Southeast Alaska, drift net
 Prince William Sound, drift net
 Alaska Peninsula, drift net

METHODS

To calculate the monthly number of observers needed, estimates are required for (a) the number of vessels in each fishery, and (b) the months that each fishery occurs. Calculations of these variables depend on several assumptions and factors that are difficult to determine accurately: (1) the number of domestic groundfish vessels has been increasing rapidly as the groundfish fishery becomes "Americanized", (2) only vessels larger than about 50 feet are assumed to be large enough to take observers aboard, (3) all salmon vessels are assumed to be too small to take observers, thus each fishery has been arbitrarily assigned 2 or 3 crews (for a total of 6 observers) operating from their own vessels, and (4) some level of port sampling is needed.

Consequently, the data presented in this memo indicate trends only, but the methodology used allows more precise estimates to be made as input variables are improved.

RESULTS

The estimated number of vessels in each fishery and the months that each fishery is active are listed in Table 1.

Projections are based on a 20% level of observer coverage for the trawl and longline fisheries, and a presumed similar level of coverage for the salmon gillnet fisheries and port sampling (see footnotes to Table 1).

The monthly number of observers and port samplers needed for a 20% level of coverage of all Category 1 fisheries combined ranges from about 20 to 50 observers (Fig. 1).

Also shown are the total numbers of observers required for each individual fishery (Fig. 2).

cc. Ken Parker
Larry Nicholson
Dave Cantillion
Dave Benton
Dave Carlile
Phil Rigby
Oscar Dyson
Clarence Pautzke
Bo Bricklemyer
Jim Brooks

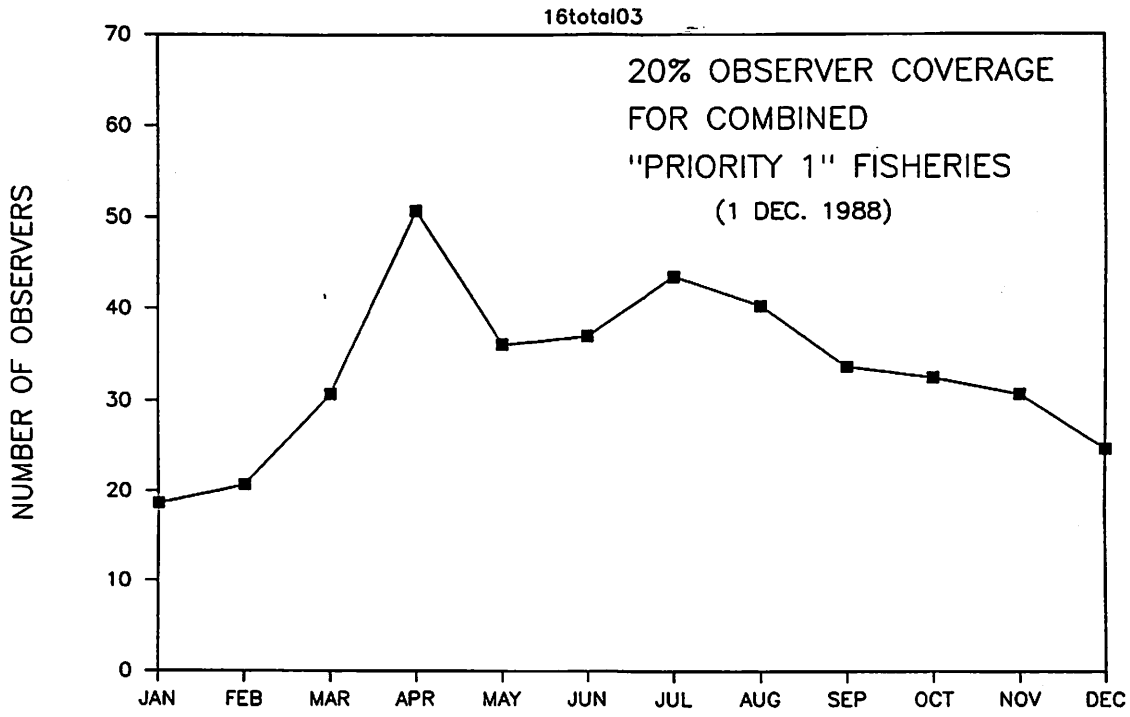


Figure 1. Estimated total number of observers and port samplers needed to provide a 20% level of coverage for combined "Category 1" fisheries (as of 1 December 1988).

Figure 2. Estimated number of observers and port samplers needed to provide a 20% level of coverage for selected "Category 1" fisheries (as of 1 December 1988).

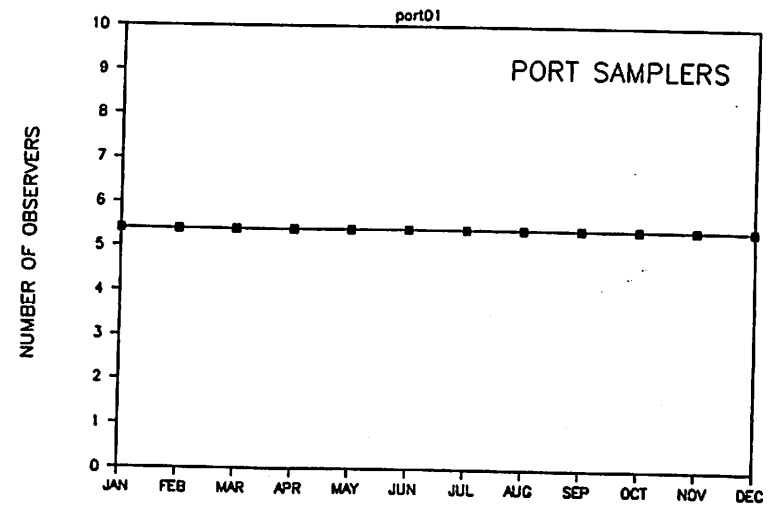
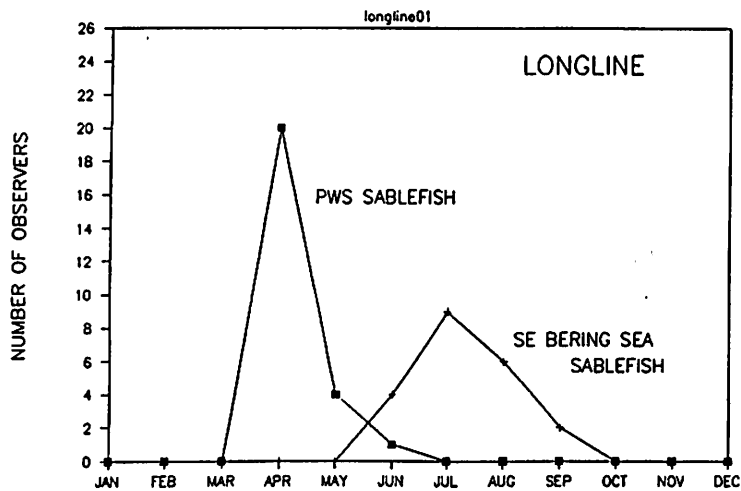
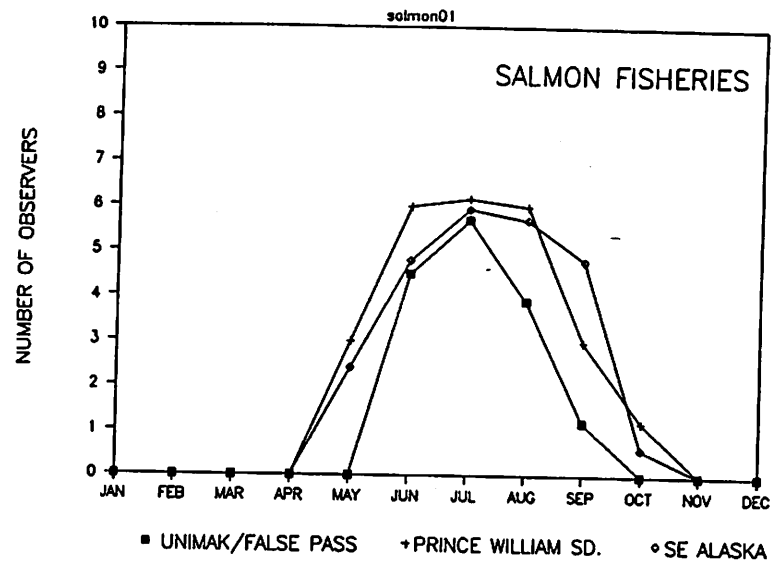
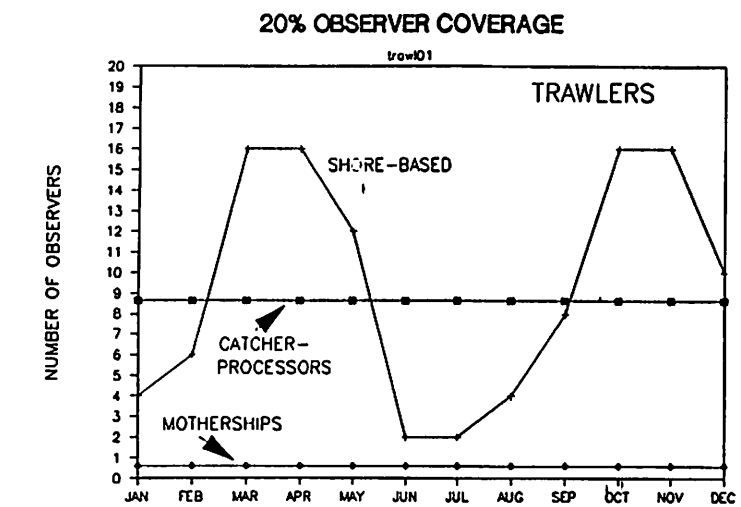


TABLE 1.

Preliminary estimate of (a) the number of domestic groundfish vessels in "Category 1" fisheries, (b) the months that these fisheries occur, and (c) the number of observers and port samplers needed to achieve a 20% level of coverage.

TARGET FISHERY (Category 1)	ESTIMATED NO. BOATS		20 % OBSERVER COVERAGE	FISHERY TIMING		
	Permits in 1986	ADFG est. #1		JAN	FEB	MAR
1. TRAWLERS	313					
a. Catcher-processors		48	10	90	90	90
b. Shore-based trawlers		100	20	20	30	80
c. Domestic motherships		3	1	100	100	100
2. LONGLINERS						
a. Sablefish (Prince William Sound)	25	100	20	0	0	0
b. Sablefish (SE Bering Sea)	66	50	10	0	0	0
3. SALMON GILLNET						
a. Unimak/False Pass drift net	164	223	6	0	0	0
b. Prince William Sound drift/set net	525	585	6	0	0	0
c. Southeast drift net	460	450	6	0	0	0
4. PORT SAMPLERS			6	90	90	90

a. Permits in 1986: CFEC 1986

b. ADFG est. #1 = all salmon vessels but a rough estimate of only those trawlers and longliners large enough (50 ft or greater) to take an onboard observer.

c. 20% est. = probable no. observers needed for a 20% level of coverage. For trawlers and longliners, this would equal 20% of ADFG est. #1. For salmon gillnet fisheries, this is arbitrarily set at two 3-man crews.

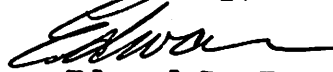
North Pacific Fishery Management Council's
Domestic Observer Policy *

1. The North Pacific Fishery Management Council should have the lead in determining observer placement;
2. Observer placement should not be punitive and should be on all gear types;
3. Observers should be used to verify bycatches, handling mortalities and to gather data for use in determining equilibrium yield levels;
4. The observer program should not be an enforcement program.
5. When the Council decides domestic observers are needed in a fishery, an ad hoc committee will be established consisting of participants in the relevant fishery and SSC members. The ad hoc committee will set specific observer duties and the level of observer coverage. The percentage of vessels required to carry observers will vary by fishery but may be at a level less than 100% for all fisheries.

Center with respect to the program and hope to be able to report the establishment of an industry-wide program in the near future.

Finally, AFTA is concerned that the federal government is backing itself into a corner by going forward with a policy that prevents itself from funding an observer program. How can the management agency make such statements about the importance of an observer program in carrying out its responsibilities as steward of the resource and at the same time steadfastly refuse to commit any financial resources to the effort? The fishing industry expects a more enlightened view from the management agency.

Sincerely,



Edward D. Evans
Executive Director

cc: NMFS Washington
NMFS Seattle
NMFS Juneau
Washington Congressional Delegation
Alaska Congressional Delegation



ALASKA CRAB COALITION

3901 Leary Way (Bldg.) N.W., Suite #6 • Seattle, WA 98107 • (206) 547-7560 • FAX (206) 547-0130

January 5, 1989

TO: John G. Peterson, Chairman
North Pacific Fishery Management Council

FROM: Arni Thomson, Executive Director
Alaska Crab Coalition

RE: ALASKA FACTORY TRAWLER ASSOCIATION PROPOSAL OF DECEMBER 22,
1988 CONCERNING INDUSTRY FUNDED BIOLOGICAL RESEARCH PROGRAM

On December 26, the Alaska Crab Coalition (ACC) received a letter dated December 22 from the Alaska Factory Trawler Association ("AFTA"), requesting contributions to a fund for a fisheries research foundation. The letter stated that funds should be pledged by no later than January 15th. Although the letter envisaged an organization which would have major responsibilities and very substantial funding, no charter or other details were provided. It was merely stated that the foundation would be responsible for collection of essential fisheries data, and would be governed by representatives of groups which made significant contributions.

ACC is unaware of the process by which AFTA assumed responsibility for the establishment of a fisheries research foundation. ACC notes that, historically, AFTA has resisted industry funding of data collection and opposed observer requirements.

More importantly, ACC finds it difficult to accept the attempt by AFTA to impose an arbitrary and otherwise unreasonable deadline for contributions of major sums of money for an organization concerning which very basic information has not been disclosed. We are not told how the foundation will determine priorities for data collection, provide for data analysis, dissemination and application, establish budgets, account for dissemination and application, establish budgets, account for disbursements, nor indeed, how it will relate to international, federal, state, and regional fisheries management organizations, interested scientific and academic institutions, and industry associations and advisory groups.

ACC believes that the collection of data essential to effective

fisheries management should be subject to standards and procedures established by law. ACC believes that it is inappropriate for a privately governed organization to determine entirely for itself how such data will be acquired and utilized.

Nevertheless, ACC recognizes that privately organized and/or funded fisheries research activities can usefully supplement efforts led by state and federal agencies. ACC has provided funds to the State of Alaska for observers aboard trawlers in 1988, and plans to dedicate a vessel to a crab research cruise in 1989. However, ACC maintains that the data which forms the fundamental basis for fisheries management should be collected and applied in accordance with conditions, standards and procedures which guarantee that the interests of the entire affected fishing industry and the public-at-large are properly served. This can be accomplished only within a framework established by state and federal law.

ACC finds it surprising that AFTA alleges as a basis for this foundation "the absence of observed fisheries in the line or pot fisheries." Apparently AFTA is unaware that the State of Alaska has established an industry-funded mandatory observer program to provide data from the crab fisheries. Moreover, it seems that AFTA is unaware that the hook-and-line fisheries have on-board observers at industry expense.

ACC intends to propose to Congress, in the form of amendments to the Magnuson Fishery Conservation Management Act, a legal mandate for the establishment of a comprehensive data collection program. The ACC proposal will provide for mandatory observer coverage on the basis of clearly defined terms and conditions. ACC intends to be guided by precedents established not only in the Magnuson Act, but also in the 1988 Amendments to the Marine Mammal Protection Act.

ACC believes that Congress and the Administration have a profound responsibility to ensure that a program which is intended to provide data essential to fisheries management will fully serve the public interest in the effective conservation and fair allocation of our Nation's valuable fishery resources. We hope that you agree.

With best regards.

Sincerely,



Arni Thomson,
Executive Director

cc: PFMC
NMFS Washington
NMFS Seattle
NMFS Juneau
Congressional Delegation Washington
Congressional Delegation Alaska