


MEMORANDUM

TO: Council, AP, and SSC Members

FROM: Clarence G. Pautzke 
Executive Director

DATE: September 21, 1989

SUBJECT: General Groundfish

ACTION REQUIRED

- A. Final action on Amendment 19/14 (pollock roe-stripping) to the Gulf of Alaska and Bering Sea/Aleutian Islands Groundfish Fishery Management Plans. Consider emergency action if necessary.
- B. Review staff discussion paper exploring options to improve the administrative process of setting initial and final groundfish specifications.
- C. Receive status report on regulatory and plan amendments.

BACKGROUND

A. Amendment 19/14

The Council approved the Amendment 19/14 Environmental Assessment/Regulatory Impact Review, with revisions, for public review at its June meeting. The Plan Teams revised the document to address the concerns expressed by the SSC and the document was sent out for a 30-day Council and public review on August 15. An executive summary is in item D-3(a)(1). Comments received by the September 15 deadline plus a summary are in agenda item D-3(a)(2). The five alternatives are:

- 1. Do nothing; maintain the status quo.
- 2. Prohibit the practice of roe-stripping in the pollock fisheries in the Gulf of Alaska and Bering Sea/Aleutian Islands, or portions thereof.
- 3. Require full utilization in the pollock fisheries in the Gulf of Alaska and Bering Sea/Aleutian Islands, or portions thereof.
- 4. Establish a semi-annual apportionment schedule for pollock in the Gulf of Alaska and Bering Sea/Aleutian Islands, or portions thereof.

5. ~~Prohibit pollock roe-stripping and establish a semi-annual apportionment schedule in the Gulf of Alaska and Bering Sea/Aleutian Islands, or portions thereof (a combination of Alternatives 2 and 4).~~ ^{act}

The Council should be aware that the two groundfish Plan Teams discussed this proposed amendment in a teleconference on September 12 and were unable to identify any alternative as being superior to the status quo. The Plan Teams' memorandum is attached as item D-3(a)(3).

To implement any option other than the status quo, the Council should take final action at this meeting. If the Council wishes to have one of the other alternatives in effect for the 1990 pollock fishing season, it will have to recommend that the Secretary use an emergency rule to implement the management measures on January 1, 1990.

B. Groundfish Specifications

NOAA Fisheries has expressed concern that the groundfish specification process used by the Council presents administrative and legal problems in the management of the fisheries. The NOAA Fisheries memo outlining the perceived problems is attached as item D-3(b)(1). A staff discussion paper exploring options to improve the process is item D-3(b)(2). NOAA Fisheries and NOAA General Counsel staff are available to expand on these issues.

C. Plan and Regulatory Amendments

Amendment 18/13 to the Fishery Management Plans for Gulf of Alaska and Bering Sea/Aleutian Islands groundfish was submitted to the Secretary of Commerce on July 24. Day 1 of the 140-day review cycle was July 30. Management measures to implement the amendment were published as a proposed rule on September 1, with a 45-day comment period ending October 12. Secretarial action is required on or before Day 95, which will be November 1; the amendment will be approved by default if no action is taken by that date. Under this schedule the amendment could be implemented on Day 140, or December 16, 1989.

At its January 1989 meeting the Council adopted four proposed regulatory changes. These were to:

1. Establish authority in the Gulf of Alaska to close directed fisheries prior to attainment of TAC to allow for bycatch needs (the single species rule).
2. Provide for the reopening of fisheries closed prematurely in the Gulf of Alaska and Bering Sea/Aleutian Islands.
3. Specify noon Alaska local time as the starting and ending time for all fishing seasons in the Gulf of Alaska and Bering Sea/Aleutian Islands.
4. Require fixed gear fishermen to mark their gear in the Gulf of Alaska and Bering Sea/Aleutian Islands.

These proposed regulatory amendments were published as a proposed rule by NOAA Fisheries on August 16, with a 30-day comment period ending September 14.

At the April Council meeting an emergency single species rule for the Gulf of Alaska was requested. The Council was concerned that this management measure be available to the Regional Director during the fall pollock fishery in the Gulf since only 7,000 mt would be available and, therefore, bycatch needs could be set aside at the outset of this fishery. NOAA General Counsel determined that there was insufficient time for public comment on an emergency rule and this proposal was inconsistent with the Administrative Procedure Act. Therefore, NOAA GC recommended against proceeding with this emergency rule. As a result, following the attainment of the remaining pollock TAC, directed fishing will be closed and any further catches of pollock must be treated as a prohibited species.

In April the Council reviewed a draft directed fishing definition prepared by NOAA Fisheries. They directed NOAA Fisheries to submit the regulatory amendment, with revisions, to the Secretary so that a new directed fishing definition measure would be in effect when the current emergency rule expires on September 23. The rule is now being reviewed by the Office of Management and Budget. Its publication in the Federal Register is imminent. Should that happen after September 23, the previous directed fishing definition would be in effect in the interim. The old definition is at the 20% level of aggregate catch in the Bering Sea/Aleutian Islands. In the Gulf of Alaska the definition is set at 4% of aggregate catch for sablefish, and 20% for other groundfish species.

At the June Council meeting the Council adopted a measure to require pot gear which minimizes the bycatch of halibut. NOAA Fisheries has published an advance notice of proposed rulemaking to notice the fleet and afford them an opportunity to comment on the implementation of this proposal.

SUMMARY OF EA/RIR/IRFA FOR AMENDMENTS 19 AND 14
TO THE
FISHERY MANAGEMENT PLANS FOR THE GROUND FISH FISHERIES
OF THE GULF OF ALASKA
AND THE BERING SEA/ALEUTIAN ISLANDS

POLLOCK UTILIZATION IN THE GROUND FISH FISHERIES OFF ALASKA

The North Pacific Fishery Management Council, at its April 1989 meeting, requested that its groundfish plan teams prepare an amendment addressing the extraction of roe from prespawning pollock without further processing (roe-stripping). The Council reviewed the initial analysis in June and suggested that a draft amendment package, including a draft environmental assessment/regulatory impact review/initial regulatory flexibility analysis (EA/RIR/IRFA), be released for public comment. In September the Council will review the public comments, and decide which of the listed management alternatives is preferred. Should the preferred alternative be other than the status quo, the package will be forwarded to the Secretary of Commerce for approval and implementation.

Currently there are no restrictions on the type of processing that occurs in the Gulf of Alaska and Bering Sea/Aleutian Islands groundfish fisheries. In winter and early spring (January - April), portions of the trawl fleet target on prespawning aggregations of pollock populations. Processors (at-sea and shoreside) extract the roe from the females, and may further process the resultant carcass (and the males) into fillets, surimi, or fish meal. Some processors, however, extract only roe, discarding the female carcasses and males. This practice, called roe-stripping, has a lower physical yield (recovery rate) than other processing techniques but is economically attractive given that the roe product is very valuable and that operators can process more tons of pollock per day by foregoing further processing.

Management alternatives considered as solutions are:

1. Do nothing. Maintain the status quo.

D R A F T

2. Prohibit roe-stripping in the pollock fisheries¹ in the Gulf of Alaska and Bering Sea or portions thereof.
3. Require full utilization in the pollock fisheries¹ in the Gulf of Alaska and Bering Sea or portions thereof.
4. Establish a semi-annual apportionment schedule for pollock in the Gulf of Alaska and Bering Sea or portions thereof.
5. Prohibit pollock roe-stripping and establish a semi-annual apportionment schedule in the Gulf of Alaska and Bering Sea or portions thereof (a combination of Alternatives 2 and 4).

The Council wishes to examine the practice of "roe-stripping" and the above regulatory alternatives with respect to four identified management problems: (1) moral or aesthetic concerns associated with non-utilization of fish flesh and dumping of whole or partially processed carcasses; (2) biological concerns associated with targeting on spawning populations; (3) allocational concerns associated with the timing of the season and the type of processing (at-sea or shorebased). None of the alternatives will solve, or for that matter affect, all the concerns the Council feels result from "roe-stripping." Alternatives 2, 3, and 5, address problem 1 at some cost to the fleet. Alternatives 4 or 5 could be used as an allocational solution to concerns about shortened seasons. All alternatives to the status quo address the potential problem of targeting on spawning populations. None of the alternatives satisfactorily resolve concerns of processor allocations (Problem 3).

This EA/RIR/IRFA presents the Council's assessment of likely impacts resulting from the implementation of these alternatives.

1. The Council may define "pollock fisheries" as it deems fit. That is to say, "pollock fisheries" may be defined to include only directed pollock fisheries or may also include pollock bycatch fisheries. However, since pollock aggregate during spring, it is unlikely that significant catches of pollock would be taken incidental to other groundfish fisheries during this period of the year. Consequently, vessels reporting pollock catches during the spawning season may be presumed to be targeting on pollock.

D R A F T

The impacts of the alternatives depend, in part, on the degree they shift the seasonal harvest pattern toward a fall fishery. The alternatives differ in their ability to effect this redistribution: split season alternatives (Alternatives 4 and 5) could be used to directly control the amount of pollock taken in each season or even eliminate pollock harvest during the roe season; processing regulations (Alternatives 2 and 3) could affect the seasonal catch pattern indirectly by, presumably, slowing harvest rates during the spawning period, although rapid expansion of processing capacity may make such a shift short-lived. Shifting the fishery to later in the year may increase the amount of halibut and crab taken as bycatch, because the fall fishery is primarily a bottom trawl fishery with generally higher bycatch rates for crab and halibut than the spring fishery, which is primarily a midwater trawl fishery. If the PSC limits for crab and halibut constrain the fall pollock fishery, then this shift may result in foregone pollock catches. Shifting the harvest to later in the year may also temporarily redistribute income from at-sea processors to shoreside processors, particularly those located close to the fishing grounds, but this effect will likely be short-lived as domestic processors expand their demand for pollock.

It should be recognized that even without this amendment the Council may be able to control the amount of harvest effort on prespawm pollock by regulatory amendment; this course of action could be taken if the Secretary of the Commerce approves the fishing season amendment to both FMPs (Amendment 18/13) recently submitted for Secretarial review. In this case, the Council could change the pollock fishing season so that it commences on, say, April 1, effectively eliminating a roe-only fishery unless TAC remains unharvested the following winter/spring (at the end of the season).

The environmental assessment concludes that in both the Gulf and Bering Sea, pollock stock fluctuations are due to a combination of density-dependent and density-independent factors. Models which attempt to fit historic pollock stock abundance to these various factors are not well defined. Nonetheless, it is believed that the Gulf stocks are more sensitive to density independent factors and may be more susceptible to fishing pressure on roe-bearing females. Eastern Bering Sea stocks are in good condition, and therefore density-dependent factors may have more influence. A fishery which reduces stock abundance, including targeting on roe-bearing females, would be less likely to have adverse effects on the health of the Bering Sea stocks.

D R A F T

The regulatory impact review indicates that "roe-stripping" practices stem from a number of factors including the "olympic" management system, roe prices, roe recovery rates, and harvesting and processing costs. Given high enough roe recovery rates and roe prices, it may be optimal to extract roe without further processing. The RIR also concludes that, although pollock roe-stripping has a lower product recovery than competing processes such as filleting or surimi production, the amount of additional waste generated is not significant relative to current groundfish discard levels. Eliminating or reducing discard due to roe-stripping is unlikely to impact the environment, but may increase or decrease overall industry revenue, depending on roe recovery rates and prices. Alternative 2, requiring processing of pollock beyond the extraction of roe, will affect head and gut processors more than other types of at-sea processors. It may not, however, in the long run decrease the amount of pollock processed during the roe season. Requiring reduction of all discard to meal (Alternative 3) may prove profitable for some at-sea operations and may disenfranchise others. The impacts on the fleet of Alternative 3 are determined by the ability of the vessels to accommodate and amortize a meal plant or transfer discard to specialized meal processors. Elimination of the roe fishery completely (Alternative 4 or 5 using a split season approach or a fishing season change) would be at great cost to the industry, reducing gross industry revenue by as much as \$1 billion.

**Summary of Public Comments Received on Amendments 19 and 14
to the Groundfish Fishery Management Plans for the
Gulf of Alaska and Bering Sea/Aleutian Islands**

Comments from 12 individuals or organizations on the amendment document were received through the close of the official comment period on September 15.

Seven commentors favored Alternative 2, which would institute a ban on roe-stripping.

Two commentors favored Alternative 4, which would institute split season apportionments in the pollock fisheries.

One commentor favored Alternative 5, which would combine a ban on roe-stripping with split season apportionments.

Three commentors suggested that a change in the pollock fishing season, such as through the framework procedure adopted under Amendments 18/13, would be an appropriate way to address the roe-stripping issue.

Three commentors felt that the Council should move toward the articulation and implementation of a full utilization policy for all groundfish fisheries.

Individual comments are summarized below:

Alaska Factory Trawlers Association:

- Supports a prohibition on roe-stripping (Alternative 2).
- Opposes Alternatives 3, 4 and 5.

Alaska Groundfish Data Bank:

- Supports a ban on roe-stripping combined with split season apportionments (Alternative 5).
- Suggests split season apportionments on a quarterly basis.

Alyeska Ocean, Inc.:

- Supports a prohibition on roe-stripping (Alternative 2).

American High Seas Fisheries Association:

- Supports a prohibition on roe-stripping (Alternative 2).
- Council should implement a policy moving toward full utilization of all groundfish resources.

East Point Seafood:

- Favors a total ban on roe-stripping (Alternative 2).

Emerald Seafoods, Inc.:

- Supports a prohibition on roe-stripping (Alternative 2).

David Fraser:

- Advocates Alternative 4: semi-annual apportionments frameworked to allow annual adjustments in the percentage shift.
- Council should establish a full utilization policy in the broad context.

Kodiak Fish Co.:

- Supports a prohibition on roe-stripping (Alternative 2).
- Suggests pollock fishing year should start on September 1.

Marine Resources Consultants:

- Technical comments supporting Alternative 4 (semi-annual apportionments) with the suggestion that apportionments reflect historic semi-annual harvest levels; purpose of measure is to alleviate concerns over impacts of targeting spawning females.

National Marine Fisheries Service:

- Suggests Council establish an overall policy on full utilization.
- Supports using a regulatory amendment to prohibit pollock fishing in the Gulf of Alaska until June or July; status quo in the Bering Sea/Aleutian Islands.

North Pacific Fishing Vessel Owners Association:

- Opposes regulations which restrict vessel operations and introduce economic losses without commensurate benefits.
- Opposes full utilization (Alternative 3).
- Suggests using Amendment 18/13 frameworking procedure to change fishing seasons as an interim step while conducting further research on pollock stock dynamics.

Profish International:

- Inappropriate for Council to base any decisions on Amendment 19/14 EA/RIR/IRFA.
- Favors ban on roe-stripping (Alternative 2) in principle; offers suggestions for resultant regulations.
- Opposes full utilization and split season apportionments (Alternatives 3, 4 and 5).



ALASKA FACTORY TRAWLER ASSOCIATION

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September 15, 1989

North Pacific Fishery
Management Council
Post Office Box 103136
605 West Fourth Avenue, Suite 306
Anchorage, Alaska 99510

Re: Roe Stripping/GOA Amendment 19 and BS/AI
Amendment 14

Gentlemen:

Our association represents the majority of the fishing companies which operate catcher processors in the Gulf of Alaska and in the Bering Sea/Aleutian Islands. We are submitting these comments in connection with the "roe stripping" proposals scheduled for consideration by the Council at its September, 1989 meeting.

Roe stripping has been generally defined as the practice of extraction of roe from prespawning female pollock without further processing of the carcasses of either the female or male pollock. It is a practice which AFTA has gone on record as opposing since 1987.

The Council staff has prepared an Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (hereinafter the "EA") in which they have examined four alternatives to the status quo: (1) prohibit roe stripping (Alt. 2); (2) require full utilization (Alt. 3); (3) establish semi-annual apportionment (Alt. 4); and (4) prohibit roe stripping and establish semi-annual apportionment (Alt. 5). As explained in detail below, we support the proposal to prohibit roe stripping but strongly oppose either a requirement for full utilization or the establishment of a semi-annual apportionment.

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A. Prohibit Roe Stripping.

The EA analyzes the impact of roe stripping from both biological and economic perspectives and concludes that there is simply no firm evidence that a prohibition on roe stripping will produce any positive impact. The EA notes that no spawner-recruit relationship has been demonstrated for pollock and that only by making unproven assumptions can it even be hypothesized that a roe stripping ban might increase future recruits (EA 32). Further, banning roe stripping will not produce a measurable decrease in "waste" as the term is used in the EA (EA 8).

Nevertheless, AFTA favors a restriction on roe stripping in both the Gulf of Alaska and Bering Sea/Aleutian Island management areas. It appears that in 1990, for the first time, the DAP capacity will be sufficient to harvest the entire pollock TAC. To the extent one processor strips roe and discards carcasses, the second processor will be deprived of the opportunity to realize the economic benefit of producing fillets, surimi, or another primary product from those carcasses. The second processor should have this opportunity.

It is important that the regulatory language drafted to implement a restriction on roe stripping incorporate four criteria: (1) the regulation should provide flexibility for development of new processing techniques; (2) the regulation should apply only for the duration of the potential roe season, i.e. November 1 through April 15; (3) the regulation should allow for discard of those carcasses which are not normally retained such as fish that are diseased, infected with parasites or too small to process; and (4) the regulation should continue to permit roe stripping of pollock taken as bycatch.

B. Full Utilization.

As an alternative to a ban on roe stripping, the EA analyzes the impact of requiring full utilization of pollock in the pollock fisheries. AFTA agrees with the EA's many negative conclusions regarding full utilization and opposes this alternative.

From a biological perspective, the full utilization alternative offers no positive impact on waste reduction or any increased recruitment. Further, the EA notes that the loss of ground and disposed discards could result in a decrease in ocean

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productivity (EA 30). To the extent this type of requirement forces the season from an early year midwater fishery to a fall bottom fishery, halibut bycatch rates would rise dramatically. Applying 1988 harvest levels, the EA estimates that "if Gulf pollock were to be taken 100% with midwater trawls, the estimated halibut bycatch would be 36 mt. If, on the other hand, all pollock were taken by bottom trawls, bycatch would be approximately 2,700 mt." (EA 19). Given the strict halibut bycatch constraints presently in effect for the Gulf, this bycatch increase could severely limit the total groundfish harvest available to the U.S. fleet.

From an economic perspective, the full utilization alternative creates an even greater adverse impact. At present, there is insufficient meal plant capacity among either shorebased or at-sea processors to utilize all pollock waste. The full utilization alternative simply cannot be implemented without either building new plants or expanding existing plants (EA 37). If processors are forced to build and employ additional meal capacity, it might lead to a reduction in the discard of guts and frames but only at the cost of creating far greater economic waste. As stated in the EA,

Given [the projected increase in meal production], the worldwide market for whitefish meal would be greatly impacted, and U.S. meal prices would be expected to decline. The likely decline in prices could drive meal revenues below production costs. If no profit can be made from meal or oil production, this alternative would require an unprofitable activity to be subsidized by other profitable activities. Such a situation would create strong incentives to circumvent regulations and lead to enforcement difficulties. Discard of flesh would likely be replaced by inefficient use of capital and resources.

(EA 38).

Further, with a full utilization requirement, all but four or five catcher/processors would be precluded from participation in the pollock fisheries because the vessels presently lack meal plants and have no physical capacity to add them. The direct economic losses to these processors alone from

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a full utilization requirement would be expected to exceed hundreds of millions of dollars.

C. Semi-Annual Apportionment.

The third alternative to the status quo analyzed in the EA is a system of semi-annual apportionment in which a portion of the pollock TAC is reserved for later in the year when the stocks are no longer in a prespawning condition. AFTA strongly opposes this alternative as there is no evidence that it would produce any biological benefit while it is undisputed that it would cause enormous negative economic impacts.

The EA raises the issue of whether targeting on prespawning pollock might adversely impact the health of the stocks and future recruitment. In its analysis, the EA first notes that fisheries scientists have not found evidence of a spawner-recruit relationship, i.e. that a larger spawning stock will result in larger recruitment from that stock. In fact, the scientists have concluded that such a spawner-recruit relationship does not exist for pollock. Consequently, based on current understandings of fishery dynamics, nothing would be gained by precluding a fishery on prespawning pollock.

In addition, even if we assumed the existence of a spawner-recruit relationship, a comparison of total harvest to biomass indicates that taking the entire TAC from prespawning pollock will not measurably impact the spawning biomass. While the EA struggles to create an argument that targeting on prespawning pollock in the Gulf might be harmful to the stocks, the analysis created is purely hypothetical and without biological support. Further, the analysis fails to point out that the 1990 Gulf TAC will constitute a very minor percentage of the total Gulf pollock biomass. The Team recommendation for the 1990 Gulf TAC is a range from 10,000 mt. to 37,500 mt. with a proposed 10,000 mt. exploratory quota. If the Council selects a midrange TAC of 25,000 mt., the TAC will represent only 3.6% of the 700,000 mt. estimated biomass. In other words, over 96% of the Gulf spawning stocks will remain wholly unaffected by whatever harvest strategy is selected.

In contrast, the economic consequences of precluding a roe fishery are astronomic. The EA concludes that the cost to the industry of such a regulation might be as high as \$1 billion (EA iv). It is unimaginable that the Council could even consider

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adopting a regulation with such enormous costs and absolutely no benefits.

Finally, as noted throughout the EA, a shift of the fishery from a midwater to a bottom fishery will lead to a substantial increase in halibut bycatch. This potential shift is in direct conflict with the groundfish industry's continued efforts to take all steps possible to reduce bycatch.

Conclusion.

AFTA continues to support a properly drafted regulation to prohibit roe stripping but opposes any proposal to require full utilization or to apportion the harvest throughout the year. These latter proposals can only be implemented at enormous cost to the industry and will produce no measurable benefits, either biological or economic. We urge the Council to adopt Alternative 2 and to firmly reject Alternatives 3, 4, and 5.

Very truly yours,

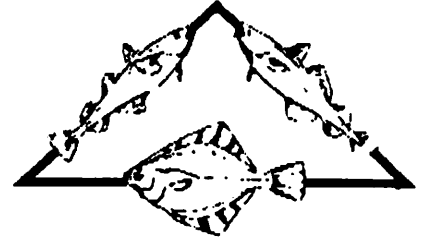
ALASKA FACTORY TRAWLER ASSOCIATION

Vince Curry by MIT

Vince Curry

Alaska Groundfish Data Bank

SEP 15 1989



**ALASKA GROUND FISH DATA BANK
FAX TRANSMISSION
FAX NO: 907-488-3481**

TO NPFC

SUBJECT Amendment 19-14 Comments

NUMBER OF PAGES 5 + cover

TRANSMISSION DATE 15 Sept. 89

COMMENTS _____

Alaska Groundfish Data Bank

September 15, 1989

Clarence Pautzke, Executive Director
P.O. Box 103136
Anchorage, Alaska 99510



SENT BY FAX TO 271-2817

COMMENTS ON AMENDMENTS 19/14

POLLOCK UTILIZATION IN THE GROUND FISH FISHERIES OFF ALASKA

I. POSITION

The members of the Alaska Groundfish Data Bank support option five, "Prohibit pollock roe-stripping and establish a semi-annual apportionment schedule in the Gulf of Alaska and Bering Sea or portions thereof," but suggest the following revisions:

1. For the Gulf of Alaska, the prohibition against roe stripping be Gulf wide rather than limited to a portion of the Gulf.
2. Rather than semi-annually, apportionments be made quarterly.

Under either semi-annual or quarterly apportionments, it is our understanding that any quota unused in one fishing period would be available in the next fishing period.

We feel that full utilization of all commercial fisheries in all areas should be the ultimate goal of the Council; but that the full utilization issue should be considered separately with a more complete and indepth analysis than time allowed for amendments 14/19.

II. REASONS FOR SUPPORTING ROE STRIPPING PROHIBITION AND QUARTERLY ALLOCATIONS

A. Roe Stripping Prohibition

1. Because Alaska's groundfish resources are a national, rather than individually owned, resource it seems to us that wise stewardship of that resource dictates gaining the maximum return for the nation as a whole, rather than maximum profits for a particular entity.

Given this premise, requiring the processing of the flesh as well as the roe appears mandated -- in terms of increased employment, increased domestic sale, decreased imports and increased exports.

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Prohibiting roe stripping also meets the following goals contained in Council's Comprehensive Fishery Management Goals:

- 2.4 "increased domestic fishery utilization and resultant reductions in negative balance of payments;"
- 3.5.a "minimize waste;"
- 4. "Achieve optimum utilization by the U.S. fishing industry of fishery resources in the fishery conservation zone off Alaska;"

The goals also contain a number of references to development of underutilized resources. If roe stripping is permitted to continue, the carcasses actually become an underutilized resource.

- 2. The increasingly rapid rate of harvest which is of concern to management would, to some degree, be retarded by prohibiting roe stripping.
- 3. Of the four major species with saleable roe -- salmon, herring, rock sole and pollock -- roe stripping now occurs only in pollock. Rock sole is marketed as roe-in, but males may be discarded.

The State of Alaska has banned roe stripping in the salmon and herring fisheries under wanton waste laws.

QUARTERLY ALLOCATIONS

We support quarterly allocations to assure harvest over time and over a greater component of the stock than is now being harvested.

In the 1989 Preliminary Report on Gulf of Alaska Walleye Pollock authors Anne Hollowed and Bernard Megrey (AFS) note under the section on Weaknesses of the Catch at Age Data:

"Recently (1987-89) the biological information from the fishery are not as representative of the population as they were prior to 1987 . . . and the catch is taken in a much narrower temporal window (spring and fall). In 1989, the entire quota was taken in the first quarter of the year."

Both for the long term health of the stock and to meet the data needs of management, quarterly allocations appear to a logical step.

Quarterly allocations also would increase the council's ability to manage the stock in the interest of the long term health of the resource, as noted in the EA/RIR document on page iii.

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Quarterly allocations also meet the Council Goal 3.5:

"Extending, within biological limits, the availability of fishery resources to the industry over the longest feasible season. This strategy recognizes that maximum benefits from a fishery can be generated by rationalizing harvest effort and product flow to the market . . ."

The EA/RIR refers to the potential for greater bycatch of crab and halibut in a fall fishery. In the Gulf of Alaska pollock can be taken by midwater trawl in the fall and bycatch should not be an issue.

IDENTIFIED MANAGEMENT PROBLEMS

The EA/RIR for Amendments 14/19 lists three management problems being addressed by the proposed amendment:

1. Moral or aesthetic concerns associated with non-utilization of fish flesh and dumping of whole or partially processed carcasses.

Certainly prohibiting roe-stripping meets this identified management problem; however, we feel this is a minor consideration, particularly compared to the goals in the Council's Comprehensive Fishery Management Goals as identified above.

2. Biological concerns associated with targeting on spawning populations.

Quarterly allocations meet this management concern by reducing the amount of harvest taken during the roe season. We feel this management concern is too narrowly stated and should include encouraging harvest over time and improving the data base for management.

3. Allocation concerns associated with the timing of the season and the type of processing (at-sea or shorebased).

Both prohibiting roe stripping and instituting quarterly allocations meet this goal to some degree.

However, by prohibiting roe stripping, the real allocation issue addressed is between operations (at-sea and shorebased) capable of utilizing the pollock flesh and operations (at-sea and shorebased) incapable of utilizing the pollock flesh.

The text, page 8, notes that roe stripping encourages targeting on females (up to 95% of the catch may be females) and states "if targeting on females is possible, the practice of roe-stripping may imply reductions in future recruitment to the stock."

We consider this biological concern a major issue.

COMMENTS ON THE EA/RIR TEXT

We have no desire to delay implementation of Amendment 14/19. The following comments point out what we feel are deficiencies in the EA/RIR and we ask that those which can be corrected in a timely manner in the final document be corrected. Those which cannot be corrected in a timely manner, leave stand.

Page iv: "The RIR also concludes that, although pollock roe stripping has a lower product recovery than competing processes . . . the amount of additional waste generated is not significant relative to current groundfish discard levels."

P. 8 indicates roe stripping may have increased processing discharge by 10 to 20% in pollock fishery. Since pollock is the major groundfish species taken, we do not consider a 10-20% reduction in waste "not significant."

1.3.2 Vessels Involved in the Pollock Fisheries

Number of shorebased vessels making deliveries should be included.

2.3.3 As noted above, in the Gulf of Alaska, pollock aggregate in the fall and fishing can be conducted with midwater gear. It should also be noted that in the early part of the year bottom trawl gear can be, and is, used. For the Gulf, bycatch is not a significant issue in differentiating between early and late year fisheries for pollock.

Page 23, footnote 11: Shorebased processors also sell the roe. There is no justification for equating a shift to shorebased processing with discarding roe.

2.3.5.2 Paragraph 2: Again, in the Gulf of Alaska pollock can be taken with midwater gear in the fall.

Page 31: Again, in the Gulf of Alaska pollock can be taken with midwater gear in the fall and bycatch does not have to increase.

Page 34: Last paragraph: In 1989 in the Gulf of Alaska the pollock harvest shifted from shorebased to at-sea for the first time since DAP took over the fishery. We do not understand how 1989 could be considered "status quo." The conclusion for the Gulf of Alaska should be that failing to prohibit roe stripping encourages a redistribution of capital from shorebased to at-sea processors.

2.4.2.4 Page 39: For shorebased plants in the Gulf of Alaska, which process a variety of species a split season does not mean "two shut down periods per year." The only shut down

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period occurs in the fall if there is no pollock and the halibut cap has shut down bottom trawling. This is also true for many factory trawlers. This discussion applies only to operations processing solely pollock or forced to shut down to change equipment before processing a different species.

For the record we note that the Appendix "Pollock Roe-Stripping and Waste in the EEZ: An Economic Perspective" addresses only one component of the pollock industry and in no way assesses the economics of shorebased operations processing multiple species year around and attempting to maintain a work force.

We realize that further economic analysis may delay the implementation of council action on this issue. Because of the critical biological concerns caused by roe stripping and pulse fishing in the Gulf of Alaska pollock fishery we specifically request that our comment be "for the record" only and not a basis for requesting additional economic analysis.

Sincerely,



Chris Blackburn, Director
Alaska Groundfish Data Bank

ALYESKA OCEAN, INC.

SEP 13 1989

816 FOURTH STREET · P.O. BOX 190 · ANACORTES, WASHINGTON 98021
206 293-4677 · TELEX 152597-AOFAACT · TELEFAX 206-293-4241

September 12, 1989

John G. Petersen, Chairman
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Re: Roe-Stripping

Dear John,

PROPOSAL

The Council and NMFS should take immediate and decisive action to recommend an emergency rule prohibiting roe-stripping in the pollock fisheries of the GOA and BSA areas effective January 1, 1990.

COMMENTS

Roe-stripping by itself prevents others from developing optimum yield capabilities.


The Council has been presented with inconclusive biological and economic perspectives, assessments, reviews and analysis'.

Our ability to accurately determine the biological impact of allowing capital to focus on roe-stripping is questionable. That is, the consequence of allowing the build up of small to large vessel conversions with highly automated roe-stripping and freezing capability only.

The staff's economic perspectives report is based on hypothetical values and situations. It provides no support for roe-stripping, but instead highlights our lack of information and the need for caution in managing the resource.

This issue is a national concern and the Council should take such action regardless of little support from the current user groups.

Best regards,


Jeff Hendricks
President

SEP 13 1989

by fof



September 13, 1989

North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, AK 99510

RE: Pollock Utilization in the Groundfish Fisheries off Alaska.

Dear Council Members:

We are commenting on the Draft Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis for Amendment 19 and Amendment 14 to the Fishery Management Plans for the Bering Sea/Aleutian Islands and the Gulf of Alaska.

The American High Seas Fisheries Association is a non profit trade association of U.S. built, owned, and operated fishing vessels in the 90 - 140 foot class, from the States of California, Oregon, Washington, and Alaska.

We urge the North Pacific Fishery Management Council to adopt a policy Towards Full Utilization of all fish managed under the Optimum Yield for the bottomfish fisheries including pollock.

We oppose roe stripping (removal of roe only, discard remainder).

We support roe removal only when it is accompanied by maximum utilization of the carcass, first for human, and then industrial purposes.

Under a policy of full utilization, once adopted, we urge the Council take the following measures.

- Meal plant as a condition of entry into groundfish fishery be required by any catcher processor henceforth.
- That grinders be installed within six months on all factory processors.
- That factory processors without meal plants be required

to install them in a time definite.

- Mandate retention of target and bycatch species included within the OY. Prevent high-grading, discard or dumping at sea of such species.
- Design and implement measures including incentives to minimize this waste and that of prohibited species.

We firmly believe that the fishery resource including pollock is the common property of all Americans and as such withdrawals from the peoples resource bank ought to be accounted for in full and to the greatest extent possible used not dumped.

AHSFA supports the adoption and implementation of two linked policies. They are; full accountability of all withdrawals of fish managed under the OY, combined with the policy towards full utilization of those fish caught under the optimum yield. This translates into our support for a comprehensive onboard observer program. The purpose of the observer program should be both to account for all fish that are caught and managed under the optimum yield as well as a measure of behavior modification with regards to the disposition of those catches.

We are aware that the present waste in the fishery is dramatic. We therefore believe that the severe curtailment of this waste ought to be as equally dramatic. There is presently dumping of carcasses and whole male fish associated with the practice of roe stripping, high grading of fish based on species, size, price, and quality. Dumping of species is occurring for which that particular unit does not have a market. Presently there is the practice of non-coordination of the catching and processing operations aboard factory processors. This is the practice in which fish are caught and placed in the fish pounds prior to processing. The net is then shot and hauled wherein the former fish in the pounds are subsequently dumped in favor of fresher fish just caught. The age difference here may be as little as 1-3 hours. Burst bags, bleeder panels, are other examples, as are the dumping of bycatch and prohibited species.

We oppose both the waste involved and the non-recording of fishing mortality associated with these practices. Presently the disposition of the TAC is tracked by reported processed product which is then converted back to its green weight equivalent. What is not reported is that which is not processed and dumped for whatever reason. Presently no one can really say over-fishing is not occurring. Hence the need for total accountability.

We request the Council to act immediately to stop the practice of roe stripping and to institute measures which will prevent the

dumping and waste of fish which may be utilized by other fishermen.

Furthermore, in the event that the Council invokes a limited entry regime in which catch history is recognized as the basis of annual access rights to harvest fish, we would oppose any recognition of such rights accruing from conversion of stripped roe back to its equivalent green weight.

Moral

We oppose these practices on moral grounds in that the fish could be utilized for either human or industrial purposes. For example the attached editorial "Full Utilization of the U.S. "Recreational" Bottomfish Fishery", prepared for the Alaska Fisheries Development Foundation, conservatively estimates the edible human protein dumped by one sector of the industry this year at a level enough to feed 4 billion human adults for one day. To continue this, in any of the forms mentioned, to us, is not acceptable public policy towards the use of our common property fish resource.

Economic

We oppose these practices on the grounds of economics in that the fish so dumped or wasted as result of mismanagement could be used by others of us that for various reasons such as the implementation of the Processor Preference and the Anti-Reflagging Act are tied to the docks. This waste by various unit operators represents foregone potential revenue to either them under better management or other existing members of the industry and new entrants. The draft EA/RIR/IRFA puts the revenue foregone between the status quo and a roe stripping prohibition in the order of one half a billion dollars. (P.32 'The increased product would generate ex-vessel gross revenue of \$531-550 million).

Biological

And finally we oppose the practice on the biological grounds that it may be damaging to the viability of the stocks. We must therefore urge a conservative approach based on the evidence presented in the draft EA/RIR/IRFA page 32, 'The outcome is dependent on the form of the spawner-recruit relationship, the current stock status, and density dependent factors. Current understanding of these relationships does not permit conclusions on the directions of change!'

The Options

It is the established policy of the members of American High Seas

Fisheries Association to oppose the practice of roe stripping unless it is accompanied by full utilization of the flesh and carcass first for human consumption and secondly for industrial purposes. Therefore with regard to the options our comments are as follows.

Option #1 - to do nothing and maintain the status quo is entirely unacceptable to us under any circumstance both as fishermen and as citizens with a stake in the common property.

In regard to Option #2 - prohibit roe stripping in the pollock fisheries in both the Gulf of Alaska and Bering Sea. We support this option without the caveat "or portions thereof". In other words to engage in the extraction of roe a user must use the edible fish flesh in either H&G form, produce surimi, or fillets.

We also support the Option #3 without the caveat "or portions thereof". In other words we support the requirement to fully utilize the defined harvestable pollock resource.

The difference between Option #2 and Option #3, as we see it, is merely the question of disposition of the heads, frames, guts and gurry. The question here is whether to allow dumping of these portions overboard or whether to require their reduction into meal. A step intermediate to mealing should be to require grinding prior to discharge.

Here is where our advocated policy TOWARDS full utilization may come into play. The qualifier "towards" acknowledges that certain actions will need to be taken over a period of time to arrive at the implementation of a policy of full utilization.

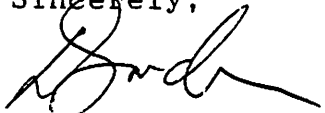
We recognize from the information presented that only 3 out of 53 at sea factory processors presently have operating meal plants aboard. A further number already have grinders installed. We would make the following suggestions under a policy of full utilization.

1. That it be the Council's decision to implement a policy TOWARDS full utilization.
2. That any catcher processor entering the fishery henceforth be required to have a meal plant as a condition of entry into the groundfish fishery.
3. That in a time definite, e.g. 6 months, all factory processors without grinders be required to have them installed to the extent that all heads and frames may be ground prior to discharge, under peak capacity operation conditions.

4. Those factory processors without meal plants be required to install them, if possible, within two years.

Thank you for your consideration of this matter.

Sincerely,



Douglas B. Gordon

DBR:r

Towards Full Utilization of the "Recreational"

U.S. Ground Fishery Resource

By Douglas B. Gordon, August, 1989

"Eat everything on your plate ... It's a sin to waste food ... There are starving children in this world ... You're fortunate .. Don't waste what you've been given." Sound familiar? I couldn't find one person I know who didn't hear something like this many times while growing up. Basic as they are there is wisdom in these words which makes roe stripping and fish dumping wrong to the core of what we all know to be right.

In a recent public forum a manager of an at sea factory processor involved in the March Gulf of Alaska pollock roe stripping episode was asked what gave him the right to squander the peoples' resource. His response! He jokingly compared his behavior to that of a heroin addict high on a big money fix. And added why should he stop if the authorities weren't curbing his behavior?

20 percent of the worlds renewable and edible fish resource is found in the 200 mile exclusive economic zone under the jurisdiction of the United States of America. What place do we have in our minds and the National psyche for fish and our attitude toward it? Closer to home we have the fisheries off the coasts of Washington, California, Oregon and the more than 2.0 million metric tons Optimum Yield of groundfish in the U.S. waters off Alaska.

Fishery managers of the world for eons have recognized that fish, if husbanded correctly, are capable of renewing their harvestable component on an annual basis. If properly managed they recreate themselves. Simplistically fishery management is the balancing of the human effort fishing capacity with the available harvestable fish resource. The living man-fish relationship is a fishery. It has traditional, recreational and commercial components.

During the Persian empire in the teachings of the sage Zoroaster bureaucrats associated with marine based regimes: were referred to as "Water Walkers". That term of course has survived to this day largely due to the teachings of a more recent sage from the Christian era. Remember the parables of walking on water and the loaves and the fishes. We've all heard the Lao Tsu one - "give a man a fish and he will eat once. Teach a man to fish and he will eat for the rest of his life." Then there is one from the Hebrew Torah: "the souls of righteous men come from fish."

We should apologize to all those righteous souls who missed out

in being transmigrated to human form this March when we threw overboard thousands of tonnes of pollock, rock sole and other groundfish to make the quick bucks.

The ocean is a symbol of the 'great mother' and fish are a symbol of the male libido within it. To destroy the re-creative integrity of the oceans or to abuse the fish resource within is sacrilegious and simply stupid and short sighted.

At present we have a management regime which has historically only focused efforts on the fish not the human component of the fishery. Look at the annual reports of the 3 interstate fishery commissions and you will see example after example of depletion of U.S. coastal state resources from the activities of man. From the polluting of rivers and inshore waters, to dams to over-fishing. It's called "The tragedy of the commons". It's the people's property yet ownership is on a catch as catch can basis.

MFCMA oversight testimony says at sea factory catcher processors catch 85-86 percent of the 2 million metric ton OY and dump 25-50 percent of it. There are presently 58 catcher processors operating. Only 3 have meal plants. Meal plants are not a condition of entry into the groundfish fishery unlike any other civilized fishery in the world. In the roe pollock fishery roe recovery is 4-14 percent, the rest, 90%, is dumped overboard. In the roe rock sole fishery the dumping is greater. Why? Because at \$5 - \$7 per pound for roe versus \$1 per pound for surimi or fillets which take a lot longer to process, the revenue equation in time, price times quantity, is seductive. Especially if you're a multimillion dollar unit operating at or below your economic margin.

The waste is dramatic. Dumping of carcasses and whole male fish in roe stripping. High grading of fish based on specie, size, price, and quality. Dumping of species for which that unit doesn't have a market. The non coordination of catching and processing operations in which caught fish in the fish pounds awaiting processing are dumped in favor of fresher fish just caught. Burst bags, bleeder panels are other examples. Dumping of bycatch and prohibited species.

There is presently no valid accounting of catch withdrawals of those species managed under the defined optimum yield. Catcher processors must operate above the margin to make a profit. They are presently able to do that unconstrained. They don't have to account or fish clean or minimize bycatch or waste. They don't pay for access to the resource, or contribute one dime towards its management or upkeep. Yet they treat it as if they had God given ownership rights over it. They will naturally do whatever they must to make their unit pay. If they are marginal they are more likely to behave towards the resource in a manner that will

result in its demise.

Something new happened to America's first industry in 1976 when in the face of world opinion we unilaterally extended our fisheries jurisdiction out to 200 miles citing the pulse rape by foreign catcher processors of our fisheries; and the inevitable extinction of traditional U.S. fishermen and their communities if we didn't take this action. In 1978 the Processor Preference was crafted with added value benefits to the Nation from shorebased processing in mind.

But with the advent of the integrated catcher processor, and the further changing of rules midstream, the implementation of the Processor Preference, interpretation of the Jones Act by various government departments, anti reflagging, an avalanche of foreign money and subsidies; the result is a so called "Americanized" fishery with many many problems facing management. In fact the interpretation of the Anti-Reflagging Act provisions together with the Processor Preference have resulted in the gross perversion of the intent of the MFCMA and "Americanization".

Since 1976 most East Coast fisheries have fallen into a worse state than before the MFCMA of 1976. In the Northwest we have all the same problems and fears that we had before extended jurisdiction. But now the waste is worse, the factory catcher processors are "U.S." not foreign and consist of new and less experienced operators. We have fear and loathing between the onshore and at sea processors under open access which can only lead to chaos in parallel for both parties unless they wake up to the fact that a managed fishery is the only way to have a lasting fishery.

The user groups in the fishery have had 13 years to compromise and build an orderly regime governing their access to the common property. Now is the time for the new domestic industry to self-impose its operating environment for the next 10 years with a view to the future. Some would say it's starting. Others would say it is not. The industry has revealed its inability to reasonably compromise in a timely manner. It's time Congress stepped in to save the resource and told the industry how it will behave towards the peoples resource.

What should be done?

- Recognize the fish resource is finite and the property of the people of the United States not the exclusive domain of the fisherman.
- Recognize that the job of fishery management is to balance the defined harvestable fish component of the fishery with the human harvesting capacity in a manner which allows the

fishery to be economic.

- Management's job is to foresee problems and act on them before they happen. To create an environment which is conducive to the creation of capital and fair allocation and distribution of the resultant wealth.
- Implement a linked policy of full accountability of all withdrawals of fish managed under the OY, with a policy towards full utilization in the disposition of that catch. Presently the disposition of the TAC is tracked by reported processed product which is then converted back to its green weight equivalent. What is not reported is that which is not processed and dumped for whatever reason. Presently no one can really say over fishing is not occurring. Hence the need for total accountability.

This translates into a comprehensive observer program in which aspects are aimed at data gathering from a stock assessment viewpoint as well as behavioral modification from a catch disposition viewpoint. Any fisherman who argues that fish science cannot be mingled with the social science of how catches are used is blowing blue smoke in your face. I'm not saying that allowances shouldn't be made for the fishing realities of bycatch and the market. What I am saying is there are quantum levels of room for improvement. Hence the qualifier "towards".

- Recognize the myth of open access and the perverted behavior it has given rise to under the axiomatic freedom conferred on the individual. There simply isn't enough room for unlimited entry into the fishery.
- Recognize the diseconomies of trying to manage under open access, and further under the traditional means including license limitation and act on what American resource economists in our top institutions have been saying for decades. Quasi privatize the resource by allocating access rights to catch a defined amount of fish annually. Charge a reasonable resource rental or user fee to at least cover the costs of stock assessment, and defray some of the attendant costs of fishery management. With a stake in the fishery you will see behavior and attitudes change dramatically.

I don't know what the whole Northwest groundfish resource has been valued at, but the 2 million metric tons is the harvestable interest on the people's capital investment represented by their fish resource bank in the Bering Sea. On current rates the people are entitled to demand a 10 percent return on their investment. Presently U.S. fishermen and processors access the peoples resource without paying for the privilege. A reasonable charge should be levied. Furthermore I predict that when in the

next couple of years the American people have their taxes raised as result of the need to account for the enormous national deficit, the value of the fishery resource will escalate to nearer its true level. The debasement of the value of the fishery by current behavior will not be tolerated. It shouldn't be now!

Too often in matters of public policy we allow ourselves to get bogged down in minutia so we no longer are able to see the wood for the trees. Yes, we must run the economic arguments to the margin, model our options by degree, if for no other reason but to get a handle on the costs and benefits of those options both on the resource and on the users.

But in this case all of us from the highchair on up have been fed with the diet that it is not good to waste food. Every day we see evidence of those less fortunate than ourselves starving for lack of food. Our government uses tax dollars to provide aid in food to these people. Individuals among us contribute to various Food Bank and distribution type campaigns yet we stand by and legitimatize through inaction the wasting of up to 90% of a food fish resource.

For the lack of how much protein are those people starving in Ethiopia? An adult male needs about 48 grams of protein per day, an adult female 46 grams. For children and lactating mothers it is different. Let's call the daily protein needed by an adult human 50 grams to maintain its being. Now let's express an approximation of wasted food fish as daily human fish protein equivalents.

The harvestable groundfish OY in the Bering Sea is pegged at 2.0 million metric tons green weight. Factory processors catch 86 percent of it - 1,720,000 mt. They dump say 36%, 619,200 mt. At a 30% recovery rate from green weight gives 185,760 metric tons of edible protein dumped. Expressed in terms of daily human fish protein equivalents 3,715,200,000 daily human protein equivalents dumped this year. If you wish, you could work out how many human lives were denied existence of their entire life cycle or continuance of their existing being in human form.

Lets look at the pollock roe stripping episode in the GOA. The TAC was 60,000 mt about 65 percent of which was taken by catcher processors, the remaining 35 percent delivered shoreside. 39,000 tonnes roe stripped at 10 percent recovery means about 90 percent or 35,000 tonnes of pollock ditched. Let's say at 20% recovery 7,020 mt edible food protein was wasted. This translates into 140,400,000 human daily fish protein equivalents wasted.

What does all this mean? That one sector of the industry wasted enough edible food fish to provide the entire world population of

4 billion its protein requirements for one day. To me it merely says the present allowable level of waste in potential food terms in our Northern fishery is an abomination of reasonable human values. Meal plants ought to be a condition of entry into the groundfish fishery by mass volume catcher processors. These units must not be allowed hog-wild freedom to destroy the peoples resource. Their access to, and behavior in the fishery, catch and disposition of catch must be fully accounted for under a policy towards full utilization. Appropriate incentives and disincentives need to be devised which will result in a greatly modified behavior towards the resource.

We must make every attempt to fully utilize catches under the OY for human consumption first and secondly for industrial purposes. Although the world and all of us in it are imperfect we must strive towards a betterment of this condition. To continue as we are is in bad public policy and makes a mockery of both our human rights projections diplomatically and our natural resource management policies.

It's just not acceptable to do less in this day and age and those that do ought to have their access privileges withdrawn in no uncertain terms from your and my common property fish resource.



SEP 14 1989

Mr. John Peterson
No. Pac. Fish Man. Council
P.O. Box 10-3136
Anchorage, AK 99510

by fap

September 13, 1989

Subject: Amendment 19

Dear John:

Having read the draft for amendment 19 to the groundfish plan for the Gulf of Alaska I have a few thoughts and impressions to share with you and the council.

It used to be that the far ranging fleet from Kodiak were given the name of rapers of the resource; however, with the events of last March still fresh in mind I feel that the name should be transferred to the catcher/processor fleet working on roe-stripping Pollock in the Gulf of Alaska. That activity should be stopped. Greed, and greed alone, should not be a controlling factor in the management of a directed fishery.

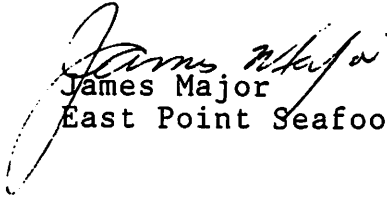
Waste in any form is unhealthy, waste in terms of ten's of millions of pounds of product valuable economically and for protein is beyond comprehension and must be stopped, curtailed or at the very least controlled.

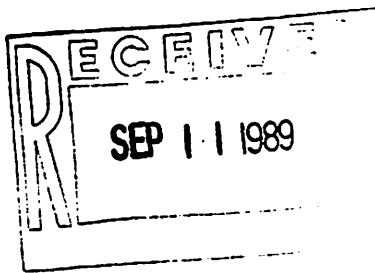
Having said that and knowing that expulsion of the catcher/processor fleet from the Gulf of Alaska is a political impossibility we would advocate a total ban on roe-stripping both in the Gulf of Alaska and the Bering Sea. If for some reason that is not possible, then the very least that should be done, for the protection of the resource and the economic well being of these shore-based processors, would be a total ban in the Gulf of Alaska.

Mr. John Peterson
Page -2-
September 13, 1989

I further believe that one of the "implied intents" of the original passage of the Act was to protect shore-based processors from foreign hi-sea mothership operations which we thought were adversely affecting the resources of the Bering Sea and the Gulf of Alaska. Roe-stripping by the domestic fleet fits into the same category as the foreign mothership operations. They are adversely affecting the resource in the Gulf of Alaska.

Sincerely,


James Major
East Point Seafoods



GROUND FISH FISHERY MANAGEMENT PLAN AMENDMENT PROPOSAL
North Pacific Fishery Management Council

Name of Proposer: Emerald Seafoods, Inc.,

Date: 9/5/89

Address: 200 West Thomas, #310
Seattle, WA 98119

Telephone: 206-286-0670

Fishery Management Plan: GOA/BSA/AI Amendment 19 and 14

STATEMENT OF PROPOSAL

Institute an immediate prohibition of pollock roe-stripping in the Gulf of Alaska and Bering Sea / Aleutians, where a strict interpretation of "roe stripping" is taken to mean the act of harvesting pollock for the sole purpose of utilizing the egg skeins of the females whereupon the stripped females and all males are discarded back to sea.

Under the framework of a roe stripping prohibition it shall be unlawful to do the following:

- 1) Take roe, milt or any other internal organs of pollock unless the carcass of each pollock, male and female, is simultaneously used for the production of food or other industrial products for which there exists a customary acceptable market, and;
- 2) There must be a minimum 15% average product recovery derived from the aggregate tonnage of pollock landed on any pollock processing facility, floating or land-based, at any time during the normal fishing season.

OBJECTIVES OF PROPOSAL

Although it has not been demonstrated to anyone's satisfaction that there is indeed a biological "problem" associated with roe stripping (i.e. "souring" the bottom or a disproportionate targeting on females disrupting spawning activities), there are inherent economic impacts, the most noticeable being the premature closures of pollock fishing areas as was shown during past JVP pollock operations and in the Central and Western Gulf this past winter.

However, in a fully Americanized fishery, so long as the DAP harvesting and processing capacities do not exceed the TAC on an annualized projected basis, a roe stripping prohibition would ensure the orderly sober prosecution of a pollock TAC for a minimum of 9 to 10 months each year.

NPFMC : FMP Amendment Proposal (Cont)

NEED AND JUSTIFICATION FOR COUNCIL ACTION

Some might argue that there are no inherent consequences associated with a DAP fleet rapidly attaining a pollock TAC or the TAC of any other species. It is our contention that there are consequences to such a management or exploitation scheme, summarized as follows:

1. Both floating and shore based processors are inevitably deprived of raw materials to run through their plants causing premature shutdown of operations for those operations relying solely on pollock, and/or forcing these operations to move on to other species they would normally not exploit, thereby promoting gear saturation and the possibility of causing the premature attainment of yet another TAC.
2. Roe seasons are short and the prevailing attitude is that precious time cannot be lost processing or packing cheap flesh at the expense of expensive roe. Thus, it forces an operation to discard large amounts of fish, whether this makes operational or ethical sense or not, in order to "optimize" time spent on the grounds. The "Olympic" harvesting philosophy associated with roe stripping operations institutionalizes fish wastage.
3. The premature attainment of the pollock TAC eliminates pollock as a bycatch species, further compromising a processor's operational integrity and compounding the problem of shortened seasons.

FORESEEABLE IMPACTS OF PROPOSAL

The most obvious impact of such a proposal would be economic. The supply of pollock roe in Asian markets would be grossly reduced with a concomitant increase in prices. It is not immediately obvious if such a price increase would offset the revenue shortfalls in the DAP fleet caused by a roe stripping prohibition.

If paid on a share basis, crew shares aboard floating and shorebased processors would also be decreased in conjunction with a roe stripping prohibition. It is not immediately obvious if an increase in roe prices would offset the decreased value of any given crew share.

However, given that the DAP processing and harvesting capacities are not allowed to exceed the pollock TAC on a projected annualized basis, any revenue decreases associated with a prohibition on roe stripping would be offset by the guarantee of a fishery in which managers could anticipate long term production curves and rely upon nine to ten month seasons.

NPFMC: FMP Amendment Proposal (Cont)

ALTERNATIVE SOLUTIONS

It must be assumed as a given that the Olympic style harvesting regimen in conjunction with excessive DAP harvesting and processing capacities will lead inevitably to premature attainments of TAC's. With specific reference to the pollock TAC and its premature attainment, this problem might be addressed without imposing a roe stripping prohibition but instead, manipulating the fishery "fiscal season" so that the TAC would be announced and released in the beginning of April of each year.

With roe season and the option to "strip roe" placed conspicuously at the tail end of the season, fishermen would be forced to pace the harvesting and processing of the pollock resource in order to stretch the TAC out until the following April. A rational operator with some modicum of foresight would realize that roe stripping under such a scenario just wouldn't make sense, especially given that the TAC could be more than three quarters-used up just as roe season approached. However, giving fishermen even a generous benefit of the doubt, it is hard not to imagine even a few operations stripping roe despite such a threat and causing the premature attainment of the TAC at the expense of all other operations.

It's growing increasingly obvious that in order to address the growing problem of gear saturation and truncated seasons, an across the board prohibition of roe stripping is needed, this and some kind of legislated constraints placed on both harvesting and processing capacity.

EMERALD SEAFOODS, INC.



Eric Maisorpierre

SEP 15 1989

John Peterson, Chairman
North Pacific Fisheries Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Re: EA/RIR Amendment 19/14

Dear John:

I believe there is only one alternative which can be justified at this time using the information provided in the draft EA/RIR. That is a sub-option of alternative 4, which would allow the council to establish semi-annual appointments in portions of the BSA and GOA. However, this option could only be justified if it were conceived as a framework, which would allow adjustments of the percentage split annually in conjunction with the setting of TAC's based on new information concerning sex ratio and age structure of catch by area, product prices, recovery rates, processing capacity, stock condition and TAC's.

Because of the enormous magnitude of potential impacts (up to one billion dollars foregone income to the fleet - EA/RIR page iv) of adopting any alternative which either directly or indirectly shifts the pollack harvest out of the roe season, no alternative should be adopted without the development of an RIA. Further, since alternative 3 could result in increased removals of approximately one million tons of organic matter from the eco-system it is probably appropriate to do an EIS as well.

While the draft EA/RIR is inadequately developed to justify adoption of any of the alternatives, including a fixed semi-annual apportionment; the "implied" sub-option (some P T members believe frameworking is implied in the analysis) of frameworking the semi annual apportionment by subareas of the BSA and GOA might be justified as follows:

Adoption of a fixed permanent measure puts managers in a box which leaves them unable to respond to developments without going through the FMP amendment process. The data is not available, nor analyzed in sufficient depth, in the draft EA/RIR to determine a multi-year optimal temporal and spatial distribution of harvest. However, this amendment package does offer managers a tool which could be incorporated into their repertoire to be used a year at a time as additional data becomes available and can be analyzed. Approving such a framework now might allow for a decision on actual percentages and area distribution of quota at the December or January meeting if further analysis warranted.

An arbitrary decision at this time based on the limited analysis in hand would not (in my opinion) meet the Secretary's standards for approval.

Before going further I wish to highlight some statements from the EA/RIR.

Page iv - "Elimination of the roe fishery completely ... would be at great cost to the industry, reducing gross industry revenue by as much as \$1 billion."

Page 8 - "the concept of waste is critical to the analysis" (but as used here is limited to the "amount of material discarded") .

Page 15 - "drawing conclusions about the impact of a roe fishery based on the Ricker spawner recruit relationship alone is premature.

page 18 - "modeling exercises to examine this issue (the impact of a roe season harvest) have not been completed" - note a separate letter by Dr. Norris has been submitted to the SSC suggesting how this question might be analyzed.

Page 26 - "it may be optimal to extract only roe"

Page 27 - "processing discharge are not negatively impacting the environment . . . it is arguable that discard is actually beneficial . . ."

Page A-1 - "A more general definition of waste . . . more in line with the MFCMA and NPFMC objectives would consider such costs and returns" "Therefore the wastefulness of roe stripping is far from clear."

Page A-4 - "The above analysis indicates that roe-stripping, per se, is not the source of waste that is biological in nature and that it is not necessarily the source of waste that is economic in nature. The appropriate level of roe-stripping depends on the assumptions and management objectives employed. From the standpoint of maximizing sustainable harvests, concerns about the effects of a larger roe season fishery on recruitment and foregone growth could justify adjustments to pollack seasons or quotas, but they do not by themselves justify a roe-stripping ban. However, from the standpoint of maximizing the benefits to the fishing industry and the nation of a given quota, it is not at all clear either that roe-stripping is just an aberration resulting from open access management or that it should be eliminated." (Emphasis added.)

I agree with the preceding statement that "concerns" (biological-economic) may justify adjustments to pollack seasons and/or quotas, but without further analysis we cannot know what those adjustments should be. I do have some suggestions as to the outlines of such expanded analysis.

The model in tables 2.3, 4, 7 could be rerun with most of the assumptions on price, recovery rates, sex ratios, etc., left intact. Three runs could be made:

- 1 - In which all pollack are harvested during the roe season for roe only.
- 2 - In which all pollack are harvested during the roe season for roe and flesh products.
- 3 - In which all pollack are harvested after the roe season for flesh products only.

Such a run would provide a more straightforward basis for examining the incremental effects of shifting harvest out of the roe season. These results could be combined with inputs of suggested adjustments to the quota to compensate for differences in sex ratio between seasons, to examine whether shifting the harvest away from the historic pattern (i.e., out of the roe season) would justify enough additional quota to balance the foregone revenue potential.

Further analysis ought to take into consideration that a roe season fishery with appropriate

quotas is optimal in more ways than just economic yield per recruit. It is optimal in that:

- It presents the opportunity to conduct a fishery with an extremely high degree of gear selectivity.
- It has a geographic separation of pollack by age classes particularly in the deep waters off the continental shelf.
- It has schooling stratification by sex.
- It offers the opportunity for real time hydroacoustic assessment of biomass and the application of a desired exploitation rate to discreet aggregations.
- It can be conducted with essentially
 - no crab bycatch
 - no halibut bycatch
 - no herring, salmon, or sablefish bycatch.

In short a roe season pollack fishery ought to be a manager's dream come true. A fishery with so much in its favor should not be restricted simply for the purpose of directly or indirectly providing for a flesh only fishery later in the year with out an analysis that demonstrates countervailing benefits to the nation. Such benefits are not apparent in the draft EA/RIR.

I have a few comments about some of the specific alternatives.

Alternative 2 appears to be an enforcement nightmare, though it's hard for comment without some analysis of sub-options and without seeing them spelled out in sample regulatory form. It should be noted that the assumption in the footnote of page ii of the EA/RIR is false. While spawning pollack do aggregate in discrete schools during the roe season, not all pollack do so. Some are indiscrete (all prunes are plums, but not all plums are prunes). This raises a number of questions.

- Would discard of by-catch pollack be allowed without further processing?
- Would H & G boats, disenfranchised from the roe pollack fishery, pursuing a rock sole fishery, be allowed to retain roe from by-caught pollack or be forced to discard it.
- If a vessel successfully targets roe pollack with 15% roe recovery, will a standardized recovery coefficient such as 6% be used, resulting in the presumption that he must have caught 2 1/2 times as much fish as he can show "other" products to account for?
- Will discard without utilization of flesh continue to be allowed if roe is not produced?
- This alternative is inherently inequitable in holding one segment of the fleet to a standard different than the rest, but the degree of inequity can't be analyzed without seeing the sub-options spelled out.

Alternative 3 would almost certainly result in a reapportionment of significant tonnages of Pollack to JV in the BSA in the short run (by no means a bad thing from my perspective). However, it leaves unanalyzed the question of the applicability of the processor preference amendment to fish that aren't processed. If in fact DAP doesn't have a preferential "right" to "waste" fish that JV's wish to utilize, then a very significant precedent is established that could derail DAP sole and mackerel fisheries that have levels of waste every bit as significant as the pollack fishery. (JV fisheries clearly have the moral high ground - page 22.)

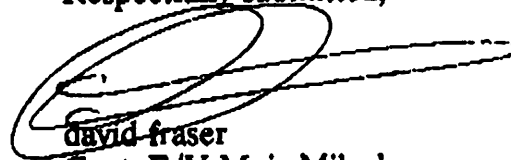
Finally I suggest the following course of action to the council. Approve a frameworked version of alternative 4. For 1990 don't bother to utilize the split season mechanism in the BSA. If Secretarial approval comes in time, consider splitting the BSA quota between Bering Sea and Aleutians but include the Bogaslav area in the Aleutian quota. Given the anticipated DAP capacity for 1990 the harvest will still be "normal" as compared to historic patterns, in the BSA.

In the GOA if approval is timely, split the quota into separate components for the Western and Central areas as well as Shelikov District. Because bycatch is a more optimal utilization of pollack than even a roe-season fishery, utilize the single species rule and close directed fishing January 1st in the central GOA, with the justification that the new data collection system is unproven and a directed roe season fishery could go so fast that the RD might not be able to stop it in time to save enough of the TAC to cover by-catch needs. To the extent that the SSC and P T endorse the concept of an exploratory quota in the Western GOA (or western, western GOA) allow a portion to be taken in the roe season allowing the RD discretion to close directed fishing as appropriate to provide for by-catch needs. The RD can release any unused pollack in the fall to directed fishing.

Then buckle down to work on the "full" utilization issue in a the broad context, and apply the principals developed to all fisheries under council jurisdiction equitably. Attempts to use one part of a fishery for a single species as the whipping boy for the sins of the management system simply doesn't wash.

Thanks for the opportunity to comment.

Respectfully submitted,



David Fraser
Capt. F/V Muir Milach
P.O. Box 771
Port Townsend, WA 98368

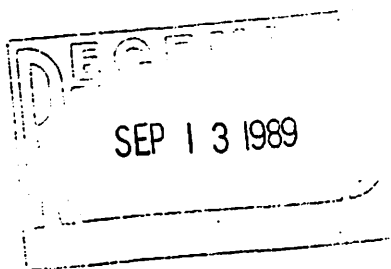
KODIAK FISH COMPANY

F/V ALLIANCE
F/V PROVIDER

P.O. BOX ~~3005~~
469

KODIAK, ALASKA 99615
(907) 486-6002

FAX 907-486-2617



September 11, 1989

Clarence G. Pautzke
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, AK 99510

Ref: EA/RIR/IRFA Amendment 19 GOA FMP and Amendment 14 BSAJ FMP

Dear Mr. Pautzke:

We support an amendment to both the GOA and BSAJ Groundfish Management Plans which would prohibit the practice of roe stripping and would implement a management year to begin on September 1 rather than January 1.

The amendment draft document infers that roe stripping per se is not the issue but rather that it is the reported targeting on females during roe season that may have detrimental effects on pollock stocks.

We agree that roe stripping of itself may not be the issue. However, by not prohibiting the practice of roe stripping, the Council issues de facto notice to user groups that economics (and therefore politics) and not stock conservation governs its management decisions.

Additionally, though the prohibition may reduce effort only for the short term as the existing fleet retrofits for fillets, meal, etc. and as new operations come on line, ultimately the signal is clear that wasteful practices will be regulated out. In the meantime, some economic gain to those who can participate may be realized as a shortfall of roe production may increase prices.

We propose that the management year for pollock begin September 1 rather than January 1. Fishing on fall stocks would produce higher yields as pollock are in prime condition at this time. Yield per unit of quota would be increased over yields attainable during a prespawn fishery.

If quotas are reduced, a fishery that began in September six months before spawn would preclude a roe fishery - depending on effort. A roe fishery could only be prosecuted if quotas were adequate after four to five months of fishing on non-spawning stocks. This action would remove the necessity for the Council to designate percentages of quota available during bi-annual openings and so eliminate allocation arguments. A September 1

opening would be a self regulating method of protecting spawning stocks if stocks are in decline. If stocks are healthy and quotas adequate, a roe fishery could take place.

A fishery beginning in September may extend the time that participants can target on pollock and help assure that the fishery is more rational than one that offers a very short window of opportunity for the highest dollar return. It insures that planning by future entrants into the fishery does not assume that regardless of quota, a roe stripping operation can take place, boost margins, and justify an otherwise unprofitable operation.

Bycatch problems, if such problems exist in a fall pollock fishery, will be monitored by the observers required in 1990.

The fifteen percent roe yield repeatedly referred to in the document is, we believe, impossible to have achieved in 1989's roe fishery in the Gulf of Alaska. We have documentation of yields from H&G roe-in pollock 20" long and up which averaged 16.5% in 23 days of March. Maximum yield from controlled tests on individual large female H&G pollock was 19.9% on March 17. We would expect roe yield from large female round fish to be at least 3% less than that.

Irregardless of the ability of some fishing masters to target on a particular segment of a stock, we assert achieving a catch of 100% large females is beyond belief. So to expect average factory production yields on ocean run harvests to be 15% when averages of controlled yield tests on individual large females will not achieve this figure is also beyond belief. It is also difficult to understand how accurate yield figures can be generated when incoming raw material is not weighed. Perhaps the Council should obtain yield figures from plants that must purchase all incoming product and weigh it rather than from operations which, by necessity, cannot weight input.

Further, the yield of roe from small (16" -20") GOA pollock was very low - around 2% -in part due to a high percentage of the females being immature in that size range. Many shorebased plants did not choose to save roe during fillet operations on that size fish due to the low yields and correspondingly high costs. Shorebased plants which would have liked to strip roe could not economically strip that size fish and so curtailed those operations.

Additionally, fish from the Shelikof were even smaller - producing only marginally marketable fillets. Accordingly, most shorebased plants directed catcher vessels away from the Shelikof. Undoubtedly, roe yield would have been correspondingly lower than the 2% encountered in GOA small pollock.

It was this low yield of roe that prevented shorebased plants in the GOA from stripping roe. Apparently, this low yield was not low enough to deter the floating factories.

The question of accuracy of yield information is important, regardless of the relative economic decisions made by shore plants versus those made by catcher processors. Yields are used by much of the factory fleet to compute weight of round raw material for fish tickets. Obviously, an operation with a 15% yield used up only one third of the quota it would have used with a 5% yield. To apply realistic yields to the floating factory fleets' roe production during one week of effort in the Gulf of Alaska in March would mean that harvested round weight could be triple what was actually reported. Instead of using one third the quota for the GOA in one week, these floating factories would have consumed the entire quota in one week.

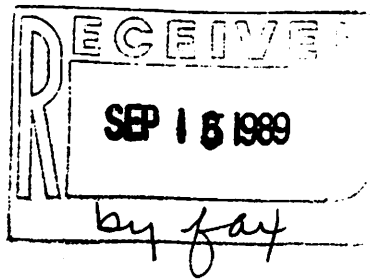
We have to assume, therefore, that round weight including discards from all phases of floating operations, was underreported - to what degree is difficult to assess without seeing production figures and fish tickets. Our ultimate assumption is that this means the 1989 GOA pollock catch exceeded the quota to a significant degree. Observers will not change this. Yield cannot be measured visually. Discard weights cannot be "eyeballed" accurately whether on shore or offshore, whether officially observed or honestly attempted - no matter how well trained the eye is. Accurate input and output weights are essential. A management decision which must depend on anecdotal evidence such as percentage of males to females in a given tow and on assertions of remarkable skill by fishing masters that has not been duplicated in onshore deliveries is critically flawed.

The Council must consider that this one aspect alone of the roe stripping process is enough to render it unacceptable to managers of a commonly owned resource. This holds true for the BSAI as well as the GOA.

In summary, we propose the Gulf of Alaska and the Bering Sea/Aleutian Islands Groundfish Management Plans be amended to implement a management year for pollock which would commence on September 1 and to prohibit the practice of roe stripping of pollock.

Thank you for the opportunity to comment.

Sincerely,
Mark Kandianis
Teressa Kandianis
Mark P. Kandianis
Teressa M. Kandianis



Marine Resources Consultants
PO Box 816
Port Townsend, WA 98368
September 11, 1989

John Peterson
Chairman
North Pacific Fishery Management Council
PO Box 103136
Anchorage, Alaska 99510

Subject: Roe-Stripping Amendments

Dear Mr. Peterson,

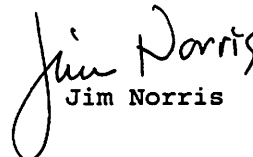
At the request of Cape Flattery Fisheries I have reviewed the report entitled Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis For Amendment 19 to the Fishery Management Plan for Groundfish of the Gulf of Alaska and Amendment 14 to the Fishery Management Plan for Groundfish of the Bering Sea/Aleutian Islands ("roe-stripping" amendments) that will be considered by the North Pacific Fishery Management Council at the September meeting.

In the attached letter to Dr. Marasco, Chairman of the SSC, I discuss some technical issues related to the effects of roe-stripping on the reproductive capacity of pollock stocks. My primary concern is that the statement (pg 14) that "Another effect of roe harvests can be the alteration of the reproductive capacity of the fished stock. The harvest of fish for roe removes a portion of the reproductive potential.", when taken out of context, is somewhat misleading. I argue that a pollock stock prosecuted by a properly regulated roe fishery can produce the same annual recruitment as a pollock stock prosecuted by a properly regulated summer-fall fishery. By properly regulated I mean setting an appropriate TAC.

I recommend that the SSC clarify the discussion of pollock stock dynamics on pages 13-19 for the Council. Further, I wish to emphasize the conclusion of Drs. Terry, Thompson and Marasco in the Appendix that "From the standpoint of maximizing sustainable harvests, concerns about the effects of a larger roe season fishery on recruitment and foregone growth could justify adjustments to pollock seasons or quota, but they do not by themselves justify a roe-stripping ban."

I also note that there seems to be some concern about the effects of changes in the sex ratio of the spawning stock. To alleviate this concern, an obvious strategy the Council might consider is to institutionalize the historical harvesting pattern. That is, select Alternative 4 (Establish a semi-annual apportionment schedule for pollock in the Gulf of Alaska and Bering Sea or portions thereof), and set the semi-annual apportionment schedule to reflect the historical semi-annual harvest levels. Such a policy would assist the scientific staff by providing some consistency in the spawner-recruit database.

Sincerely,


Jim Norris

Marine Resources Consultants
PO Box 816
Port Townsend, WA 98368
September 11, 1989

Dr. Richard Marasco
Alaska Fisheries Science Center
7600 Sand Point Way, N.E., Bldg. 4
BIN C15700
Seattle, WA 98115-0070

Dear Dr. Marasco,

At the request of Cape Flattery Fisheries I have reviewed the report entitled Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis For Amendment 19 to the Fishery Management Plan for Groundfish of the Gulf of Alaska and Amendment 14 to the Fishery Management Plan for Groundfish of the Bering Sea/Aleutian Islands ("roe-stripping" amendments) that will be considered by the North Pacific Fishery Management Council at the September meeting. Since my comments are mostly of a technical nature, I decided to mail them directly to you for consideration by members of the Scientific and Statistical Committee. A copy of this letter also has been forwarded to the Council.

The discussion of pollock stock dynamics contained on pages 13-19 was quite confusing, primarily because the authors fail to separate what I would call the "amount of harvest" problem (How many female pollock can be harvested and still achieve the optimal amount of egg production?) from the "method of harvest" problem (Should pollock be captured throughout the year for fillets, surimi, and meal, or only during the spawning season for roe?). For example, on page 14 the authors state that "Another effect of roe harvests can be the alteration of the reproductive capacity of the fished stock. The harvest of fish for roe removes a portion of the reproductive potential." Although not explicitly stated, this statement implies that killing a female pollock one week before it is going to spawn removes a greater portion of the reproductive potential of the stock than does killing a female pollock six months before it is going to spawn. I suppose it is just human nature to be "morally" or "aesthetically" concerned about killing "pregnant" females, but the scientific fact is that killing female pollock at any time of year "removes a portion of the reproductive capacity of the stock."

I suspect that the authors' concern stems from the fact that the sex ratio (female:male) in the roe fishery is much larger than the sex ratio in the summer-fall fishery. If the pollock TAC is based on a 50:50 sex ratio in the catch, then a roe fishery with the same TAC and a 90:10 sex ratio would indeed harvest more females, and a greater portion of the reproductive potential of the stock would be removed. However, the overharvest of females would be the result of failure to set the TAC at an appropriate level (i.e. failure to solve the amount of harvest problem correctly), and would not be the result of a roe fishery, per se. Clearly, if the

management staff had a desired spawning stock size and knew what the sex ratio in the catch would be, then an appropriate TAC could be established.

The point of this discussion is that a pollock stock prosecuted by a properly regulated roe fishery can produce the same annual recruitment as a pollock stock prosecuted by a properly regulated summer-fall fishery. This point is alluded to by the authors in the following statement (pg. 18): "Determination of effects of female targeting in roe seasons operations depends on whether the current number of spawners is greater or less than the number of spawners which produce the maximum number of recruits." Their implication is that a roe fishery can produce a maximum number of recruits, provided the harvest of spawners is held at an appropriate level.

A large part of the scientific problem, then, is to compare the sustainable yields that can be achieved from the two competing methods of harvest--roe fishery vs summer-fall fishery. Since each of these harvesting methods have different selectivity characteristics (e.g. roe fishery takes more females) and different exvessel price structures (e.g. roe, fillets, surimi, and meal all have different market values), the problem is not unlike that of comparing two gear types that have different selectivity characteristics and different exvessel prices (e.g. trawls vs longlines for harvesting halibut and sablefish). Traditional yield per recruit analysis is often used for such comparisons, but typically does not include reproductive considerations.

I have enclosed a portion of my dissertation (Comparative Analysis Of Harvesting Strategies For Sablefish Stocks Off The Coasts Of Washington, Oregon And California) that describes a technique for comparing different methods of harvest in a biologically meaningful manner. The essence of the technique is to use egg yield per recruit as the benchmark for comparison rather than fishing effort. The advantage of this approach is that it is not necessary to know the shape of the underlying spawner-recruit function in order to draw conclusions about the relative merits of competing harvesting strategies. That is, if one method of harvest results in a higher biomass or dollar yield over the entire range of egg yield per recruit values, then one can conclude that that method of harvest is superior to the other, regardless of the shape of the underlying spawner-recruit function.

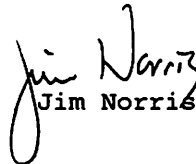
In the amendment package document, there is considerable discussion (pg 14-18) about density-independent and density-dependent factors, and their possible effects on the shape of the spawner-recruit function. This discussion also was somewhat confusing because the authors referred to two types of spawner-recruit functions--one in which spawners are measured in terms of females only (e.g. Figs. 2.3 and 2.4), and one in which spawners are measured in terms of both males and females (Fig. 2.5). The apparent concern is that a roe only fishery would alter the sex ratio in the spawning stock, which in turn would change the spawner-recruit function in some unknown manner. If changing the sex ratio changes the spawner-recruit function significantly, the methodology I outlined in my dissertation for comparing harvesting strategies would not be valid because the underlying spawner-recruit function could not be assumed constant. However, I am not aware of any evidence for any fishery that changing the sex ratio in the spawning stock changes the spawner-recruit function, as long as "spawners" in the spawner-recruit relationship are measured in terms of females only.

To avoid possible changes in the spawner-recruit relationship caused by changes in the sex ratio, an obvious strategy the Council might consider is to institutionalize the historical harvesting pattern. That is, select Alternative 4, and set the semi-annual apportionment schedule to reflect the historical semi-annual apportionment. Such a policy would provide some consistency in the spawner-recruit database.

Judging from the conclusions you and your co-authors reached in the Appendix (Pollock Roe-Stripping And Waste In The EEZ: An Economic Perspective), I suspect I have belabored an issue that you fully understand. Nevertheless, I encourage you and the SSC to clarify pages 13-19 for the Council, with particular emphasis on your conclusion that "From the standpoint of maximizing sustainable harvests, concerns about the effects of a larger roe season fishery on recruitment and foregone growth could justify adjustments to pollock seasons or quota, but they do not by themselves justify a roe-stripping ban." As presently written, this section of the amendment document is confusing for the lay reader, and could lead to conclusions that, when taken out of context, are not scientifically correct.

I also hope you, or other members of the SSC, find the information from my dissertation helpful in further analyses of this, and other, issues. I am preparing this material for publication in the Canadian Journal of Fishery and Aquatic Sciences. Any comments would be appreciated.

Sincerely,


Jim Norris



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

SEP 15 1989

September 15, 1989

Mr. John G. Peterson, Chairman
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Attn: Dr. Clarence G. Pautzke, Executive Director

Dear John:

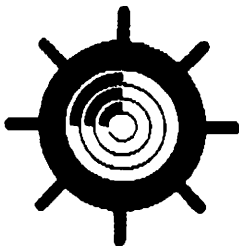
We have reviewed the draft analysis of alternatives for Amendments 19 and 14 to the groundfish fishery management plans, the so-called "roe-stripping" amendment. While the "roe-stripping" issue begs for resolution, I suggest that the Council should first establish an overall policy on full utilization. If we are to embark on the precedential path of regulating processing as well as fishing activities, we should do so with a clear sense of direction and destination. I do not believe that the Council has yet come to such an understanding. We should hear more argument about what exactly we want to achieve, why and how best to achieve it.

Although this suggests more time to accomplish a full-utilization recommendation to the Secretary, it does not suggest inaction on the immediate problem of low pollock abundance in the Gulf of Alaska. To address this problem for 1990, I recommend a regulatory amendment or other rule making to prohibit pollock fishing in the Gulf until June or July of 1990 and status quo management of pollock in the Bering Sea. While this would prevent production of a valuable fishery product in the Gulf, the relatively poor condition of pollock in the Gulf may well justify such serious action, and roe production would not be prevented in the Bering Sea.

Sincerely,


Steven Pennoyer
Director, Alaska Region





NPFVOA

9/15/89

FAX COVER SHEET

DATE: 9/15

TO: Clarence PAUTZKE
Executive Director, NPFMC

FAX NUMBER: 907/271-2817

BUSINESS NUMBER: 907/271-2809

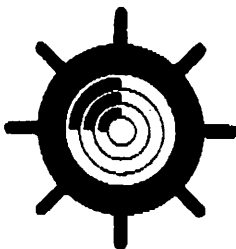
FROM: Mark Freeberg
NORTH PACIFIC FISHING VESSEL OWNERS' ASSOCIATION

FAX: (206) 286-9332

BUSINESS NUMBER: (206) 285-3383

NUMBER OF PAGES INCLUDING COVER SHEET: _____

MESSAGE: NPFVA Comments on
Roe-stripping amendments



NPFVOA

15 September 1989

**Mr. Clarence Pautzke
Executive Director
North Pacific Fishery Management Council
605 West 4th Avenue
Anchorage, AK 99501**

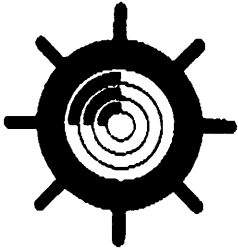
Dear Mr. Pautzke:

Enclosed are comments from the North Pacific Fishing Vessel Owners' Association on proposed amendments which would regulate pollock utilization in the groundfish fisheries off Alaska (Bering Sea/Aleutian Islands Fishery Management Plan Amendment 14 and Gulf of Alaska Fishery Management Plan Amendment 19). Please address any questions or comments to:

**Mark Freeberg
North Pacific Fishing Vessel Owners' Association
1800 W. Emerson
Suite 101
Fishermen's Terminal
Seattle, WA 98119**

Sincerely,

Mark H. Freeberg



NPFVOA

COMMENTS FROM THE NORTH PACIFIC FISHING VESSEL OWNERS' ASSOCIATION ON DRAFT AMENDMENT 19 TO THE GULF OF ALASKA FISHERY MANAGEMENT PLAN AND DRAFT AMENDMENT 14 TO THE BERING SEA/ALEUTIAN ISLANDS FISHERY MANAGEMENT PLAN

POLLOCK UTILIZATION IN THE GROUND FISH FISHERIES OFF ALASKA

Submitted to: Mr. Clarence Pautzke, Executive Director, North Pacific Fishery Management Council, 605 West 4th Avenue, Anchorage, AK 99501.

The following comments address proposed amendments which would regulate pollock utilization in the groundfish fisheries off Alaska. These amendments to the Bering Sea/Aleutian Islands (BS/AI, Amendment 14)) and Gulf of Alaska (GOA, Amendment 19) Fishery Management Plans (FMP) are presently before the North Pacific Fishery Management Council (NPFMC). Comments are submitted by the North Pacific Fishing Vessel Owners' Association (NPFVOA, the Association), Seattle, Washington.

Amendments 14 and 19 are directed at the issue of roe-stripping in the pollock fisheries. Management alternatives within each amendment range from doing nothing to prohibiting pollock roe-stripping. Furthermore, alternatives which prohibit roe-stripping vary as to whether this prohibition should or should not include a requirement for "full utilization" of the harvested pollock.

NPFVOA strongly supports management activities directed at resource conservation objectives. NPFVOA, however, continues to oppose regulations which restrict vessel operations and introduce economic losses without providing commensurate benefits to the fishery resource. Association opposition to such regulation is particularly firm when the problems created by the new requirements are spread unevenly and unfairly across individual fishermen in the affected fleet(s).

The NPFVOA is concerned that the pollock utilization alternatives in proposed Amendments 14 and 19 are an example of such burdensome and inequitable regulations. Moreover, in attempting to resolve roe-stripping disagreements, the proposed regulations will result in a host of other unsatisfactory conditions, economic losses, and otherwise avoidable implications. Some examples of the implications of a roe-stripping prohibition follow:

1) Prohibiting roe-stripping could actually increase bycatch concerns:

Because roe-stripping vessels prefer to target on congregated schools of pollock, bycatch rates of other species per metric ton of harvested pollock should be lower than rates typical of less focussed operations. By reducing the number of vessels which could participate in the roe-stripping fishery (fewer vessels would have the operational capacity to conduct roe-stripping and further processing should roe-stripping be prohibited) aggregate fleet bycatch would increase as more vessels were forced to operate in fisheries with higher average bycatch rates. Eliminating roe-stripping operations would thus accentuate one of the most difficult problems facing the fishing industry today--bycatch;

Page 3
NPFVOA Roe-stripping Comments

2) Prohibiting roe-stripping would produce economic side-effects unfairly benefitting certain fisheries and fishing operations at the expense of others:

Roe-stripping represents a smaller percentage of shoreside processing than it does within the at-sea complement. H&G vessels would be effectively removed from the pollock fishery because they are not equipped to further process the fish. These examples demonstrate that a ban on roe-stripping would introduce unbalanced benefits and losses within and between fisheries. Regulated inequities like this are outside of the letter and intent of U.S. fisheries management guidelines and, thus, must be avoided;

3) Additional waste generated by roe-stripping operations is insignificant:

Models which calculate waste totals with and without roe-stripping estimated an 18% maximum difference between the two scenarios in terms of total waste generated during early 1989 fisheries. Not only is such a difference unlikely to adversely affect the environment but, given the low number of metric tons of waste saved by a roe-stripping prohibition, the additional costs of regulating such a restriction may be substantial. For example, enforcement costs per metric ton of waste prevented may far exceed the value of the further processed product. Fisheries managers should avoid the introduction of such forced inefficiencies;

4) No definition of "full utilization": Alternative 3 proposes that roe-stripping be prohibited and pollock be fully-utilized. No definition, however, is presented for the concept of full utilization. Full utilization could mean anything from requiring a reduction of the fish to meal/oil, to requiring the use of all flesh (i.e., everything but the head, backbone and guts), to

requiring "full utilization" within the confines of a vessel's operational capacity. Mandating a requirement for reduction to meal/oil will remove many boats from the fishery, adversely affect the operations of others, and have unpredictable economic implications due to potential interactions with world meal/oil production and prices. Without a definition of "full utilization" that has been considered and accepted within a thorough industry review process, consideration of the full utilization alternative (Alternative 3) is inappropriate. More importantly, approval of a full utilization alternative without a careful analysis of the possible effects of a full utilization requirement could have significant negative impacts on individual fishermen and fleet segments;

5) Roe-stripping amendments superfluous: Amendments 14 and 19 represent an unnecessary regulatory burden given the availability of Amendments 13 and 18. Amendments 13/18 to the BS/AI and GOA FMPs, respectively, allow changes in fishing seasons which could accomplish most, if not all, of the objectives of Amendments 14 and 19. For example, under Amendments 13/18, fishing seasons could be adjusted so as to allocate specific quantities of pollock to the roe-fishery or make other changes in season length or timing. Should Amendments 13/18 be approved, implementation of any of the Amendment 14/19 alternatives would be unnecessary and, due to heightend costs and management complexities, actually disadvantageous.

The above realities represent just some of the reasons the NPFVOA is concerned with proposed alternatives to prohibit roe-stripping in the groundfish fisheries off

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NPFVOA Roe-stripping Comments

Alaska. NPFVOA considers other management options much more viable because they protect the pollock resource without introducing additional biological, economic, and administrative complications. As such, NPFVOA makes the following recommendations relative to pollock utilization in the groundfish fisheries:

- 1) Do not require "full utilization" of pollock in the groundfish fisheries off Alaska;
- 2) Conduct further research and modelling activity to better determine the effects of roe-stripping on BS/AI and GOA pollock reproductive capacity and other population characteristics;
- 3) Until that time when results from the above requested research is available, use Amendments 13/18 to control the amount of effort directed towards pollock roe-stripping without invoking a complete prohibition on such activity;
- 4) Use on-board observer programs to accurately catalog the total amount of pollock harvested during roe-stripping and other operations. Such information will protect the status of the pollock stocks by ensuring that total pollock harvests do not exceed established allocations;
- 5) Use the "carrot" of participation in roe-stripping fisheries as a means to achieve improvements in other aspects of North Pacific fisheries management. For example, set aside a portion of the total pollock quota for roe-stripping. Vessels able to meet a given halibut and/or crab bycatch rate criteria while conducting other groundfish operations during Year 1

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NPFVOA Roe-stripping Comments

would be allowed to participate in the roe-stripping fisheries during Year 2 and so on. Vessels unable to meet the bycatch rate criteria would not be allowed to roe-strip. Similar incentive-based systems should be considered more closely.

Roe-stripping is not a new activity. Nor is it unique to the pollock fisheries. Neither can the act of roe-stripping itself be considered the true impetus for pending roe-stripping regulations. Existing proposals to prohibit roe-stripping are in large part a reaction to pollock allocations in the GOA in 1989 which allowed a large amount of pollock to be removed early in the year via roe-stripping operations. Such large, early season removals can be prevented in the future without resorting to an across-the-board prohibition on roe-stripping. The use of management practices similar to those mentioned above are just a few ways of doing so. As such, the NPFVOA cautions the NPFMC against making rash decisions to prohibit roe-stripping without giving full consideration to other management practices that protect the pollock resource and do not introduce the substantial biological, economic, social, and implementation problems of the roe-stripping amendments.

ProFish International, Inc.

PROFISH

September 13, 1989

SEP 13 1989

Mr. John G. Peterson, Chairman
North Pacific Fishery Management Council
Post Office Box 103136
Anchorage, Alaska 99510

by fay

re: Roe Stripping

Dear John:

This letter is in response to the Council's EA/RIR/IRFA for Amendments 19 and 14 to the Fishery Management Plans to the Gulf of Alaska and Bering Sea/Aleutian Islands, respectively. As such these comments reflect our views on the "roe-stripping" issue to be decided at the September Council meeting.

ProFish is becoming increasingly involved in DAP utilization of the pollock resources in the Bering Sea and Gulf of Alaska. We are part owners of the factory trawlers "Arctic Storm", and "Valiant", and the mothership "Ocean Phoenix". We manage the latter two assets, and market the products produced on all three. Pollock is the primary species on which these vessels target, with pollock roe being an important component of their annual income. For these reasons the roe-stripping issue is of particular importance to us.

With regards to EA/RIR/IRFA itself, we feel that it is quite deficient in that many of the underlying assumptions on which the analyses are based are hypothetical and do not reflect the real world. For example, the analysis fails to recognize that product quality and yields, particularly surimi, vary greatly throughout the year. This is most noticeable in the April-May period, after spawning, when surimi quality is lower and yields are one-half of what is realized in the fall-winter period. Such dramatic shifts in product quality and yields will have a noticeable effect on the value of products produced from a given quantity of resource. The assessment does not take these facts into consideration and therefore it's economic comparisons are flawed.

Another shortcoming of the assessment is that it focuses almost entirely on total revenues rather than net returns to the fishery. This can be very misleading in that the industry responds to net returns or profits, not total revenue. Only by comparing net returns or profits to the fishery can one gain a true understanding of the impacts of the various alternatives on the industry and the nation as a whole.

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Because of these and other gross misrepresentations and the hypothetical nature of the examples chosen for analyses, we feel that it would be inappropriate to base any decisions on the conclusions presented in the draft EA/RIR/IRFA. This assessment will need considerable re-drafting before it can be considered as a creditable document from which draw conclusions about the impact of the five alternatives under consideration.

The deficiencies of the EA/RIR/IRFA notwithstanding we would like to present our opinion on the roe-stripping management alternatives under consideration by the Council. In this regard, we favor Alternative 2 which would prohibit roe-stripping in the pollock fisheries in the Gulf of Alaska and Bering Sea: subject to proper definition of "roe stripping". We feel this alternative is the most reasonable in that it would allow the important roe fishery to continue albeit at a slower pace while eliminating avoidable waste in the roe pollock fishery. This alternative will allow the fishery to extend as long as possible throughout the year while maintaining the valuable roe fishery.

We feel it is important that any prohibition on roe stripping be implemented in a sensible manner taking into consideration the economics and realities of the various fisheries that harvest pollock, either as a directed fishery or as a by-catch to other fisheries. In this regard, we would like to offer the following parameters for defining the regulation:

1) Regulations regarding roe stripping would pertain to those vessels or plants on shore only during the period that they are actively extracting roe from pollock;

2) Those vessels and plants involved in extracting roe from pollock would be required to process any undamaged male and female pollock greater than a minimum size e.g. 12 inches. In this manner, damaged and undersized pollock could be discarded as is the present practice in all fisheries.

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3) In order for processing to be acceptable, it would be necessary to produce only one added-value product(s) such as roe, fillet, surimi, mince, H and G, or meal. Using this definition of processing to implement a ban on roe stripping would require the processing of all undamaged fish greater than a minimum size. The discarding of undamaged whole fish above a minimum size would be prohibited. Roe must be recognized as a legitimate product of great importance to the industry and as a legitimate and "stand alone" utilization of the female fish. It's important to understand that yields of roe from female fish only rival yields achieved in other processing methods such as surimi and meal. Additionally, by requiring that the males be utilized, wanton waste and indiscriminate dumping of usable resource can be avoided.

We oppose Alternative 3 because it is entirely impractical and would immediately bankrupt a significant portion of the trawler fleet.

We oppose Alternative 4 which would establish a semi-annual apportionment schedule. The pollock fishery should be managed to maximize the value which can be realized from the fishery. Greatest value will be realized by allowing the greatest harvest during the roe-season so long as unprocessed fish are not discarded (ban on roe-stripping) with the remainder harvested after the roe season.

Such a philosophical approach to managing the pollock fishery is similar to that employed in managing the Alaskan herring. In the past the Council rejected the notion of splitting the Bering Sea herring fishery to allow a less profitable food herring fishery. The same reasoning should be applied to pollock fishery - - - do not constrain the extent of the pollock fishery during the roe season provided that the discard of whole unprocessed fish is prohibited.

There is no conservation basis for splitting the season under the pretext of improving recruitment to the pollock resource. The scientific studies to date do not support the notion that targeting on spawning populations negatively impacts the stocks. It is apparent that recruitment is largely density independent and is mainly influenced by environmental factors. The EA/RIR/IRFA supports this conclusion.


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Within the context of maximizing value from the pollock resources, when the fishery matures to the point where there is insufficient pollock to allow for a year round fishery, it would make economic sense to shut down the fishery immediately following spawning (April 15 - June 15). At that time the flesh is poor resulting in poor quality and reduced yields. Also CPUE is considerably lower than at other times of the year. Allowing those fish to be taken later in the year when they are better quality would improve the economics of the fishery and generate greater value.

In summary, we feel strongly that the pollock resource should be managed to maximize the profit from the fishery. In this regard, we support a ban on roe stripping, by requiring that all pollock of a marketable size be processed to produce some product form of added-value (roe, fillet, surimi, mince, H & G, or meal), i.e. a prohibition in a roe fishing operation on the discard of unprocessed pollock of marketable size. We also oppose a split season or semi-annual apportionment schedule but would favor a closure of the fishery for a period right after spawning when pollock flesh quality is poor and CPUE's are low.

Our annual business plan is very dependent upon a strong roe pollock fishery. We appreciate the Council taking our concerns and recommendations into consideration in deciding the appropriate action on this important issue.

Sincerely,


Michael Stevens
Vice President


Walter T. Pereyra
Chairman and
Chief Executive Officer

PLAN TEAM MEMORANDUM

September 20, 1989

To: Council, SSC, and AP Members
North Pacific Fishery Management Council

From: Bering Sea/Aleutian Islands Groundfish Plan Team
Gulf of Alaska Groundfish Plan Team



Subject: EA/RIR for Amendment 19/14
Pollock Utilization Amendment

A teleconference was held by the BSAI and GOA groundfish plan teams on September 12, 1989 to determine preferred alternatives for Amendment 19/14.

The Teams jointly concluded that the analyses presented do not support the adoption of any of the alternatives to the status quo.

The five regulatory alternatives were discussed with respect to the following management problems: (1) moral or aesthetic concerns associated with non-utilization of fish flesh and dumping of whole or partially processed carcasses; (2) biological concerns associated with targeting on spawning populations; and (3) allocation concerns associated with the timing of the season and the type of processing (at-sea or shorebased). The Teams concluded that none of the alternatives will solve, or for that matter affect, all of the concerns that may have resulted from "roe-stripping".



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

AGENDA D-3(b)(1)
SEPTEMBER 1989

DATE: June 7, 1989

MEMORANDUM FOR: Richard J. Marasco, Chairman, Scientific & Statistical Committee
Loh-Lee Low, Chairman, BSAI Plan Team
James W. Balsiger, Chairman, GOA Plan Team

FROM: F/AKR1 - Dale R. Evans *Dale*

SUBJECT: Publication of Notice of Initial Preliminary Specifications

Two serious problems exist with the current practices being followed in the publication of specifications for groundfish harvest in the Bering Sea/Aleutian Islands and Gulf of Alaska management areas. First, the draft specifications published in the FEDERAL REGISTER following the September Council meeting do not always represent what the Council is proposing for the following year; in several cases the Council has not had the benefit of the full status-of-stocks analysis as presented in the RAD. Publication of the current year TACs for the following year does not meet the intent the procedures provided in the regulations implementing the groundfish FMPs.

Second, publication of initial preliminary specifications in the FEDERAL REGISTER must occur before fishing can start in the new fishing year. This does not occur because of the press of end-of-the-year business, holidays, etc., in the time following the December meeting.

To correct this situation, the Council could, at its September 1989 meeting, prepare preliminary estimates of 1990 TACs based on the best available information, and publish this information in the FEDERAL REGISTER for public review and comment prior to the December Council meeting. Depending on what action the Council takes with regard to management of PSC bycatch, PSC amounts for 1990 should also be published at this time.

The Council could also adopt interim final specifications for the ~~first quarter of the fishing year at its September meeting~~, and publish these in the FEDERAL REGISTER for public review and comment. These would be published as a final rule on a separate schedule so that the fisheries could open on January 1.

The final notice of preliminary specifications would be published in January 1990, following Council action at its December meeting. This notice would supersede the interim notice of specifications for the first quarter published earlier.

cc: GCAK, NPFMC



A REVIEW OF THE INITIAL AND FINAL GROUND FISH SPECIFICATION PROCESS

Prepared by NPFMC Staff
August 1989

I. INTRODUCTION

During its June meeting, the Council received a report from the Alaska Regional Office of NOAA Fisheries that two "problems" exist with the current groundfish TAC and PSC specification process. The first problem is that the Council may be misleading the industry when it selects its initial groundfish specifications at the September Council meeting, only to significantly change those numbers in December when they are finalized. The second problem is that the Regional Office is finding it increasingly difficult to publish the Council's final specifications between the December meeting and the beginning of the new fishing year.

This paper reviews the current cycle, expands on its benefits and problems, and explores alternatives for solution. Its intent is to provide information to the Council to help them determine whether revisions to its specification process are necessary.

II. THE GROUND FISH SPECIFICATION PROCESS

The Bering Sea/Aleutian Islands Groundfish Fishery Management Plan (FMP) and the Gulf of Alaska Groundfish FMP have identical schedules and decision points for setting groundfish TAC and PSC specifications. Basically, the process begins at the September meeting when the Council receives preliminary stock status, acceptable biological catch (ABC) and socioeconomic information on the fishery from the plan teams and the Scientific and Statistical Committee. By the September meeting, preliminary results from stock assessment surveys are available and the Council has a good understanding as to the progress and success of that year's groundfish fishery.

The FMPs call for the Council to advise the Secretary by recommending initial TACs, their apportionment to domestic, joint venture, and foreign fisheries, and to the various regulatory areas, and prohibited species catch limits (PSC) where required by the plans. The Council is to utilize the best biological and socioeconomic information when determining these numbers.

Following the September meeting, and as soon as practicable after October 1, the Secretary publishes the initial specifications in a rule-related notice in the Federal Register for a 30-day public review period. Based on comments received, final ABC recommendations from the plan teams and SSC, and TAC recommendations from the Advisory Panel, the Council determines its final groundfish specifications in December. The Secretary reviews the Council's numbers and approves them by publishing the final specifications on or about January 1.

This cycle was developed by the Council to facilitate the annual setting of groundfish quotas and apportionments without amending the FMPs. It was designed to allow incorporation of both the latest survey results, and public comment into the decisionmaking process. These are the obvious benefits of the process. On the down-side, the short process in itself requires rapid administration

of the framework at both the Council staff and NOAA staff levels. It has at times been difficult to process the paperwork following Council decisions within the short timeframe. There are also concerns that the Council may be misleading the fishing industry by routinely publishing the current year's numbers as the initial specifications for the upcoming year, since the final TACs, apportionments, and PSCs may differ substantially in December as a result of additional stock status or socioeconomic information.

III. EXAMINATION OF THE PROBLEM

NOAA Fisheries believes two problems exist: 1) the manner in which the Council currently determines its initial groundfish specifications; and 2) insufficient time between the Council's December actions and the new fishing year for publishing final specification notices. Technically, until final specifications are filed with the office of the Federal Register, groundfish fishing during the new year is not authorized.

Problem #1: Initial Specifications

The Council has recently relied on the current year's TAC and PSC specifications as its starting point in determining the numbers for the upcoming year. Initial TACs are often reduced to equal the initial ABCs received in September should the condition of the resource suggest a lower level of harvest. In instances where recommended ABCs are higher than the current year's TACs, the Council usually leaves the TAC unchanged, leaving it to the industry to request additional quota during the public comment period.

A review of the 1987-1989 initial and final specifications (i.e., September vs December meeting) shows that significant changes in TACs and their apportionments do occur. Whether this presents a disservice to the industry is debatable. Instances where final TACs are lower than the initial numbers most often result from new biological information that produce a lower ABC. Instances where final numbers are higher than the initial specifications are almost always the result of industry requests to increase TAC above levels set the previous year. In the former case, the Council has little choice but to protect the resource from overfishing; and in the latter case, the industry benefits from the Council's procedures.

It should be noted that the Optimum Yield framework in both groundfish plans was designed in anticipation of changes to TAC numbers throughout the process. This administrative flexibility was considered essential as the Council attempts to meet management objectives by weighing TAC alternatives. It appears that both the Council and the fishing industry have benefited from this process.

Problem #2: Inadequate Time to Implement TAC Specifications

Following the December Council meeting, NOAA-Fisheries has approximately 2-1/2 weeks to process and implement the new TAC and PSC specifications. This is a difficult task due to the length of the meeting, the preparation of supporting rationale and analysis, and the holiday season. Unlike most management measures that carry over from one year to the next until changed, TACs and PSCs and their apportionments to users expire at the end of the year. If final TACs and PSCs are not published in the Federal Register "on or about January 1," the fishery cannot legally begin.

Review of 1987-89 Federal Register notices show final Bering Sea/Aleutian Islands specification notices being published on January 7, January 14, and January 25, respectively. In the Gulf of Alaska, publication dates of specification notices during the period 1987-1989 were January 9, January 9, and February 13. It's important to note that any enforcement action up to these dates would have been complicated by the fact that the seasons were not legally open. Other examples of problems include:

- If fisheries have the capability to take the intended TAC/PSC in a short period of time, overfishing could occur. The Regional Director would not have the legal authority to close the fishery and would have to wait until the TAC/PSC numbers were published before taking action.
- The Regional Director would have to wait for the publication of the bycatch caps (for example, in Amendment 12a) before closing the fisheries.
- At the beginning of 1989, the Regional Director wanted to prohibit directed sablefish fishing with trawl gear in the Gulf of Alaska using his single-species rule authority but he could not without a final specification of the sablefish TAC.

IV. POSSIBLE SOLUTIONS

Maintain Status Quo: The Council could determine that no significant problems exists with the current cycle and specification notice procedure. Attempts could be made at the Regional Office to prepare the actual specification notice at the December Council meeting so that it can be transmitted to Washington, DC immediately following the meeting. This might lessen the time needed to publish the final notice. However, preparation of supporting rationale of Council decisions may require additional time.

Alternative 1: The Council could adopt "interim" final first-quarter specifications, apportionments, and initial specifications for the remainder of the new year at its September meeting. NOAA Fisheries could publish the numbers in the Federal Register for public review and comment immediately following the meeting. Final Council decisions for the entire year would be determined as usual in December and implemented as soon as practicable after January 1. This final notice of specifications would supercede the interim rates published earlier for the first quarter. Implementation of this alternative would require a plan amendment.

Alternative 2: Amend the groundfish regulations so that TAC levels and their apportionments are automatically carried over from one year to the next until updated by Federal Register notice.

Alternative 3: Amend the groundfish plans to redefine the fishing year. For example, the year could be defined as February 1 through January 31, or February 1 through December 31. With either option, additional time would be provided for publication of the final specification notice.

GOA90.D-4(a)(1). GULF OF ALASKA GROUND FISH: 1990 ABC, TAC, DAP, and JVP and Plan Team ABC recommendations (in metric tons).

Species	Area	1989				1990 SSC ABC	1990 Recommendations		
		ABC	TAC	DAP	JVP		TAC	DAP	JVP
Pollock	W/C	72,000	65,750	65,750	0	58,000	58000	58000	0
	Shelikof 1/	n/a	6,250	6,250	0	(6,250)	-6250	-6250	0
	E	3,375	200	200	0	3,400	3400	3400	0
	Total	75,375	72,200	72,200	0	61,400	61400	61400	0
						10,000 2/	10000	10000	0
Pacific cod	W	13,500	13,500	13,500	0	22,800	22800	22800	0
	C	52,000	52,000	52,000	0	87,600	87600	87600	0
	E	5,700	5,700	5,700	0	9,600	9600	9600	0
	Total	71,200	71,200	71,200	0	120,000	120000	120000	0
Flatfish 3/ (deep water)	W	111,500	3,200	3,200	0				
	C	384,300	31,800	21,800	10,000				
	E	58,900	1,000	1,000	0				
	Total	554,700	36,000	26,000	10,000	129,200	129200	129200	0
Flatfish 4/ (shallow water)	W								
	C								
	E								
	Total					84,500	84500	84500	0
Arrowtooth flounder	W								
	C								
	E								
	Total					194,600	194600	194600	0
Sablefish	W	4,900	3,770	3,770	0	3,600-5,300	3,600-5,300	3,600-5,300	0
	C	13,900	11,700	11,700	0	11,200-16,300	11,200-16,300	11,200-16,300	0
	W. Yakutat	5,300	4,550	4,550	0	4,400-6,400	4,400-6,400	4,400-6,400	0
	E. Yak./S.E. Out.	6,800	5,980	5,980	0	5,800-8,300	5,800-8,300	5,800-8,300	0
	Total	30,900	26,000	26,000	0	25,000-36,300	25,000-36,300	25,000-36,300	0
Rockfish (Slope)	W	5,774	5,774	5,774	0				
	C	8,452	8,452	8,452	0				
	E	5,774	5,774	5,774	0				
	Total	20,000	20,000	20,000	0	23,600	23600	23600	0
Rockfish (Pelagic Shelf)	W	1,000	500	500	0				
	C	4,800	2,400	2,400	0				
	E	800	400	400	0				
	Total	6,600	3,300	3,300	0	6,600	6600	6600	0
Rockfish (Demersal Shelf)	S.E. Out.	n/a	420	420	0	470	470	470	0
Thornyhead	GW	3,800	3,800	3,800	0	3,800	3800	3800	0
Other Species	GW	n/a	11,646	11,046	0	n/a	33024	33024	0
GULF OF ALASKA TOTAL		762,575	244,566	233,966	10,000	660,470 5/	693494	693494	0

1/ Shelikof Strait pollock is included within the W/C ABC range.

2/ Pollock TAC recommendation for an experimental fishery between 151 degrees 30' and 147 degrees.

3/ "Deep water flatfish" means flathead sole, rex sole, and Dover sole.

4/ "Shallow water flatfish" means rock sole, yellowfin sole, butter sole, starry flounder, and other flatfish not specifically defined.

5/ Summed, using high-end values in the ranges.

22-Sep-89

GOA90.D-4(a)(1)