

M E M O R A N D U M

TO: Council, SSC, and AP members
FROM: Jim H. Branson
Executive Director
DATE: February 18, 1981
SUBJECT: Gulf of Alaska Fishery Management Plan Amendment #10

ACTION REQUIRED

1. *Approve the final form of Amendment #10 to be submitted for Secretarial Review.*
2. *Decide if the Sablefish OY in the Eastern Regulatory Area should be lowered and if so, whether to include the change in OY in amendment #10.*
3. *Review proposed 1982 amendments. Direct the PDT to study and formulate revisions to the FMP which the Council deems necessary for inclusion in a 1982 amendment package.*

BACKGROUND

1. The Council released amendment #10 for public review on January 2, 1981, and held a public hearing in Sitka on January 31. The public hearing summary is included as item E-5(a).

Written comments received on amendment #10 have been summarized and are included as item E-5(b). Attached to the summaries are the complete comments from NMFS Law Enforcement and the Japan Deep Sea Trawlers Association.

The Introduction, Proposed Amendment, Discussion of Options, and Attachments from the amendment package are included as item E-5(c). The Council's decision on the final form of amendment #10 should be based on the options on pgs. 2 and 3 of item E-5(c).

2. Public testimony from the January 31 Sitka hearing indicates that the OY for sablefish in the Eastern Regulatory Area may be too high. Hughes and Zenger (1981) have written a report, "Changes in Relative Abundance and Size Composition of Sablefish in the Coastal Waters of Southeast Alaska, 1978-1980". They conclude that the June 1980 - May 1981 allowable biological catch (ABC) should not exceed the June 1979 - May 1980 harvest

(2,582.4 mt). Currently, the sablefish ABC is 10,600 mt and the OY is 7,100 mt in the Eastern Regulatory Area. Sablefish allocations and sablefish landings for 1977 to 1980 are included as item E-5(d).

If the Sablefish ABC is lowered to 2,582.4 mt, the OY for the Eastern Regulatory Area should be changed accordingly.

The SSC should have received the final version of the report by Hughes & Zenger (1981) and might be able to comment on its relevance to the sablefish fishery.

3. The Council has received one proposed amendment for 1982, from Jay D. Hastings, on behalf of the Japan Deep Sea Trawlers Association. The full proposal is included as item E-5(e).

In addition, the Council should make recommendations on GOA FMP changes for the 1982 amendment package. A request has been received from the Alaska Longline Fisherman's Association to create a regulatory mechanism which would allow U.S. fishermen to move west of 140° W. longitude when the opportunity arises without competing directly at the same time and on the same grounds with foreign longliners.

SUMMARY: PUBLIC HEARING ON AMENDMENT #10 TO THE
GULF OF ALASKA GROUND FISH FISHERY MANAGEMENT PLAN

January 31, 1981
Sitka, Alaska

The public hearing opened at 2:15 p.m. in the Centennial Building, chaired by Joe Demmert, Jr. and attended by Council members Robert McVey and Charles Meacham. Advisory Panel member Eric Jordan was also in attendance as was ADF&G groundfish biologist Barry Bracken. Jim Branson represented the Council staff.

Chairman Demmert opened the meeting and introduced the participants. Mr. Branson went through the options presented in Amendment #10 and Barry Bracken reviewed the status of Pacific Ocean perch and sablefish in the Eastern Regulatory Area.

Thirty-four people signed in during the public hearing; 12 testified. Two written documents were submitted, one from Mr. Ingvald Ask and the other by Representative Ben Grussendorf. In addition, the document submitted in mid-January to the Council by the Alaska Longline Fishermen's Association was used during the testimony of the officers from that organization. The hearing recessed at 4:10 p.m., reconvened at 7:05 p.m., and adjourned at 8:15 p.m. after all witnesses who wanted to testify had been heard.

The witnesses uniformly favored Option 2, which would eliminate foreign trawling in the Eastern Regulatory Area. There was a great deal of good testimony on the problems of working longline gear in association with foreign trawling, and marketing problems with sablefish -- particularly when much of the population is smaller than the 5-pound size where the price breaks. There was general assumption by all of the witnesses that in some cases foreigners were actually targeting on black cod with trawls and that there should be a great deal more enforcement and observer coverage in the Eastern Area.

A small winter fishery is currently being conducted out of Sitka by longliners fishing for black cod, true cod, rockfish, and flatfish, shipping fresh daily by air direct to Seattle.

There was general concern among most of the sablefish fishermen testifying that the resource was not in very good shape and that the OY probably should be lowered for that area.

Individual Testimony

John T. Maher, a member of ALFA but representing himself, longlines in 38' boat for sablefish and halibut, also fishing rockfish. Considered Option 2 the only one worth considering; believed sablefish OY could be dropped; said he saw a foreign trawler within 5 miles of the coast during the coho season last summer.

Greg Baker and Orrie Bell, president and treasurer of ALFA. Bell has been working on their marketing program with the North Pacific Longline and Gillnet Association (Japan) and said that their fish are currently selling at 20¢ above the average market price for normally handled sablefish. Both supported Option 2 based on the poor condition of the Pacific Ocean perch stocks, the incidental halibut catch by the foreign trawlers, and the problem with fishing ground preemption. Believed sablefish OY is too high; believed foreigners

targeting on black cod in the trawl fishery; American logbooks show drastic drop in CPUE after a trawler enters an area; size and age composition of sablefish are very important as they need big fish for market; need to re-examine OY in light of market needs; expect American longline fishery to move west; and that the stock condition is worse than realized.

Charles L. Christensen, P. O. Box 824, Petersburg 99833, representing Petersburg Vessel Owners Association, believes Option 2 is the only one workable. Communication on grounds with foreigners is not practical. Most fishermen don't like to give positions in any case. Better observer coverage would solve some of the problems, particularly if foreigners fish only when U.S. fishermen do not.

Ingvald Ask, 1757 N.E. 150th, Seattle 98135, representing the Halibut Producers Coop, entered written statement on the record.

Wilbur Olin, Box 2220, Sitka 99835, owner and master of F/V ECLIPSE, had photos of black cod in derelict trawl off Cape Ommaney, estimated 10,000 pounds in the trawl. Gear had been identified as Japanese by Jerry Jurkovich, Northwest and Alaska Fisheries Center.

Greg Cushing, Box 164, Sitka 99835, crew member on sablefish longliner, agreed with testimony by ALFA representatives that foreign trawling really is inhibiting U.S. fishery's growth. Strongly recommended Option 2.

Dan Cushing, Box 180, Sitka 99835, longliner and member of ALFA, recommends lower OY for sablefish; does not believe we are getting accurate catch reports from the foreigners; would be willing to help in tagging program. Believes that some longliners would take a fishery scientist with them on trips.

Dale Bosworth, Petersburg, Alaska, F/V LESLIE ANN, testifying as an individual, 25 years as groundfish fisherman from Southeastern Alaska to the Aleutians. Wants all foreigners out of Eastern Regulatory Area in order to give fishermen an opportunity to expand their fishery. Does not believe the foreigners are sticking to the rules of the catch reporting requirements.

Walt Pasternak, Box 830, Sitka 99835, power troller testifying for himself, believes there should be a total ban on foreign trawling in the Eastern Regulatory Area. Resource damage has already been heavy; believes foreigners are cheating on catch figures. Strongly supported Option 2.

Arthur J. Petraborg, Jr., Box 438, Sitka 99835, power troller testifying for himself, would like better information on Pacific Ocean perch; discussed salmon problems and relationship between the species in the ecosystem.

Larry Calvin, member of Sitka ADF&G Advisory Committee, emphasized concern of U.S. fishermen with the resource and gear problems associated with foreign trawling; favors Option 2; says fishing inside 200 miles is a privilege for the foreigners, not a right. Believes all foreign ships should have English-speaking personnel monitoring Channel 16 at all times.

John Ranweiler, Box 1872, Sitka, had been forced off the grounds last season by foreign trawlers. Strongly favored Option 2.

SUMMARY OF WRITTEN COMMENTS
GULF OF ALASKA GROUND FISH FMP
AMENDMENT #10

1. R. C. Naab, National Marine Fisheries Service

Mr. Naab commented on the enforceability of the proposed options in amendment #10, the foreign violations that have been detected in 1979 and 1980 in the Eastern Regulatory Area, and submitted a tabulation of gear conflicts that have been reported to NMFS or the 17th Coast Guard District during 1979 and 1980. The entire comment is appended.

2. F. G. Baker, Alaska Longline Fishermen's Association

Mr. Baker submitted a report "Effects of Foreign Trawling on U.S. Longline Fishermen in the Eastern Regulatory Area." The entire report has been mailed to the Council, AP, and SSC for consideration.

3. Greg Baker, Alaska Longline Fishermen's Association

Mr. Baker submitted comments after the January 31 hearing in Sitka. He stated that ALFA longliners would be fishing year-round and that therefore, "...the presence of foreign trawlers east of 140° W. at any time of the year creates the potential for further conflict/gear pre-emption problems." Mr. Baker cites the report by Hughes & Zenger (1981), "Change in the Relative Abundance and Size Composition of Sablefish in the Coastal Waters of Southeast Alaska 1978-1980" as evidence for decreasing sablefish OY in the Southeast district. However, he would like the PDT to study the availability of marketable size sablefish (64 cm. fork length, 54 cm. western cut dressed) and the OY of marketable size sablefish. He would also like to see a regulatory mechanism which would give U.S. longliners the opportunity to harvest sablefish reserves west of 140° W.

4. D. E. Reinhardt, Halibut Producers Cooperative

The Halibut Producers Cooperative advocates the elimination of foreign trawl fisheries in the Eastern Gulf of Alaska.

5. Gerald A. Wilson, The B. M. Behrends Bank

The B. M. Behrends Bank supports the proposal to close the Eastern Gulf of Alaska to foreign draggers.

6. Jay D. Hastings, attorney for the Japan Deep Sea Trawlers Association (JDSTA)

Mr. Hastings submitted a proposed communications system designed to prevent gear conflicts in the Eastern Regulatory Area. The entire comment has been mailed to the Council, AP and SSC for consideration.

7. Stephen B. Johnson of Garvey, Schubert, Adams & Barer, attorneys for the Japan Deep Sea Trawlers Association

Mr. Johnson has submitted an extensive comment on the proposed amendment and has proposed an additional option. The entire comment is included for the Council's consideration.

8. Paul MacGregor of Mundt, MacGregor, Happel, Falconer & Zulauf, attorneys for the North Pacific Longline-Gillnet Association (NPL)

NPL supports deferral of a decision on sablefish OY until the fishery has been evaluated using the most recent data.



National Marine Fisheries Service

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February books - all		Jmc
FEB 5 1981		

February 4, 1981

Mr. Jim H. Branson, Executive Director
North Pacific Fishery Management Council
P.O. Box 3136DT
Anchorage, Alaska 99510

Dear Jim:

This is in response to your letter of January 21 requesting information on gear conflicts and foreign violations in 1979 and 1980 in the eastern Gulf of Alaska and our assessment of the enforceability of the proposed options in Amendment No. 10 to the GOA FMP.

Enclosed is a tabulation of gear conflicts that have been reported to our offices or the 17th Coast Guard District during 1979 and 1980 in the eastern Gulf of Alaska. The number of foreign violations that have been detected in Areas 64 and 65 during 1979 and 1980 is extremely small. One South Korean longline vessel was found to be fishing in a closed area and improperly logging its catches. However, it should be noted that the level of foreign fishing in the eastern area of the Gulf is relatively small and subsequently the level of fishery patrols directed at foreign fishing is relatively small.

Strictly from an enforcement viewpoint, Option No. 2 would be the easiest to enforce. The prohibition of foreign trawling in the entire eastern regulatory area year round would require only spot checks by aerial patrols to insure that encroachments in the closed area were not occurring. Of course the same situation would occur if the portion of Option 3 were adopted which prohibited trawling in the southeastern area. Option 1 and portions of Option 3 which would require the use of off-bottom gear only during 6 months of the year would require periodic boardings to confirm that bottom trawls were not utilized.

Sincerely,

[Handwritten signature]
R. C. Naab
Special Agent in Charge

Enclosure



GEAR CONFLICTS REPORTED TO NMFS BY U.S. VESSELS,
SOUTHEAST ALASKA (STATISTICAL AREAS 64 and 65) 1979-1980

Date	U.S. Vessel Reporting	Alleged Offender	Location	Losses and Remarks
<u>1979</u>				
June 26 - July 3	BELOIT II and VENUS	Japanese stern trawlers DAISHIN MARU NO. 23 and FUKUYOSHI MARU NO. 38	Cape Ommaney to Whale Bay	One longline float badly damaged.
August 31	DAILY	Japanese stern trawler KYOWA MARU NO. 15	57-46N 137-03W	No loss reported. CG helicopter dispatched to investigate.
<u>1980</u>				
June 16	JOHN COBB	Japanese stern trawler DAISHIN MARU NO. 12	56-06N 135-33W	No loss reported.
June 18	BEAR FLAG and RED BARON	Unidentified trawler	57-32N 136-35W	Reported some gear lost.
June 24	HEATHER KAY and BEAR FLAG	Japanese stern trawlers RYUYO MARU and TOMI MARU NO. 85	57-54N 137-25W	One buoy and one radar reflector lost. CG helicopter dispatched to investigate.
June 26	RED BARON	Unidentified trawler	57-34N 136-38W	No loss reported.

July 7	BERTHA	Japanese stern trawler TOMI MARU NO. 85	58-08N 136-57W	18 skates longline gear lost
July 23	BERTHA	Japanese trawler "KIKO" MARU	West of Cross Sound	Unspecified amount of longline gear lost.
August 6	ARCTIC MIST	Unidentified Japanese trawler	55-30N 135-20W	Reported some gear had been cut.
August 9	ARCTIC MIST	Japanese stern trawler NIITAKA MARU	55-13N 134-21W	No loss reported. CG helicopter dispatched to investigate.
September 4	ARCTIC MIST	Japanese stern trawlers NIITAKA MARU and one unidentified	55-15N 134-35W	Reported pot gear damaged.

Prepared by: Law Enforcement
National Marine Fisheries Service
Juneau, Alaska

October 22, 1980

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Please reply to Seattle office

February 13, 1981

Mr. Jim H. Branson
Executive Director
North Pacific Fishery Management Council
P.O. Box 3136 DT
Anchorage, AK 99510

Re: Gulf of Alaska FMP/Proposed Amendment #10

Dear Mr. Branson:

We are attorneys for the Japan Deep Sea Trawlers Association (JDSTA) and are writing to you in that capacity. As you know, JDSTA is the only Japanese trawl group with authority under Japanese law to operate within the Gulf of Alaska.

JDSTA favors the "Option 4" variation of proposed Amendment #10, as originally formulated by the SSC Groundfish subgroup in its December 1980 report, with certain modifications.

The JDSTA proposal is as follows:

- A. Adopt an agreed on communication system to minimize gear conflicts.
- B. POP TALEFF = 5,103 mt.
- C. POP DAH = no change
- D. Sablefish OY = no change
- E. Present sanctuaries in the FMP would be continued.

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This option would permit on-bottom trawling to continue in the Eastern area from June 1 - November 30 (the present situation) but would reduce the POP TALFF in that area by approximately 2/3.

In addition, if this proposal is adopted, then JDSTA proposes the following voluntary measures to reduce the POP harvest in 1981:

JDSTA Option #1

Any portions of unallocated TALFF or of the reserve which might be allocated to Japan in 1981 for the Eastern area will not be taken by Japan. If this kind of voluntary action is observed by the fishermen of all nations, approximately 6,400 mt will be saved in 1981 (the reserve of 3,360 mt and estimated unallocated TALFF for the Eastern area of 3,000 mt).

JDSTA Option #2

If the above option #1 is not considered enough, some voluntary action by foreign fleets and possibly by domestic fishermen may further reduce the taking of POP in 1981.

For example, if all the fishermen voluntarily control their catches to one half of permitted allocation, there would be further saving of 5,200 mt (767 mt in DAH and 4,454 mt in allocated TALFF). Together with 6,400 mt saving by option 1, the total saving would be 11,580 mt.

The effect of the approach suggested by JDSTA would be to achieve the same reduction in POP harvest as proposed in the various options included in the amendment package but to spread that reduction over two years starting this year. Instead of imposing a 100% reduction in 1982, JDSTA proposes that the reduction be accomplished 50% in 1981 and 50% in 1982.

The following tables compare the POP savings which would be achieved in 1981 and 1982 under the JDSTA proposals with the savings which would be achieved under the most extreme proposal before the Council to reduce the POP catch for 1982:

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TABLE A

1981

	JDSTA OPTION #1	Zero TALFF (1982)
Reserve Available for TALFF =	-0-	3,360 mt
TALFF =	8,906 mt	11,906 mt
Total Foreign Harvest	8,906 mt	15,266 mt
<u>1981 POP Savings =</u>	6,360 mt	-0-

1982

	JDSTA OPTION #1	Zero TALFF (1982)
Reserve Available for TALFF =	-0-	-0-
TALFF =	5,103 mt	-0-
Total Foreign Harvest =	5,103 mt	-0-
<u>1982 POP Savings =</u>	7,982 mt	13,085 mt

Total POP Savings

	JDSTA OPTION #1	Zero TALFF (1982)
1981	6,360 mt	-0-
1982	<u>7,982 mt</u>	<u>13,085 mt</u>
TOTAL	14,342 mt	13,085 mt

TABLE B

1981

	JDSTA OPTION #2	Zero TALFF (1982)
Reserve Available for TALFF =	-0-	3,360 mt
TALFF =	4,453 mt	11,906 mt

(voluntary foreign
 reduction level =
 4,453 mt if all
 nations take 50%
 of their 1981 alloca-
 tions; approximately
 5,516 mt if only Japan
 does so)

Total Foreign Harvest =	4,453 mt (5,516)	15,266 mt
<u>1981 POP Savings</u> =	10,813 (9,750)	-0-

1982

	JDSTA OPTION #2	Zero TALFF (1982)
Reserve Available for TALFF =	-0-	-0-
TALFF =	5,103 mt	-0-
<u>1982 POP Savings</u> =	7,982 mt	13,085 mt

Total POP Savings

	JDSTA OPTION #2	Zero TALFF (1982)
1981	10,813 mt	-0-
1982	<u>7,982 mt</u>	<u>13,085 mt</u>
TOTAL	18,795 mt	13,085 mt

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We will explain below our proposal in relation to the two basic goals of all of the proposed amendment options:

- (1) to minimize gear conflicts and grounds preemption;
- (2) to conserve and rebuild POP stocks.

Then we will address the issue of incidental halibut catch.

1. Gear Conflict/Grounds Preemption

On January 24, 1981, Jay Hastings, on behalf of JDSTA, separately submitted a comment to you on this issue. We reemphasize the position taken in that letter that gear conflicts and grounds preemption can be eliminated if all sides will use an effective communication system. Our comments in the balance of this letter are based upon an intention to operate in the Eastern area in compliance with the procedures set out in that letter.

2. Pacific Ocean Perch (POP)

The two JDSTA options proposed would produce at least as much and probably more POP savings over the next two years as the most drastic proposal before the Council--reduction of TALFF to zero in 1982. The JDSTA proposals would simply spread the reduction over both 1981 and 1982, rather than imposing all of the reduction in 1982. This would permit the Japanese industry to more easily adjust to reduced POP quotas and would minimize the impact on several Japanese fishing companies that are heavily dependent upon operations in the Eastern area.

In addition, available CPUE data indicate that POP stocks are rebuilding in the Eastern area, even at present harvest levels. A less than total reduction from present harvest levels would permit a small directed fishery to operate while providing time needed to collect and analyze the data which we expect will further demonstrate that these very low harvest rates are not harmful to the stocks. Finally, an analysis of POP rebuilding rates is presently being conducted at NWAFC which within the next six months will enable the Council to evaluate the effect on the stock of the low harvest level of 5,000 mt of POP catch in the Eastern area. Because the low catch level we are proposing is very small in relation to the excess reproduction of the POP population, any delay in the rebuilding of a biomass sufficient to produce MSY caused by permitting a small directed fishery may be insignificant. This conclusion seems especially reasonable, given the value of the data for stock assessment purposes which would be produced by a small directed fishery.

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JDSTA acknowledges that POP stocks in the Gulf of Alaska have been substantially reduced from their former levels. However, Japanese CPUE for the last two years indicate that this decline has halted and the stocks have begun to rebuild.

TABLE C

CPUE OF POP CAUGHT BY JAPANESE
FROZEN FISH TRAWLERS, MT/HR

Year	Shumagin	Chirikof	Kodiak	Yakutat	Southeastern
1977	0.514	0.894	0.435	0.469	1.141
1978	0.123	0.119	0.090	0.119	0.563
1979	0.182	0.102	0.265	0.265	0.834
1980	-	-	-	0.473	0.802

1977-1979 Data from Table 22, Okada, K., et al., Condition of groundfish stocks in the Bering Sea in North-east Pacific, Fisheries Agency of Japan, July 1980 (INPFC Document 2312); 1980 Data computed by Japanese scientists based on same methodology.

CPUE trends since 1973 are shown on Figure 1 (attached). Based upon increasing CPUE figures in the last two years, we conclude that the very low POP catches of recent years are not contributing to a further decline in POP stocks and that in fact the stocks are rebuilding at this catch level.

Table D (attached), supplied by NWAFC, describes historical POP catch levels in the Gulf of Alaska. The average POP catch between 1964 and 1976 was 112,662 mt. Based on this catch history and an evaluation of the declining CPUE through 1977, EY for POP was estimated at 50,000 mt by the Gulf of Alaska Groundfish PDT and stated as such in the FMP approved by the Council on September 24, 1977 (p. 4-19). EY was estimated at 33-40% of MSY (125,000 - 150,000 mt) (p. 6-3) on the basis of the conclusion that the POP biomass was 33-40% of the biomass necessary to produce MSY (p. 4-18). OY was reduced to 25,000 mt - half of EY -to permit rebuilding.

In fact, of course, POP catches in the years since implementation of the FCMA have been far below even this reduced OY level. The average 1977-1979 POP catch was 12,567 mt -- 21,600 mt in 1977; 8,100 mt in 1978 and 8,000 mt in 1979. These catches averaged about 50% of OY and 25% of EY. The CPUE data cited above indicate that these extremely low catch rates have stopped the decline in

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POP stocks. This conclusion is partially confirmed by length frequency data obtained in the 1978 NMFS rockfish survey. Ronholt, L., 1979. That data shows improved recruitment can be expected in the Southeastern area. CPUE data presented in Phil Rigby's working paper on the POP issue were calculated on an extremely conservative basis (CPUE calculated only for 1 x 1/2 degree block-months where the harvest was 50% or more POP). However, even that data shows a stable CPUE in Southeastern between 1978 and 1979.

The truth is that not enough time has elapsed after the catch reductions which have occurred under the FCMA to demonstrate beyond question that rebuilding is occurring at those reduced catch levels. Further, no systematic review has been conducted which would assemble and evaluate survey and catch data for recent years. However, despite these circumstances which tend to create ambiguity, there are definite indications that the POP decline has halted and that rebuilding is occurring. In this context, the small directed POP fishery should not be eliminated prior to a thorough and objective review of the most recent data, and an evaluation of the amount of delay which a small directed fishery may cause in rebuilding the stock.

To assist in the evaluation of the POP stock condition and the review of the most recent data, we also propose that the two countries conduct a joint stock survey this summer and that the results of this survey be used to evaluate the OY for the fishery. We believe that the Japanese industry and scientists have knowledge and experience concerning POP which can be extremely useful in a joint project designed to provide a more accurate estimate of the stock condition in the Eastern area.

3. The Impact of Foreign Trawling Operations on Prohibited Species in the Eastern Gulf.

The primary concern about the impact of foreign trawling on prohibited species focuses upon the incidental catching of halibut. Steve Hoag's working paper entitled "Effect of Foreign Trawling on Prohibited Species in the Yakutat and Southeastern Regions" states at 2 that

"Except for halibut, the estimated incidental catches are small and probably have relatively little impact biologically or economically."

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In our view, the impact on halibut is probably substantially smaller than set out in the working paper. That paper estimates an incidental catch of 24,067 halibut (246.55 tons) in 1978, but a jump to 83,594 halibut (1,688.25 tons) in 1979. This alleged jump of nearly 350% in one year is based upon admittedly poor data. The incidental catch rate for Korea was derived from a single day's sampling for a single Korean vessel at one single location in the Eastern Gulf in 1979. The Hoag paper itself cautions that the 1979 incidental catch figure may be too high for this reason. The single sampling indicated an observed catch rate of 16.667 halibut per metric ton of groundfish, which was then extrapolated to the total groundfish catch for Korea in the Eastern Gulf. Id.

The poor 1979 data for the Korean catch contrasts sharply with the more extensive 1978 sampling from the same observer program. "Observations of Foreign Fishing Fleets in the Gulf of Alaska, 1978," by Wall, French & Nelson. Table 7 to that report shows an annual incidence rate in Yakutat area of 3.157 halibut per metric ton of groundfish for Japanese small trawlers, and 2.88 halibut per metric ton for Japanese large surimi trawlers and freezer trawlers, and a rate of 0.970 for the same type Japanese surimi and freezer trawlers in the Southeastern area. In no single month of 1978 did the incidental catch rate for any type of foreign trawler in the Eastern Gulf exceed 45% of the estimate for the single 1979 Korean sample which was extrapolated to produce an estimate that there had been a nearly 350% increase in the incidental catch of halibut in 1979.

Furthermore, the single sampling for the Korean vessel in 1979 is totally inconsistent with the extensive observer data for Japanese and Soviet trawlers in Yakutat and Southeastern in 1979. See "Observations of Foreign Fishing Fleets in the Gulf of Alaska, 1979" by Wall, French & Nelson. Table 7 of that report shows an annual incidence rate in the Yakutat area of 1.629 halibut per metric ton of groundfish for Japanese small freezer trawlers, 1.526 per metric ton for Japanese large freezer trawlers, and 4.783 per metric ton for Soviet large trawlers. The rates for the Southeastern area were 4.045 for Japanese small freezer trawlers, and 2.287 for Japanese large freezer trawlers. These rates are based upon multiple samples, are generally consistent with each other, and range from less than 10% to slightly over 25% of the rate observed on the Korean vessel. Table 8 of the same report, extrapolating from these observed rates, estimated the incidental catch of halibut by Soviet and Japanese trawl vessels in 1979 at 22,178 fish. If the suspect Korean observation data is excluded, and incidental catch rates for halibut within

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the range observed for Soviet and Japanese vessels are applied to the total Korean groundfish catch in the Eastern regulatory area (3,655.8 metric tons for all varieties per "Summaries of Provisional 1979 Foreign Groundfish Catches in the Northeast Pacific Ocean and Bering Sea" by Nelson, French, Wall and Berger at 118-122), then the incidental catch for halibut for Korean trawl vessels would range from approximately 5,579 fish (based on a 1.526 incidental catch rate) to 17,486 fish (based on a 4.783 incidental catch rate). Thus, the total foreign trawl incidental catch of halibut probably ranged from 27,757 to 39,664 fish in 1979. Exclusion of the suspect Korean data supports a conclusion that the incidental catch for halibut in 1979, although somewhat higher than 1978, was probably between 1/3 and 1/2 that estimated in the above working paper.

The total economic impact of the incidental catch of halibut is also over-estimated in the working paper. First, it estimated the economic loss ex-vessel based upon a 1979 price of \$4,000 per metric ton for halibut. Working paper at 2. That value makes no allowance for the cost of operation involved in catching the halibut. Any economic calculation should be based upon the net value of the halibut ex-vessel. In addition, the loss for 1980 would be substantially smaller, as the IPHC has recently indicated that the average ex-vessel price paid for halibut in the area under its jurisdiction in 1980 dropped to \$.99 per pound, thus reducing the ex-vessel price to about \$2,200 per metric ton. "Review of the 1980 Halibut Fishery" by Richard J. Myhre, in IPHC 1981 Annual Meeting Documents, at 3.

Another factor which must be questioned is the assumption of a 100% mortality rate for halibut caught by the foreign trawl fishery, in contrast to a 50% rate assumed for the domestic trawlers. The 100% level was based upon a study published in 1976 ("The Effect of Trawling on the Setline Fishery for Halibut," by Stephen A. Hoag, IPHC Scientific Report No. 61 (1976)). That study is outdated. The Japanese trawl fishery (the most significant foreign trawling operation in the Eastern Gulf) believes that it has reduced that mortality factor substantially. It has developed new handling and sorting techniques for the groundfish fishery designed to enhance the freshness of the targeted species, and which, incidentally, results in return of incidentally caught halibut to the sea much more rapidly and in much better condition than in the past.

There is considerable indication that the survival rate is in fact much higher than in the past. Japanese representatives were informed in May 1980 by the observer program that the rate of

Mr. Jim H. Branson
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survival for halibut from trawl operations in the Gulf of Alaska was 91.8%. That figure is based upon observations on deck for signs of life, and probably is inaccurate in that it does not make allowance for subsequent mortality after the fish is returned to the sea. However, the assumption that mortality is 100% seems highly questionable.

The halibut fishery does not face a crisis which would justify a trawl closure in the Eastern Gulf. The most recent information on trends in the halibut fishery in the Gulf of Alaska is optimistic concerning the rebuilding of halibut stocks. The most recent IPHC assessment of the adult biomass in the Gulf reveals a substantial increase in abundance of halibut in the area of the Gulf west of Cape Spencer (IPHC area 3) which caused the Commission to revise its estimate of the adult biomass for that area upward by 25%--from 200 million to 250 million pounds in 1980, while the rest of the Gulf and Northeast Pacific (including Canadian and southern waters) remained constant. "Assessment of Halibut Stocks in 1980" by Stephen H. Hoag, in IPHC 1981 Annual Meeting Documents, at 6. That assessment also reported that the level of abundance of juvenile halibut has increased substantially, especially in the Gulf. Id. at 7.

Thank you very much for consideration of our views.

Very truly yours,

GARVEY, SCHUBERT, ADAMS & BARER
A Professional Services Corporation

By
Donald P. Swisher

By
Stephen B. Johnson

(FIGURE 1)

CPUE OF PACIFIC OCEAN PERCH CAUGHT BY
JAPANESE TRAWLERS IN YAKTAT &
SOUTHEASTERN AREAS

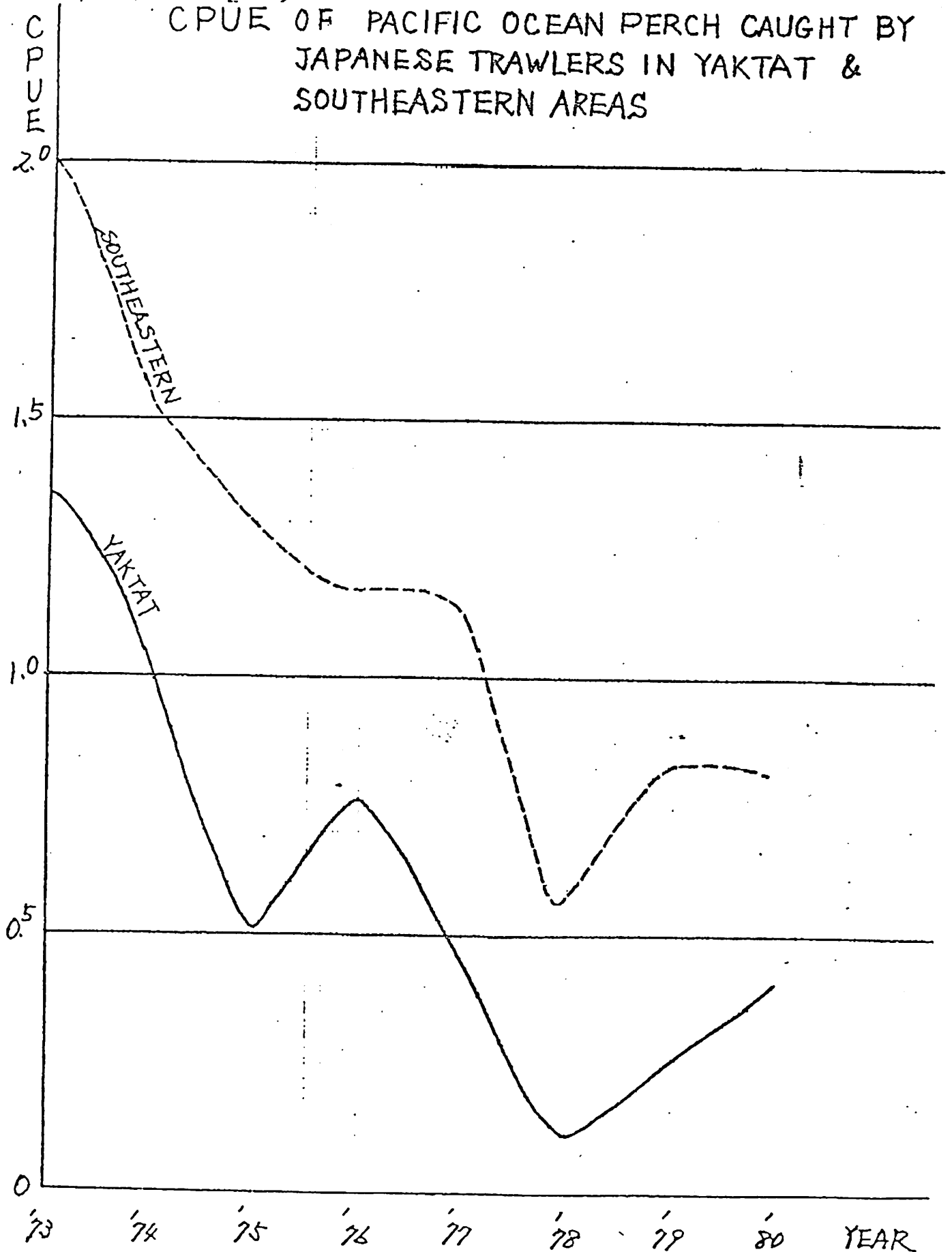


Table D

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HISTORICAL CATCH OF PACIFIC OCEAN PERCH, IN THOUSANDS OF METRIC TONS, IN
THE GULF OF ALASKA REGION BY NATION AND BY INPFC AREA

Year	Shumagin			Chirikof			Kodiak		
	Japan	U.S.S.R.	Korea	Japan	U.S.S.R.	Korea	Japan	U.S.S.R.	Korea
1964	1.6			1.2			10.6		
1965	9.2			12.6			20.8		
1966	14.4			21.1			28.4		
1967	5.8			7.0			17.9		
1968	1.2			2.5			8.2		
1969	2.0			5.8			11.4		
1970	0.5			5.6			11.4		
1971	2.8			5.0			12.1		
1972	4.2			2.8			11.4		
1973	4.8			5.7			9.5		
1974	4.1			3.5			8.1		
1975	4.2			4.0			10.1		
1976	4.7		1.3	3.6		Tr ¹ / ₁	8.7		.2
1977	1.6	.5	.6	2.5	.6	Tr ¹ / ₁	5.0	.6	0.0
1978	0.4	.2	3.5	0.4	.3	Tr ¹ / ₁	1.0	.2	0.0
1979	.5	.1	.1	0.2	Tr	0.0	0.9	.7	0.0

U.S.S.R. catches prior to 1977 were not reported by INPFC areas for the Gulf of Alaska.

¹/₁ Tr: Trace catch less than 50 mt.

Sources: Japan: 1964-1979 Foreign reported catches (NWAFC)
U.S.S.R.: 1964-1972 Chikuni (1975)
 1973-1974 INPFC Doc. 2312
 1975-1976 INPFC Doc. 2072
 1977-1979 Foreign reported catches (NWAFC) Rockfish category
Republic of Korea: Data prior to 1976 were not available
 1976-1979 Foreign reported catches (NWAFC)

Year	Yakutat			Southeast			All Areas			Total
	Japan	U.S.S.R.	Korea	Japan	U.S.S.R.	Korea	Japan	U.S.S.R.	Korea	
1964	Tr ¹ / ₁			0.0			13.4	230.0		243.4
1965	Tr ¹ / ₁			0.0			42.6	306.0		348.5
1966	0.4			.7			65.0	135.8		200.8
1967	13.6			9.2			53.5	66.5		120.0
1968	30.9			12.2			55.0	45.2		100.2
1969	18.4			16.1			53.7	18.8		72.5
1970	10.6			16.3			44.4	0.0		44.4
1971	14.2			13.7			47.8	29.7		77.5
1972	15.5			16.6			50.6	24.0		74.6
1973	17.1			10.3			47.4	5.6		53.0
1974	10.7			10.6			37.0	11.0		48.0
1975	8.4			7.5			34.2	13.3		47.5
1976	9.6		Tr ¹ / ₁	8.8		Tr ¹ / ₁	35.4	8.5	1.5	45.4
1977	5.4	0.1	0.0	4.7	Tr ¹ / ₁	0.0	19.2	1.8	0.6	21.6
1978	1.1	Tr ¹ / ₁	0.0	1.1	0.0	Tr ¹ / ₁	4.0	.6	3.5	8.1
1979	1.6	0.0	.5	3.4	0.0	0.1	6.5	.8	0.7	8.0

¹/₁ Tr: Trace catch less than 50 mt.

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PROPOSED AMENDMENT TO THE GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN

INTRODUCTION

At its December 1980 meeting, the North Pacific Fishery Management Council (NPFMC) released for public review Amendment #10 to the Gulf of Alaska Groundfish Fishery Management Plan (FMP). The Amendment proposes to resolve gear conflicts between foreign trawlers and domestic fishermen and to reduce the incidental catches of prohibited species by foreign trawlers.

The current allocations in the three regulatory areas of the Gulf of Alaska for Optimum Yield (OY), Domestic Annual Harvest (DAH), Domestic Annual Processing Capacity (DAP), Domestic Nonprocessed Catch (DNP), Joint Venture Processed Fish (JVP), and the Total Allowable Level of Foreign Fishing (TALFF) are shown in Attachment I. Attachment II shows the percentages of OY apportioned to the three regulatory areas.

In the Eastern Regulatory Area (between 147° W. longitude and Ocean Entrance) the foreign trawl fishery is restricted to off-bottom gear from December 1 to May 31. In the past two years they have not fished the Eastern Regulatory Area during that period, apparently because of reluctance to shift from bottom trawls to off-bottom trawls.

In addition, there are three gear sanctuaries in the Eastern Regulatory Area where foreign trawling is prohibited year-round: Cross Sound Gully, the Salisbury-Edgcombe sanctuary, and the Fairweather Gully. The locations of the sanctuaries are shown in Attachment III. Also, all areas within 12 miles of the baseline used to measure the territorial sea are closed to foreign trawling year-round.

Other areas within the Eastern Regulatory Area closed to foreign fishing are as follows:

- (1) The area between 140° and 147° W. longitude is closed to foreign trawling January 1 to February 15 and November 1 to December 31. Refer to Attachment IV.
- (2) Areas east of 140° W. longitude are closed year-round to foreign set line fishing.
- (3) The areas landward of the 400-meter depth contour from May 1 to September 30, and landward of the 500-meter depth contour from October 1 to April 30, between 140° and 169° W. longitude are closed to foreign set line fishing.

Foreign vessels operating in the Eastern Regulatory Area are prohibited from retaining any of the following species or species groups:

- (1) salmonids
- (2) Pacific halibut
- (3) shrimp
- (4) herring
- (5) "creatures of the continental shelf" (crabs)
- (6) scallops

PROPOSED AMENDMENT

In September 1980, the Alaska Longline Fishermen's Association proposed a year-round closure to foreign trawlers of the Eastern Regulatory Area of the Gulf of Alaska. The NPFMC asked the Gulf of Alaska Groundfish Plan Development Team (PDT) to study possible solutions to the problems of incidental catches of prohibited species by foreign trawlers and gear conflicts between foreign and domestic fishermen.

The PDT examined the request to close the Eastern Regulatory Area from five perspectives:

- (1) the present condition of Pacific Ocean Perch (POP) stocks and the impact the proposed closure would have on POP;
- (2) the present condition of sablefish and the impact the proposed closure would have on sablefish;
- (3) recent catches of prohibited species and the impact the proposed closure would have on prohibited species;
- (4) recent gear conflicts and the impact the closure would have on future gear conflicts; and
- (5) the impact the closure would have on the foreign fishing fleet.

As a result of these analyses by the PDT and discussion with the Council's Scientific and Statistical Committee, four options were developed to address incidental catch and gear conflict problems in the Eastern Regulatory Area. After appropriate public review, one of the following options will be chosen by the Council to go forward for Secretary of Commerce review as Amendment #10 to the Gulf of Alaska Groundfish Fishery Management Plan:

Option #1:

- (a) Foreign trawling will be allowed in the Eastern Regulatory Area only with off-bottom gear and only from December 1 to May 31.
- (b) POP TALFF = 500 mt
- (c) POP DAH = 500 mt
- (d) Sablefish Optimum Yield (OY) will not be increased over the current OY.
- (e) Present sanctuaries in the FMP will be continued.

Option #2:

- (a) Foreign trawling will be prohibited in the Eastern Regulatory Area.
- (b) POP TALFF = 0
- (c) POP DAH = 500 mt
- (d) Sablefish OY will not be increased over the current OY.

Option #3:

- (a) There will be no foreign trawling in the Southeastern Management District.
- (b) There will be foreign trawling in the Yakutat Management District only with off-bottom gear and only from December 1 to May 31.
- (c) POP TALFF in the Yakutat District = 375 mt.
- (d) POP DAH = 500 mt.
- (e) Sablefish OY will not be increased over the current OY.
- (f) Present sanctuaries in the Yakutat management district will be continued.

Option #4:

Improved communications between foreign trawlers and domestic fishermen will be developed in order to resolve gear conflict problems.

In the event that none of the above options are adopted by the NPFMC, the 1981 season in the Eastern Regulatory Area will be managed under the same regime as in 1980.

DISCUSSION OF OPTIONS

Option #1:

As mentioned in the Introduction, foreign trawling is currently restricted to off-bottom gear from December 1 to May 31.

Evidence from the observer program suggests that in those trawl hauls in which rockfish were not the target species, the foreign trawlers took approximately 3% POP in their catches. Hence, 500 mt would allow foreign trawlers to operate on species other than POP.

Five hundred metric tons of POP should allow the initiation of an experimental domestic fishery for POP.

The open period for foreign trawling would have less overlap with domestic longline fishing periods and would lead to fewer gear conflicts. In addition, foreign trawls being worked off-bottom have less potential to encounter domestic longline gear.

The trawling period, coupled with the off-bottom restriction, would greatly reduce the incidental harvest of prohibited species.

The impact of a total closure on the foreign trawl fleets has been estimated by the PDT as \$4.9 million. This option would provide a somewhat lesser impact. How much less cannot yet be determined.

The 500 mt limit on POP and the off-bottom restriction would be non-enforceable without significant increases in observer coverage and Coast Guard boardings.

Option #2:

This option should decrease the incidental catch of prohibited species the most, have the most positive influence on POP stocks, and eliminate gear conflicts between foreign and domestic fishermen in the Eastern Regulatory Area.

Five hundred metric tons of POP should be sufficient to allow the initiation of an experimental domestic fishery for POP.

This option would have the greatest impact on foreign fleets. A potential harvest loss of 16,000 tons would occur. There is some potential of reducing this loss by allowing foreign longliners to harvest Pacific cod and arrowtooth flounder in that part of Yakutat west of 140° W. longitude. The maximum recovery by the foreign longliners of the discontinued foreign trawl catch would probably not exceed 200 mt of Pacific cod and 1,500 mt of arrowtooth flounder.

This option could be easily enforced.

Option #3:

This option is a combination of parts of Options 1 and 2. Basically, it applies Option 2 to the Southeastern Regulatory Area and Option 1 to the Yakutat Regulatory Area. Therefore, the discussions under Options 1 and 2 apply to the Yakutat and Southeastern regulatory areas respectively.

The total foreign trawl harvest of groundfish (exclusive of POP) in the Yakutat area in 1979 was about 12,500 mt with an ex-vessel value of approximately \$3.5 million. Some undetermined fraction of this might be recovered in the off-bottom winter fishery. The total foreign trawl harvest of groundfish (exclusive of POP) in the Southeast area in 1979 was 4,000 mt, with an ex-vessel value of about \$1.4 million. This catch would not be recovered by foreign vessels in the area.

Option #4:

This option is presented as a means of resolving gear conflicts. It is put forth for consideration and will require additional study on the part of the user groups if it is favored. The NPFMC considers that solutions to fishery problems which do not require amending the FMP should be presented to the public.

Other Discussion:

In options 1, 2 and 3 it is proposed that sablefish OY will not be increased over the present OY. There are statistics from the domestic longline fishery which show CPUE and average size of sablefish in 1980 and 1979 are down from 1978. The PDT will be re-evaluating sablefish population parameters before the February NPFMC meeting and a lowered OY

may result. Current allocations of sablefish in the Eastern Regulatory Area are shown in Attachment V.

It should be noted that if the Eastern Regulatory Area is closed to foreign trawling, the allocations to TALFF as shown in Attachment I may not be fished and could result in wasted resources. The exact redistribution, if any, of the TALFF for the various species should be considered for inclusion in Amendment #10. The ultimate effect on TALFF of this amendment will depend on which option is finally picked.

Other Information:

Attachment VI shows the Regulatory Areas of the Gulf of Alaska as per the FMP. Attachment VII shows the Yakutat and Southeastern Regulatory Areas of the Gulf of Alaska as defined by the International North Pacific Fisheries Commission.

ATTACHMENT I

OY--DAH--DAP--DNP--JVP--Reserve--and TALFF by Area (1000s mt)

SPECIES		WESTERN	CENTRAL	EASTERN	TOTAL
Pollock	1. OY	57.0	95.2	16.3	168.8
	2. DAH				21.31
	3. ...DAP	0.025	5.38	0.695	
	4. ...JVP	5.75	7.94	1.52	
	5. RESERVE	11.4	19.04	3.32	33.76
	6. TALFF	39.825	62.84	11.065	113.73
Pacific Cod	1. OY	16.56	33.54	9.9	60.0
	2. DAH				10.00
	3. ...DAP	0.24	3.48	0.280	
	4. ...DNP ^{1/}	0.60	1.200	1.200	
	5. ...JVP	1.04	1.37	0.59	
	6. Reserve	3.312	6.708	1.980	12.0
	7. TALFF	11.368	20.782	5.850	38.0
Flounders	1. OY	10.4	14.7	8.4	33.5
	2. DAH				3.18
	3. ...DAP	0.1	0.3	0.9	
	4. ...JVP	0.6	0.82	0.46	
	5. RESERVE	2.08	2.94	1.68	6.7
	6. TALFF	7.62	10.64	5.36	23.62
Pacific Ocean Perch	1. OY	2.7	7.9	14.4	25.0
	2. DAH				2.915
	3. ...DAP	0.025	0.295	0.08	
	4. ...JVP	0.32	0.96	1.235	
	5. RESERVE	0.54	1.58	2.88	5.0
	6. TALFF	1.815	5.065	10.205	17.085
Other Rockfish	1. OY				7.6
	2. DAH				0.9
	3. ...DAP		Gulf-wide OY		
	4. ...JVP				
	5. RESERVE				1.52
	6. TALFF				5.18
Sablefish	1. OY	2.1	3.8	7.1 ^{2/}	13.0
	2. DAH				6.48
	3. ...DAP	0.1	1.00	4.70 ^{2/}	
	4. ...JVP	0.17	0.22	0.29 ^{2/}	
	5. RESERVE	0.42	0.76	1.42 ^{2/}	2.6
	6. TALFF	1.41	1.82	0.69 ^{2/}	3.92

SPECIES		WESTERN	CENTRAL	EASTERN	TOTAL
Atka Mackerel	1. OY	4.678	20.836	3.186	28.7
	2. DAH				2.07
	3. ...DAP	0	0	0	
	4. ...JVP	0.290	1.080	0.70	
	5. RESERVE	0.936	4.167	0.637	5.740
	6. TALFF	3.452	15.589	1.849	20.89
Squid	1. OY				5.0
	2. DAH				0.15
	3. ...DAP	Gulf-wide OY			
	4. ...JVP				
	5. RESERVE				1.0
	6. TALFF				3.85
Thornyhead Rockfish (<u>Sebastes</u>)	1. OY				3.75
	2. DAH				0.006
	3. ...DAP	Gulf-wide OY			
	4. ...JVP				
	5. RESERVE				0.75
	6. TALFF				2.994
Other Species	1. OY				16.2
	2. DAH				1.72
	3. ...DAP	Gulf-wide OY			
	4. ...JVP				
	5. RESERVE				3.24
	6. TALFF				11.24

- 1/ DNP estimate is based on longline and crab bait trends.
2/ See Table 65 for Sablefish OY-DAH-DAP-JVP-Reserve-TALFF within the Eastern Area.

ATTACHMENT II
 Percentages of OY Apportioned to GOA Regulatory Areas

<u>Species</u>	<u>Western</u>	<u>Central</u>	<u>Eastern</u>	<u>Total</u>
Pollock	33.8	56.4	9.8	100
Pacific Cod	27.6	55.9	16.5	100
Flounders	31.0	44.0	25.0	100
Pacific Ocean Perch	10.8	31.4	57.8	100
Other Rockfish		Gulf-wide OY		100
Sablefish	16.0	29.0	55.0	100
Atka Mackerel	16.3	72.6	11.1	100
Squid		Gulf-wide OY		100
Thornyhead Rockfish		Gulf-wide OY		100
Other Species		Gulf-wide OY		100

Reference Table 63 (FMP)

11.0 APPENDICES

11.1 Appendix

Descriptions of closed areas given in Section 8.3.2.1 and shown in Figures 13A - 13D.

A. Three "U.S. fishing sanctuaries"--8.3.2.1 (C)(1)(b)

- (1) Salisbury Edgcumbe: between 57°24' North Latitude and 56°53' North Latitude east of 137°00' West Longitude.
- (2) Cross Sound Gully: between 57°50' North Latitude and 58°12' North Latitude east of 137°25' West Longitude.
- (3) Fairweather Gully: the area bounded by straight lines connecting the following coordinates in the order listed:

<u>North Latitude</u>	<u>West Longitude</u>
58°28'	140°00'
58°48'	138°50'
58°10'	139°11'
58°28'	140°00'

Reference Appendix 11.1 (FMP)

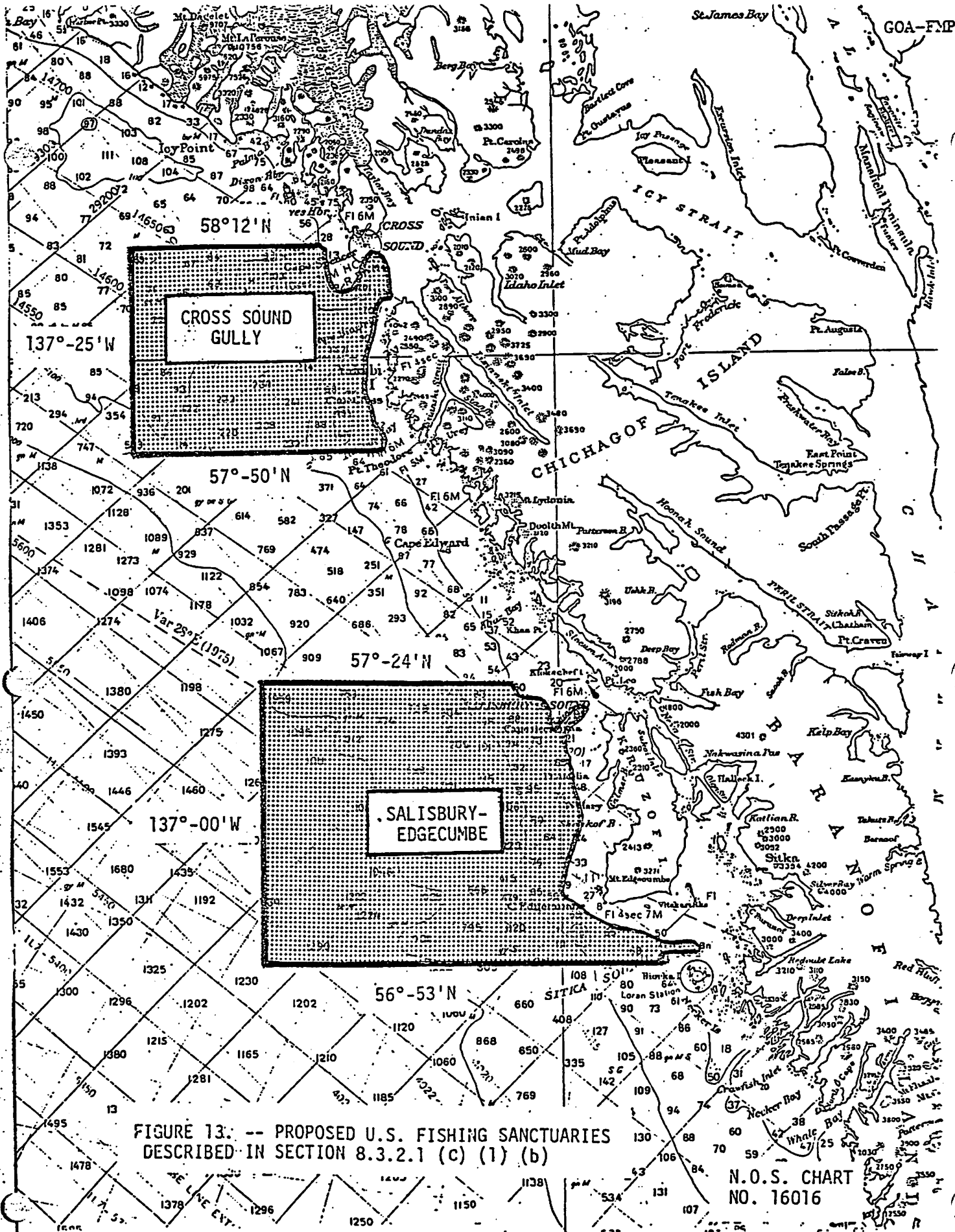


FIGURE 13: -- PROPOSED U.S. FISHING SANCTUARIES DESCRIBED IN SECTION 8.3.2.1 (c) (1) (b)

N.O.S. CHART
NO. 16016

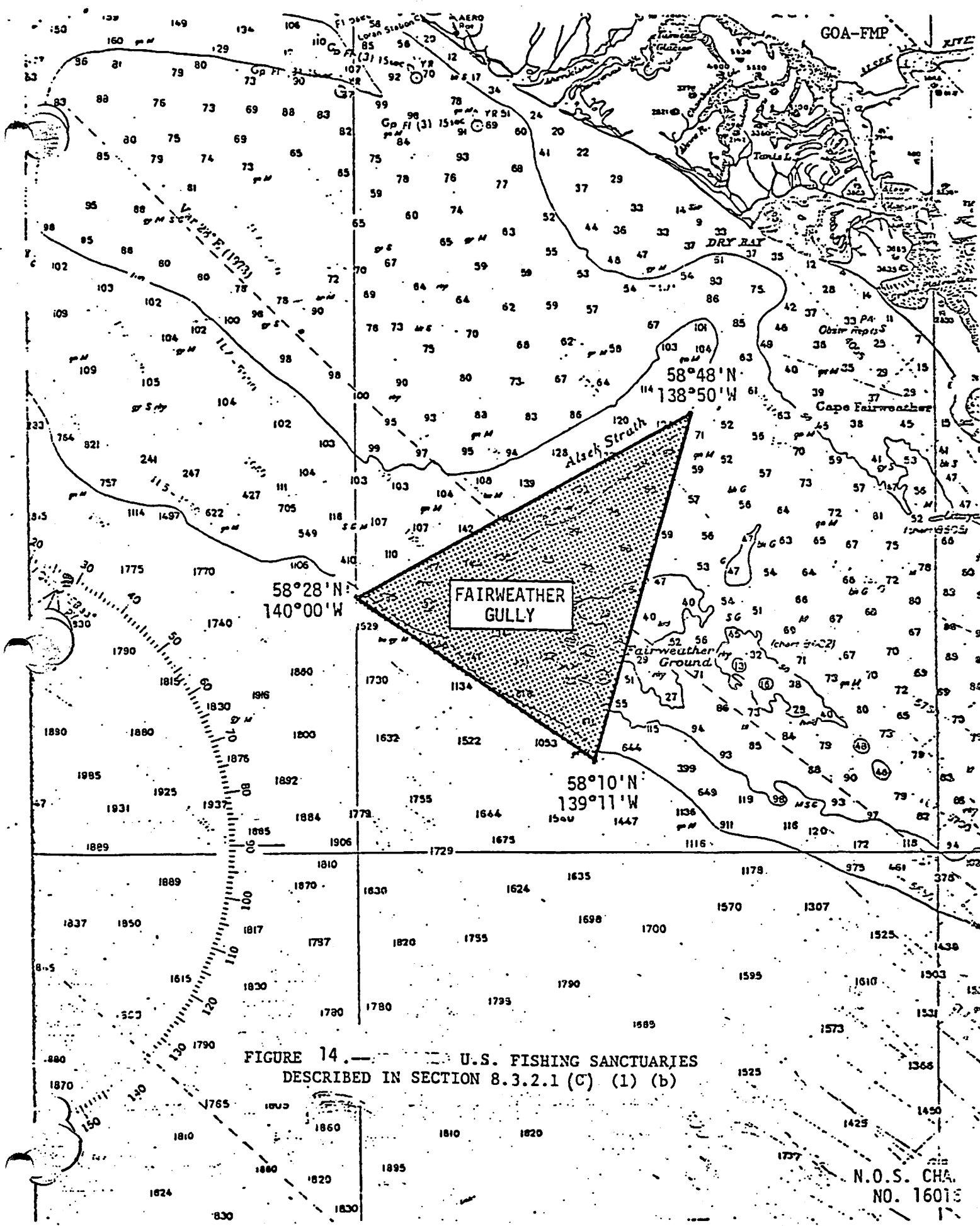


FIGURE 14.— U.S. FISHING SANCTUARIES DESCRIBED IN SECTION 8.3.2.1 (C) (1) (b)

N.O.S. CHA. NO. 16015

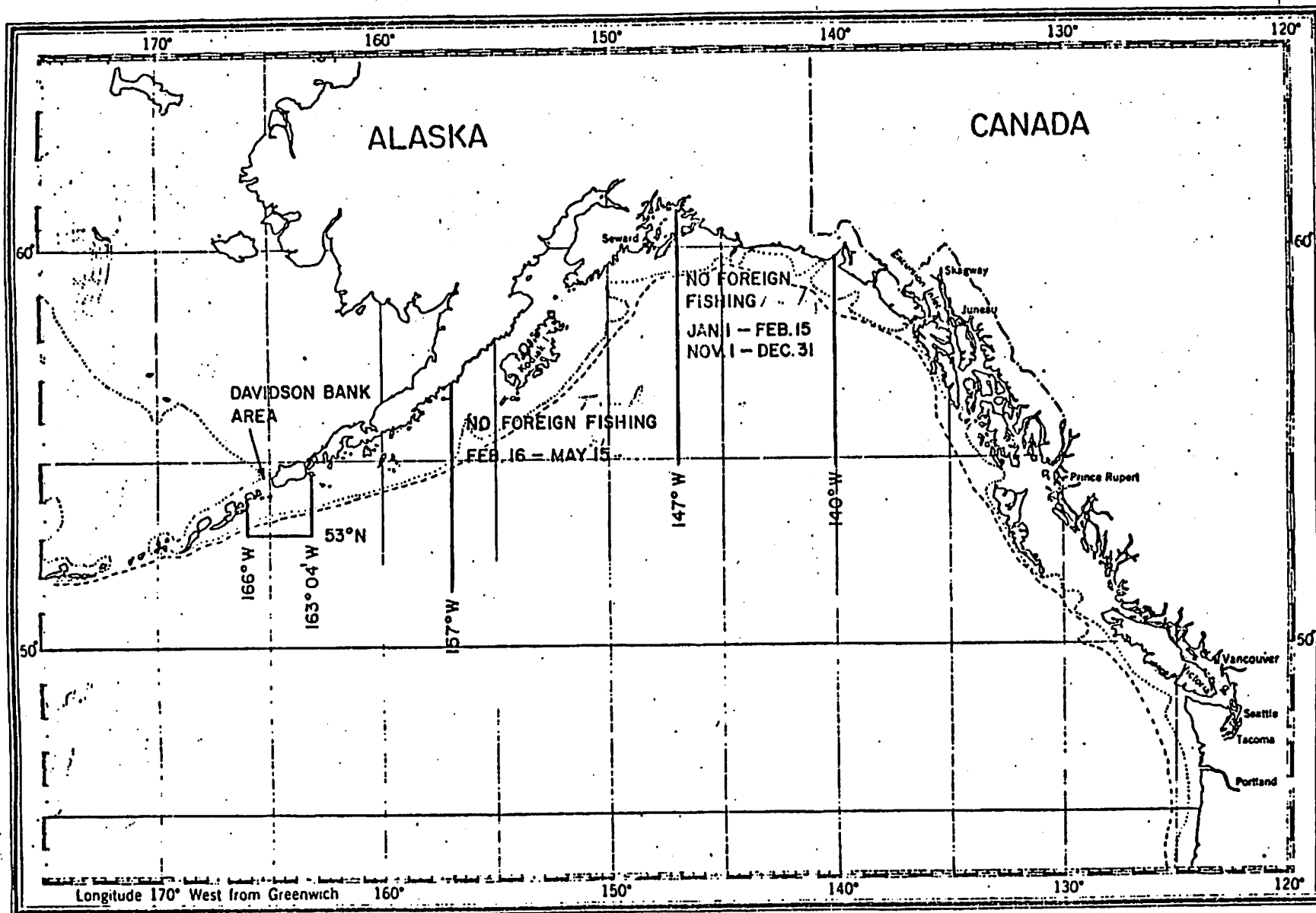


Figure 15--"Davidson Bank" and winter closures described in Sections 8.3.2.1 (D)(1)(c)(e).

ATTACHMENT V

SABLEFISH OY-DAH-DAP-JVP-RESERVE-TALFF FOR DISTRICTS WITHIN
THE EASTERN REGULATORY AREA (METRIC TONS)

	<u>Yakutat District</u>	<u>Southeast Inside</u> <u>District</u>	<u>Southeast Outside</u> <u>District</u>	<u>Total</u>
OY	3,400	700	3,000	7,100
DAH	1,380	700	2,910	4,990
DAP	1,180	700	2,820	4,700
JVP	200	0	90	290
Reserve	1,420	0	0	1,420
TALFF	600	0	90	690

Reference Table 65 (FMP)

GOA-FMP

Reference Figure 1 (FMP)

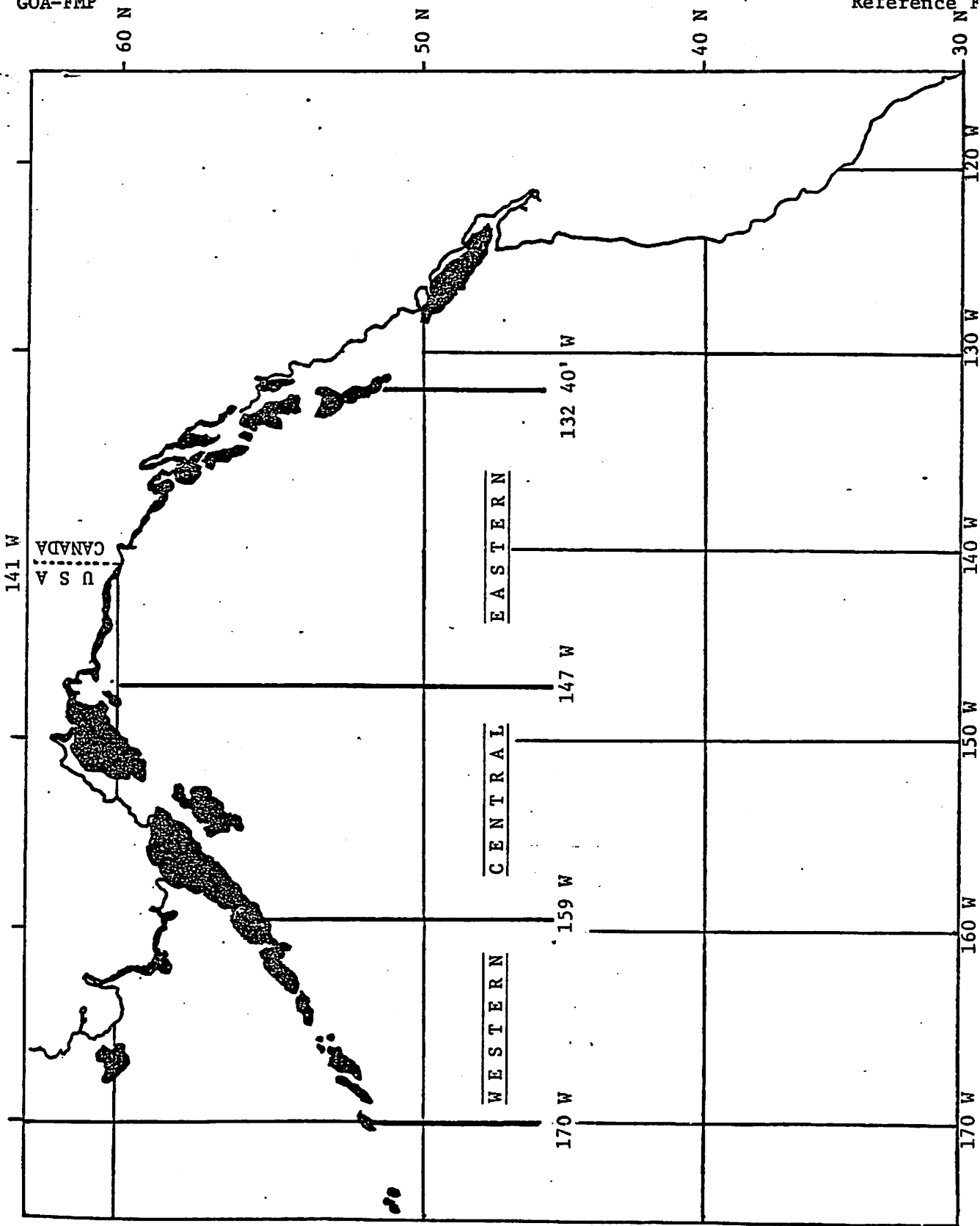


Figure 1 -- Regulatory Areas of the Gulf of Alaska (FMP)

ATTACHMENT VII

GOA-FMP

Reference Figure 1a (FMP)

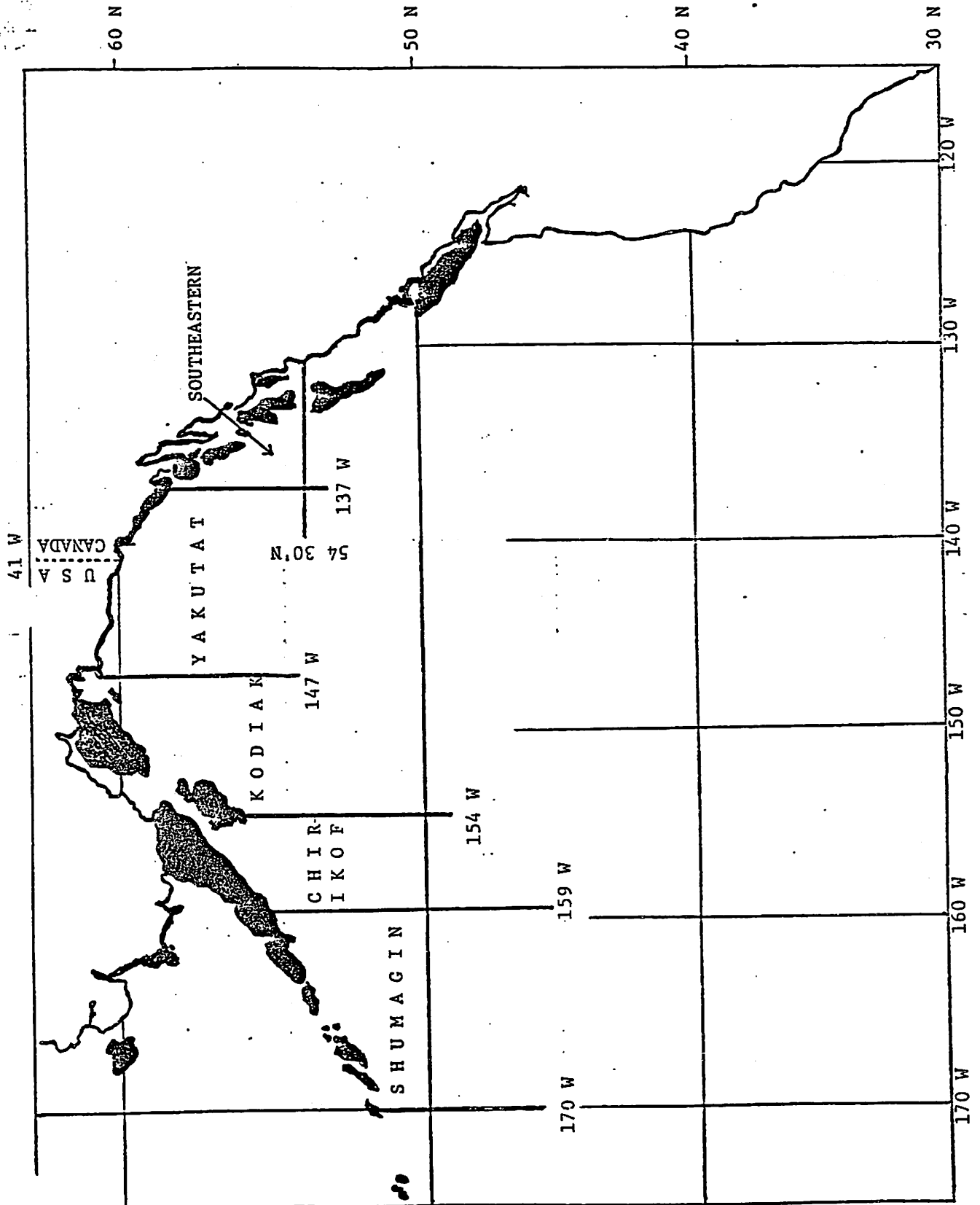


Figure 1a - - Regulatory Areas of the Gulf of Alaska (INPFC)

ATTACHMENT V

SABLEFISH OY-DAH-DAP-JVP-RESERVE-TALFF FOR DISTRICTS WITHIN
THE EASTERN REGULATORY AREA (METRIC TONS)

	<u>Yakutat District</u>	<u>Southeast Inside District</u>	<u>Southeast Outside District</u>	<u>Total</u>
OY	3,400	700	3,000	7,100
DAH	1,380	700	2,910	4,990
DAP	1,180	700	2,820	4,700
JVP	200	0	90	290
Reserve	1,420	0	0	1,420
TALFF	600	0	90	690

Reference Table 65 (FMP)

Table 2.--Sablefish landings, both domestic and foreign, taken from the coastal and inside waters of southeast Alaska from June 1977 through May 1980.^{1/}

<u>June 1977 - May 1978</u>	<u>Catch (mt)</u>	<u>%</u>
Domestic ^{2/}		
(a) Coastal waters, Cape Spencer to Cape Ommaney	864.6	26
(b) Coastal waters, Cape Ommaney to Cape Muzon	76.6	2
(c) Inside waters, northern management region	353.6	10
(d) Inside waters, southern management region	58.2	2
Foreign (all coastal waters, all gear)	<u>2,040.7</u>	<u>60</u>
Total	3,393.7	100
<u>June 1978 - May 1979</u>		
Domestic ^{2/}		
(a) Coastal waters, Cape Spencer to Cape Ommaney	1,069.4	59
(b) Coastal waters, Cape Ommaney to Cape Muzon	70.7	4
(c) Inside waters, northern management region	521.1	29
(d) Inside waters, southern management region	129.6	7
Foreign (all coastal waters, all gear)	<u>21.4</u>	<u>1</u>
Total	1,812.2	100
<u>June 1979 - May 1980</u>		
Domestic ^{2/}		
(a) Coastal waters, Cape Spencer to Cape Ommaney	1,139.6	44
(b) Coastal waters, Cape Ommaney to Cape Muzon	501.0	19
(c) Inside waters, northern management region	737.4	29
(d) Inside waters, southern management region	106.8	4
Foreign (all coastal waters, trawl)	<u>97.6</u>	<u>4</u>
Total	2,582.4	100

^{1/} Data provided by the Alaska Department of Fish and Game.
^{2/} Estimated by conversion of dressed weight to round weight. Dressed weight was considered to be 70% of round weight.

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PLEASE REPLY TO SEATTLE OFFICE			

December 30, 1980

Mr. Jim H. Branson
Executive Director
North Pacific Fishery Management
Council
P. O. Box 3136 DT
Anchorage, Alaska 99510

Dear Jim:

I am writing this letter on behalf of the Japan Deep Sea Trawlers Association to propose an amendment to the Gulf of Alaska groundfish FMP for the 1982 fishery. Specifically, our proposal is to amend Sec. 611.92(d)(2)(i) and (ii) of the Foreign Fishing Regulations by lifting the prohibition on foreign trawling for groundfish in the Gulf of Alaska between 140° W longitude and 147° W longitude from November 1 to February 16, and between 147° W longitude and 157° W longitude from February 16 to June 1.

The purpose of these two-time/area closures, which were carried over into both the PMP and FMP from previous bilateral agreements, is to reduce the incidental catch of halibut during periods of high concentration in the winter months. However, with implementation of the FMP on December 1, 1978, an additional measure for the protection of halibut became effective concurrently with the time/area closures whereby foreign trawlers are restricted from using trawls other than pelagic trawls from December 1 to June 1.

The Japan Deep Sea Trawlers Association does not believe these time/area closures continue to serve any legitimate management objective in addition to the pelagic gear requirement and that their continued effectiveness places an excessive burden upon foreign trawl fishing in the Gulf. Therefore, we would like to have you note our proposal to lift these time/area closures in the 1982 amendment package to the Gulf of Alaska groundfish FMP for consideration by the Council this next year. Your assistance on our behalf is always appreciated.

Mr. Jim H. Branson
Executive Director
North Pacific Fishery Management
Council
December 30, 1980
Page 2

Sincerely,

A handwritten signature in dark ink, appearing to read "Jay D. Hastings". The signature is stylized and written in a cursive-like font.

Jay D. Hastings

JDH:sh

cc: Denton R. Moore

February 20, 1981

Jim Branson
Executive Director
North Pacific Fishery Management
Council
P.O. Box 3136 DT
Anchorage, Alaska 99510

Dear Jim:

Amendment No. 10 to the Gulf of Alaska Groundfish Fishery Management Plan will be discussed at the February North Pacific Fishery Management Council meeting in Anchorage. After analysis of public, plan development team, and in-house discussions, the Department of Fish and Game supports the following proposals.

Scientific evidence available to date indicates that stocks of sablefish and Pacific Ocean perch are severely depressed in the Eastern Gulf of Alaska. In the Southeastern area harvestable sablefish stocks (fish over 5 pounds dressed) have continued to decline even with the OY set below the EY. The size range available to domestic fishermen has been found to be further depressed when foreign trawlers are in the vicinity. Pacific Ocean Perch (POP) stocks are depressed and are prevented from rebuilding due to trawl landings and the nature of POP growth, which is slow. POP landings have been approximately 20-45 percent of the trawl catch by Japanese vessels in the Eastern area, but the CPUE has dropped from 4.16 mt/hr in 1968 to 1.50 mt/hr in 1978-79. Recent NMFS surveys have indicated improved recruitment, but foreign trawl landings are basically removing the annual production preventing stock improvement. Based on this evidence alone, the ADF&G recommends a complete trawl closure in the Eastern Gulf area while continuing the foreign longline fishery west of 140°W. longitude. Additionally, a reduction in the OY for sablefish to 6,000 mt (5,000 mt DAH, 500 mt reserve, 500 mt TALFF) and Pacific Ocean perch to 1,000 mt (500 mt DAH and 500 mt TALFF, no reserve) is recommended in the Eastern Gulf area. TALFF reductions to these species could be offset by additional pollock or Pacific cod quotas in the other Gulf areas or Bering Sea. It should be added that the Department could also endorse a proposal for an off-bottom trawl fishery in the Yakutat area between 140°W to 147°W longitude from January to April if a 100 percent observer coverage or substantial enforcement surface patrol presence can be assured.

Supporting an Eastern Area trawl closure are the level of incidental halibut catch and the number of gear conflicts. IPHC scientist Steve Hoag estimates that the 1979 incidental halibut catch by foreign trawlers equaled about 25 percent of the

February 20, 1981

directed harvest from the Eastern Area, with 81 percent of this catch taken in the Yakutat area east of 142°W. longitude. The dollar loss is conservatively estimated at \$3.6 to \$7.8 million. Alaska Longline Fishermen Association has summarized gear conflicts between US longliners and foreign trawlers, estimating that in 25 conflicts last year, each conflict resulted in a \$2500-\$20,000 loss.

Summarizing, the ADF&G recommends closing the Eastern Gulf of Alaska to foreign trawlers while reducing the OY for sablefish and Pacific Ocean perch in the Eastern Gulf of Alaska to allow for substantial rebuilding of those stocks. US fishermen will benefit from improved stocks of sablefish and POP, improved halibut landings as foreign trawl pressure is reduced, and freedom from interference with foreign trawl activities on stationary longline gear. Amendment No. 10 can successfully address these issues.

Thank you for the opportunity to comment on the proposals that will be presented at the February Council meeting concerning groundfish in the Gulf of Alaska.

Sincerely,



for Ronald O. Skoog
Commissioner
(907) 465-4100

cc: Steve Hoag
Barry Bracken
ALFA
Phil Rigby

ROS:MM:ym

CHRIS POULSEN, FISHING VESSELS N
6533 SEAVIEW NW.
SEATTLE WA 98117



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ACTION

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	Asst. Dir. 3	
	Asst. Dir.	
	Sec./Typist	

NORTH PACIFIC FISHERY MANAGEMENT COUNSEL
PO BOX 3136 DT
ANCHORAGE AK 99510

20 1981

GENTLEMEN MY NAME IS CHRIS POULSEN
I AM OWNER OPERATOR OF THREE 123 FOOT KING CRAB VESSELS OPERATING THE
BERING SEA WITH REGARD TO THE BERING SEA GROUND FISH MANAGEMENT PLAN
AMENDMENT CONCERNING AREA A (POT SANCTUARY) WHETHER IT SHOULD BE
CLOSED TO DOMESTIC AND TO FOREIGN TROLLING I AM IN FAVOR OF SUCH A
RESTRICTION. THE AREA SHOULD BE INCREASED TO PROTECT THE KING CRAB
RESOURCE NMFS SURVEYS AS WELL AS PERSONAL EXPERIENCE PROVES THAT A
LARGE PORTION OF THE KING CRAB RESOURCE IS NOT BEING PROTECTED
TROLLING SHOULD BE PROHIBITED INSIDE 60 FATHOMS TO PROTECT KING CRAB
AND BAIRDI TANNER CRAB.

COD FISH, POLLOCK AND YELLOW FIN FLOUNDERS CAN BE HARVESTED OUTSIDE
OF THIS AREA BY PERSONAL EXPERIENCE AND VARIFIED BY THE NMFS SURVEYS
COD FISH AND POLLOCK ARE IN JUVENILE SIZES INSIDE OF AREA A AND
COMMERCIALY SHOULD BE TAKEN OUTSIDE THE AREA
CHRIS POULSEN, FISHING VESSELS NORTH SEA BERING SEA AND ARTIC SEA

1251 EST

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	Plan. & Insp.	
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	Off. Dir.	
	Sec./Typist	
FEB 23 1981		

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
PO BOX 3136 DT
ANCHORAGE AK 99510

GENTLEMEN

MY NAME IS RICHARD MATHISEN. I AM OWNER AND OPERATOR OF THE KING CRAB BOAT NORTH STAR OPERATING IN THE BERING SEA. IN REFERENCE TO THE BERING SEA GROUND FISH MANAGEMENT PLAN AMENDMENT CONCERNING AREA A, I AM IN FAVOR OF A RESTRICTION THAT WOULD CLOSE THE AREA TO FOREIGN AND DOMESTIC TRAWL ACTIVITY. AS MFS SURVEYS AS WELL AS MY OWN FISHING EXPERIENCE PROVE THAT A LARGE PORTION OF THE KING CRAB RESOURCE IS PROTECTED IN THIS AREA, TRAWLING SHOULD NOT BE ALLOWED IN AREA A.

I DO NOT WANT TRAWLING TO BE UNNECESSARILY RESTRICTED, HOWEVER, CODFISH, POLLOCK, YELLOW FIN FLOUNDER CAN ALL BE HARVESTED OUTSIDE OF THIS AREA WITHOUT DAMAGE TO THE CRAB RESOURCE. POLLOCK AND COD FISH IN AREA A ARE USUALLY SMALL IN SIZE AND HARVEST OF THESE TWO RESOURCES SHOULD TAKE PLACE OUTSIDE THE ABOVE AREA.

RICHARD MATHISEN
FISHING VESSEL NORTH STAR

2001 EST

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ENFORCEMENT OF GULF OF ALASKA PROPOSED AMENDMENT OPTIONS
REGARDING THE EASTERN REGULATORY AREA

Option No. 1 - Foreign trawling allowed in the Eastern Regulatory Area (Southeastern and Yakutat management districts) only with off-bottom gear and only from December 1 to May 31.

This option would continue the present Gulf of Alaska wide requirements for use of only pelagic trawls during December through May. During the past few years, this requirement has forestalled much of the trawling efforts in the Gulf of Alaska from December through May. There has been no trawling off Southeastern management district during the past several "winters."

This option would also prohibit all foreign trawling in the eastern Gulf of Alaska during the period June through November, which heretofore was the most intensive trawling period by the foreigners.

If the foreigners should change their pattern of operations and field large trawling fleets in the eastern Gulf of Alaska during December through May, this option would be the most difficult and costly to enforce. The presence of trawlers on the grounds would require a combination of at-sea boardings and on-board NMFS observers to insure that the vessels were using off-bottom trawls. Except on rare occasions, this cannot be determined by an aerial overflight. To provide the surface coverage needed to enforce this restriction, we envision an average of one 10-day patrol per month by a Coast Guard buoy tender. Total at-sea operational costs for a Coast Guard buoy tender are approximately \$650 per hour or about \$15,000 per day. Operational costs for each 10-day patrol would, therefore, be around \$150,000 and the six patrols during the 6-month fishing period would amount to roughly \$900,000. At present, the Coast Guard might have difficulty guaranteeing six 10-day patrols in the eastern Gulf of Alaska.

In addition, there would undoubtedly be some aerial patrols required to investigate reported violations and gear conflicts. We anticipate the flight hours required for such duties would not exceed an average of 4 hours per month. Operational costs for the Coast Guard H-3 helicopters based at Sitka are approximately \$1,500 per hour. Costs involved, therefore, are estimated to be \$6,000 per month or \$36,000 for the 6-month period. An additional 4 hours of flying time per month could be accommodated by the existing aircraft compliment at Sitka.

There would be additional costs, at this point undetermined, by NMFS in administering the observer program which would be required aboard the trawlers during the off-bottom trawling period.

Option No. 2 - Foreign trawling prohibited in the Eastern Regulatory Area.

This option would prohibit trawling in the entire eastern Gulf of Alaska east of 147° W. longitude and would be the easiest and least expensive to enforce.

Coast Guard patrol ships transiting to the western Gulf of Alaska and occasional aerial patrols from Sitka could check the areas to insure the absence of foreign trawlers.

As in the case of Option 1, there would be some aircraft time necessary to investigate reported violations. Although no foreign trawling vessels would be allowed, we anticipate the amount of flight time required would be about the same as in Option 1.

Option No. 3(a) - Foreign trawling prohibited in the Southeastern management district and (b) - Foreign trawling allowed in the Yakutat management district only with off-bottom gear and only from December 1 to May 31.

This approach, which is a combination of Options 1 and 2, would also be relatively easy to enforce although somewhat more involved than Option 2.

With the absence of foreign vessels off southeast Alaska, Coast Guard patrol ships heading from southeast Alaska toward Kodiak could conduct the necessary boardings of foreign trawlers in the Yakutat area. We anticipate that no additional shipdays beyond that presently available would be necessary.

Aerial patrol requirements are expected to be about the same as in Options 1 and 2. It is envisioned the aerial patrol requirements this Option could be handled by the present Sitka Air Station.

Increased NMFS observer coverage of off-bottom trawlers in the Yakutat area would also be needed.

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