

North Pacific Fishery Management Council

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NEWSLETTER

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North Pacific Fishery Management Council Met January 18-20

During their three-day meeting, the Council addressed a variety of issues, including Comprehensive Rationalization Planning for the groundfish and crab fisheries. The Council, with help from the Comprehensive Planning Committee, made headway at this meeting on the long-term, comprehensive planning process. See details on this and other issues inside.

The Council will meet next in Anchorage at the Hilton Hotel. The meeting is scheduled to begin on Monday, April 19. Major items scheduled for that meeting include salmon bycatch management, Pacific cod seasonal or gear allocation, rockfish management in the Gulf of Alaska, North Pacific Fisheries Research Plan, and comprehensive planning. A draft agenda and meeting details should be available in early April.

Scientific and Statistical Committee Elects Officers

The SSC has re-elected Drs. William Clark and Terrance Quinn to serve as Chairman and Vice Chairman, respectively, of the Committee. Drs. Clark and Quinn have served in those positions for the past two years. Dr. Clark is the staff biometrician for the International Pacific Halibut Commission in Seattle, Washington, and has been a member of the SSC since 1987. Dr. Quinn, a Professor of Population Dynamics at the Juneau Center for Ocean Sciences, University of Alaska, has served on the SSC the past six years.

Comprehensive Management Planning

The Council took another step towards a comprehensive rationalization plan for the groundfish and crab fisheries off Alaska by identifying major alternatives for in-depth analysis over the next year. The Council's Comprehensive Planning Committee (CPC) met on Sunday, January 17, and after hearing staff reports and public testimony decided that the comprehensive rationalization plan should focus on license limitation and individual fishing quotas (IFQs) as the primary alternatives to the status quo management regime. This choice of management

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alternatives was endorsed by the Advisory Panel and approved by the Council later in the week. The specific elements and options within the alternatives have not been determined at this stage in the comprehensive planning process. For example, issues such as initial allocation criteria, transferability, and species to be included under IFQs will be determined later in the year after further scrutiny by the CPC, industry, and public.

To help the Committee, and the fishing industry, determine which specific elements and options should be considered, Council staff is preparing a data base of historical fisheries landings which will soon be made available to the public via request or via the NMFS Bulletin Board System. This data set will include commercial quotas and landings for all years for which the data exist, back to 1976, and will be aggregated by major categories such as JVP, DAP, processing sector, gear type, and vessel categories. Based on examination of this data set by the Committee and industry, it is expected that specific alternatives will be developed regarding the elements and options within potential IFQ and license programs.

The current schedule for the comprehensive planning process calls for these specific options to be developed by June of 1993, with a final analysis being available for Council and public review in early to mid-1994.

Sablefish and Halibut IFQ Program

As of the time of the January Council meeting, the Secretary of Commerce had yet to make a decision on the Council's recommended IFQ program for the fixed gear sablefish and halibut fisheries off Alaska.

However, the Council did review the proposed Sitka Block Proposal, a modified Block Proposal, and a proposal for a 1,000 pound minimum initial allocation of halibut IFQs. The primary features of the Block Proposals are that initial quota shares would be issued in blocks, or partial blocks, and vessel owners and vessels themselves would be limited in the number which could be accumulated. This proposal would limit the potential fleet consolidation under the IFQ program. The primary feature of the 1,000 pound minimum proposal is to initially allocate at least 1,000 pounds of halibut IFQ to recipients who would have otherwise received less than 1,000 pounds. A preliminary analysis of each of these proposed amendments to the overall IFQ program was released for public review in October of 1992, at which time the Council noticed they would be reviewing the proposals in January to determine whether to complete the analyses as amendments to the IFQ program. At this meeting the Council voted to proceed with development of these proposals, but narrowed the alternatives to be considered as follows:

Sitka Block Proposal

Maximum of 3 blocks per person and 5 blocks per vessel; also include option for 2 blocks per person and 4 blocks per vessel; retain option for vessel classes.

Full/Partial Block

Use of 20,000-pound increments for full blocks; Same limitations as above for partial blocks.

Thousand Lb. Minimum

For halibut only and for the initial allocation only there are two options: (1) everyone gets 1,000 lb minimum IFQ, based on 1991 TACs, or (2) those who would have received at least 200 lbs, but less than 1,000 lbs, will receive 1,000 lbs.

These alternatives will be further developed in the form of draft plan amendments and presented for Council and public review in April. A final decision would then be scheduled for the June 1993 Council meeting.

Vessel Moratorium

In June of 1992, the Council approved a moratorium on vessel entry into the groundfish, crab, and halibut fisheries under Council jurisdiction. The Council distributed a True North newsletter to industry in September 1992 which detailed the proposed moratorium. A Proposed Rulemaking is in preparation for submittal to the Secretary of Commerce for review. If approved, the moratorium could be in place in mid-1993. Since the Council's approval of the moratorium, numerous inquiries have been made to the Council offices concerning specific intent of the Council's proposed moratorium. Most of these inquiries involve the issue of vessel replacements or upgrades and the issue of transfer of moratorium fishing rights from one vessel to another. At this meeting, the Council reaffirmed their intent on the following issues:

Vessel Reconstruction:

1. For reconstruction completed before June 24, 1992: new size would be unrestricted; one more upgrade would be allowed, subject to 20% increase limit, between June 24 and the end of the moratorium.
2. For reconstruction started before June 24, 1992, but not finished by then: new size would be unrestricted; no more upgrades would be allowed.
3. For reconstruction started on or after June 24, 1992: new size would be restricted by 20% rule; no more upgrades would be allowed.

Vessel Replacement:

After January 1, 1989, and until the moratorium expires, qualifying vessels can be replaced with non-qualifying vessels as often as desired so long as the replaced vessel leaves the fishery or bumps another qualifying vessel out in the case of multiple transactions. Though sequential replacements are allowed, vessel size can only be increased once via these replacements, subject to the 20% increase rule.

In the event of a combined replacement and reconstruction (upgrade), the intent is to limit the overall increase by the 20% rule. Thus a moratorium qualified vessel could be replaced with a non-qualified vessel, and the new vessel upgraded, so long as the combined effect does not violate the 20% increase rule.

Transfer of Moratorium Fishing Rights:

Relative to the issue of vessel replacement is that of the transfer of the moratorium right itself, without the vessel actually trading hands. It appears that a considerable market has developed in the moratorium rights themselves. Such transfers do not violate the intent of the Council, so long as the previous vessel is retired from the fishery; however, the same restrictions apply as with vessel replacement in that the vessel to which the right is applied, if less than 125', can be no more than 20% longer than the vessel it replaced, not to exceed a final length of 125'. In the case of multiple transfers, the vessel holding the fishing right cannot exceed the length of the original qualifying vessel by more than 20%. Vessels over 125' cannot be increased in length through reconstruction, replacement or transfer of rights.

There are no Council or NMFS forms for making such legal transfers of these moratorium rights which, until the moratorium is approved by the Secretary of Commerce, do not yet legally exist. Persons engaging in such transfers are engaging in a private, legal contract. When fishing permits are issued under the moratorium, applicants will be required to furnish proof of vessel qualification. Finally, it is assumed

that moratorium fishing rights rest with any vessel that is traded, or has been traded in the past, unless otherwise specified by legal agreement.

Exemption for IFQ Program Participants:

Once the IFQ program for sablefish and halibut is implemented, persons fishing in the IFQ program will be exempt from the vessel moratorium, but only for the purpose of directed fishing for sablefish and halibut. The Council went on record at this meeting reaffirming that such an exemption would apply only after implementation of an IFQ program for sablefish and halibut. This may occur in 1995. The moratorium may commence in mid-1993. During the period from mid-1993 to 1995, non-qualified vessels would not be allowed to fish sablefish and halibut unless they met the replacement provisions of the moratorium.

Rockfish Rebuilding

The Council reviewed options available to rebuild depleted rockfish stocks in the Gulf of Alaska and suggested that rebuilding analysis continue with changes suggested by the SSC. The Pacific ocean perch stock-recruit data will be further analyzed to test for reliability for stock projections. If stock-recruit data are determined to be reliable, then it will be possible to estimate unfished spawning biomass and biomass level that produces maximum sustainable yield that can be compared with current stock size. Projections of stock size can then be made for a wide range of exploitation rates. The plan team and stock assessment scientists, along with the SSC, will continue with the analysis and present alternatives to be examined at the April 1993 meeting. We will also be examining the necessity and feasibility of rebuilding other rockfish species complexes.

NMFS is also developing a regulatory amendment which would reduce directed fishing standards for rockfish, notably Pacific ocean perch and shortraker/rougheye, to prevent topping off with these species when directed fishing is closed. This amendment will be reviewed by the Council in April. Implementation of new directed fishing standards would not occur until the 1994 fishing year.

Scallop Fishery Management Plan

The Council took significant action regarding the Alaskan scallop fishery by initiating development of a federal Fishery Management Plan (FMP). The Council determined that the fishery met the national guidelines for development of an FMP, and requested that the staff begin development of such a plan. Both weathervane and Icelandic scallops will be managed under the plan. At the April meeting, the staff will report on a proposed structure for the FMP, and possible management regimes to be considered. The draft FMP is expected to define specific management authorities of both federal and state agencies. The Council was presented with information that indicated the stocks were fully exploited and any increase in effort would be detrimental to the stocks and the nation. A control date of January 20, 1993 was also set to notice the industry that a moratorium for this fishery may be implemented. Fishermen and/or vessels not participating in the fishery by that date may not be guaranteed future access to the fishery.

Terra Marine Experimental Fishing Permit

The Council reviewed a request for an experimental fishing permit from Terra Marine Research and Education. The applicant requested a permit which would allow vessels to retain up to 30 mt of halibut and 30 mt of salmon caught as normally unretainable bycatch in directed groundfish fisheries in the Bering Sea and Aleutian Islands. The catch would be processed on vessels, then delivered by Terra Marine to Second Harvest for distribution to food banks free of charge. Because processing these fish will be costly to participating vessels, it may provide an incentive to avoid areas of high bycatch. The

Council supports the concept of utilizing bycatch and therefore recommends that NMFS issue a short-term experimental permit to Terra Marine Research and Education. The Council also is requesting the International Pacific Halibut Commission (IPHC), to change their regulations to allow trawl vessels operating in this experimental fishery to retain halibut.

Marine Mammals

The Council reviewed the recently published Regime to Govern Interactions Between Marine Mammals and Commercial Fishing Operations, which is NMFS' legislative proposal to guide Congress in its deliberations on amendments to the Marine Mammal Protection Act (MMPA) pertaining to commercial fisheries. This proposal, which the Council has previously commented on twice, would establish a new program to govern the incidental taking of marine mammals in commercial fishing operations. This proposal is a legislative proposal, not NMFS rulemaking. The Council urges all individuals and organizations interested in the upcoming reauthorization of the MMPA to study the document closely. Contact the Council office in Anchorage if you wish to receive a copy of this document.

Crab Management

State regulations adopted last year establishing a pot limit on BSAI king and Tanner crab fisheries were repealed by the State of Alaska on December 9, 1992, after NMFS overturned the State's pot limit regulation because it was inconsistent with the Crab Fishery Management Plan's requirement that a pot limit be designed in a non-discriminatory manner. Under the crab FMP, a pot limit regulation is a Category 2 management measure, which provides the State implementation authority following criteria set out in the FMP. Repeal of this regulation now allows crab fishermen to use as many pots as they wish in the Bering Sea crab fisheries. A revised pot limit proposal will be presented to the Alaska Board of Fisheries when it meets in Anchorage on February 2 - 10 to act on various state-wide crab issues. The Council's Pacific Northwest Crab Industry Advisory Committee (PNCIAC) met in Seattle on January 5, 1993 to discuss this issue and develop a recommendation to give to the Board of Fisheries. The PNCIAC recommended the State move ahead with a pot limit based on vessel length and linked to a sliding scale of guideline harvest levels. In April, the Council will further consider management of the crab fisheries and whether to initiate a change to the optimum yield of Tanner crab.

Proposed Subdivision of the Aleutian Islands Management Area

Responding to concerns from the SSC and Plan Team about appropriate assignment of TACs for groundfish species in the Aleutian Islands management area according to their biological distribution, the Council approved a plan amendment that will subdivide this area into three smaller management areas. Under this amendment, the Council will have the opportunity, during its specification process at the September-December meetings, to assign TACs to more finite areas within the Aleutian Islands management area, reflecting actual biomass distributions and reducing the chance of local depletion. The setting of TACs for rockfish, sablefish and Atka mackerel was of specific concern.

The Council's preferred alternative is to separate the Aleutian Islands subarea into three districts by dividing the region north-south at 177° E and 177° W Longitudes for the purpose of spatially allocating TACs. If this action is adopted by the Secretary of Commerce in a timely manner, it could be in place by June 1993. This would allow for an additional amount of Atka mackerel to be released from the reserves in June or July, for harvest in the new Aleutian Islands districts.

Issues At A Glance

The following section of the newsletter provides a summary of current Council projects, timeliness for Council action, and the contact person on our staff for further information.

Salmon Bycatch Amendment: Reviewed by the Council in January, to be released for public comment in March, with final action scheduled for April meeting. Includes possible time/area closures and may include reconsideration of vessel incentive program for salmon. Please contact our office if you would like a copy of the analysis when it is available. Contact person is Brent Paine.

Kodiak Trawl Closure: Areas closed to bottom trawling around Kodiak Island, to protect king crab, have been reestablished and are in place. In April, the Council will review an analysis to extend these closures to all trawling. The Council may then take final action on this issue in June. Contact person is David Witherell.

Legal Gear Types: NMFS is completing a regulatory amendment to define legal gear types. The draft amendment will be available by late February for Council and public review, with final action by the Council in April. Please contact us if you are interested in obtaining a copy of this proposed amendment when it is available. Contact person is Chris Oliver.

Comprehensive Planning: Compilation of data base and initial analysis of major alternatives (license limitation and IFQs) have begun. May cover all groundfish and crab fisheries off Alaska. Specific elements and options to be determined by June. Final analysis available in early 1994 with Council action by mid-1994. Contact person is Chris Oliver.

Sitka Block Proposal: Council reviewed preliminary analyses of Sitka Block Proposal, modified block proposal, and proposal for 1,000 lb minimum initial halibut allocation in January. Further analysis of each of these proposals will be reviewed by the Council in April, with final action at the June meeting. This issue assumes approval of Council's IFQ program for fixed gear sablefish and halibut fisheries. Contact person is Marcus Hartley.

Scallop Management: Council is developing federal Fishery Management Plan (FMP) for scallops. Initial review in April of structure of the FMP, with review of draft FMP scheduled for June. Council could adopt FMP at September meeting. Contact person is David Witherell.

Moratorium: The Proposed Rulemaking to implement the Council's adopted moratorium is in preparation. Could be implemented by mid-1993. Clarification of Council intent on moratorium issues is contained in a separate section of this newsletter. Contact person is Chris Oliver.

Research Plan: The North Pacific Fisheries Research Plan, designed to fund and define the groundfish and crab Observer Programs, was approved by the Council in June 1992. Proposed Rulemaking is in preparation for submittal to Secretary of Commerce in February. Once published, public hearings will be scheduled for each state represented by the Council; these hearings will likely be scheduled for March or April of this year. Once approved, existing observer requirements remain in place for 12 month start-up period, where funds will be collected from non-covered portion of fleet. Council will establish the fee, not to exceed 2% of exvessel value of fish, in April or June. Full Research Plan could be on-line in mid-1994. Contact person is Chris Oliver.

Aleutian Islands Split: The Council approved an amendment to the Bering Sea/Aleutian Islands FMP which will split the Aleutian district into three smaller subareas, at 177° E and 177° W longitudes. This amendment will be in place by mid-1993, and would allow additional Atka mackerel to be released from

reserves for harvest in specified subareas of the Aleutians. Beginning in 1994, other species TACs may be distributed throughout the new subareas, if biological information justifies such a TAC subdivision. Contact person is Brent Paine.

Rockfish Management: The Council is developing an FMP amendment to examine possible rebuilding strategies for Gulf of Alaska rockfish stocks. Pacific Ocean Perch (POP) is of primary concern, but other species may be considered as well. Council staff is working with rockfish stock assessment scientists to draft the analysis for the April meeting, with possible action by the Council in June. If adopted, stock rebuilding measures could be in place beginning in 1994. A regulatory amendment is also being developed which would reduce directed fishing standards for rockfish, in order to reduce bycatch of these fish in other directed fisheries. This amendment will be reviewed in April, and would not be implemented until the 1994 fishing year. Contact person is David Witherell.

Trawl Mesh Regulations: Upon direction from the Council, staff is developing a regulatory amendment which would implement trawl mesh restrictions aimed at reducing bycatch of undersized fish. Current schedule is to have an analysis before the Council at the April meeting, followed by public review and action by the Council in June, with implementation possible in 1994. Such regulations will likely involve mesh size minimums in at least the top panel of cod ends. Contact person is Brent Paine or David Witherell.

Pacific Cod Allocation: Analyses are continuing on possible preferential allocation of BSAI Pacific cod TACs to gear types with low bycatch, and on possible seasonal allocation of the cod TACs. The Council will review these analyses in April, send out for public review, and take possible action in June. Contact person is Brent Paine.

Pribilof Trawl Closure: In December the Council reviewed an amendment proposing a ban on trawling (or bottom trawling only) around the Pribilof Islands. Further development of that amendment, with alternative closed areas specified, is being conducted by the State of Alaska. This analysis may be completed by April for Council and public review, with a final decision then scheduled for June. Contact person is Brent Paine.

Exclusive Registration: In December, the Council approved an exclusive registration amendment which is now being prepared for submittal to the Secretary of Commerce for review. This amendment pertains only to trawl vessels engaging in directed fishing for pollock, and requires that they register to fish in either the Bering Sea/Aleutian Islands or in the Western/Central Gulf of Alaska. This amendment may be in place in time for the second half of 1993 or as soon as possible thereafter. Contact person is David Witherell.

Gulf Atka Mackerel: Staff is developing an amendment to the Gulf of Alaska FMP which will establish Atka mackerel as a separate target species, as opposed to being included in the 'other species' category. This amendment will be available for Council and public review in April, with a decision scheduled for June, and implementation possible for 1994 and beyond. Contact person is David Witherell.

Pollock 'B' Season Delay: In December, the Council approved a delay in the BSAI pollock 'B' season (non-roe season) until August 15. Proposed Rulemaking to implement this delay for the 1993 season is in preparation. Contact person is Brent Paine.

Night Trawling Ban: The Council has requested development of an analysis of prohibiting trawling for Pacific cod at night, citing evidence of high bycatch rates of halibut during dark hours. Staff will be developing such an analysis, at least partially based on work already done by the IPHC. This analysis

may be available in April, and with final action in June, could be in place for 1994. Contact person is David Witherell.

Pollock 'A' Season Framework: The Council also requested development of a framework amendment which would allow the opening date for the pollock 'A' (roe) season in the BSAI to be set during the September-December annual specifications process. This flexibility would allow for the setting of the date annually to ensure maximum benefit from the 'A' season pollock harvest. Council review in April, followed by action in June, could allow this to be in place in time for the 1994 fisheries. Contact person is Brent Paine.

Gangion Cutting: The Council adopted gangion cutting/careful release provisions for bycaught halibut in the longline fisheries this past December. NMFS is developing an Emergency Rule to implement these regulations, which should be in place by March of 1993. Contact person is Brent Paine.

CDO Bycatch: The Council passed this plan amendment in December 1992 and it will be submitted for Secretarial review as soon as the amendment package is complete. Implementation is planned for 1994. Contact person is Brent Paine.

CORRECTIONS

The industry to which John Woodruff is a representative was incorrectly stated in the December 1992 newsletter. He is a representative of Icicle Seafoods.