

D R A F T

James Campbell, Chairman
North Pacific Fishery Management Council

May 14, 1984

Dear Jim:

In December of 1979 I sent a letter to Clem Tillion, then Chairman of the Council, suggesting that the Council establish a system to allow fishing claims or "seastead" rights to Bering Sea pollock. The major aim of such a system would be to assure a continuous year-round pollock fishery with attendant market advantages. It is clear the idea was before its time in 1979. May I suggest that the Council put the item on its agenda again at an appropriate meeting.

I should like to emphasize my statement in 1979 that there are a number of ways that such a program could be established and that it is very, very important that the exact details of any number of alternatives be worked out by the Council and tested in the public hearing process.

I have a few suggestions of alternatives that might be considered. In establishing a Bering Sea "seastead" or claim, it might be useful to limit the staking of claims to 90% of the OY, so that you could set aside an open access fishery equivalent to 10% of the OY. This would still provide tremendous opportunities in an open fishery. In fact, 10% of pollock catch is a greater single species catch than any other in the United States with the exception of Menhaden, Gulf shrimp and in some years, pink salmon. I suggest that catch in a particular year be the basis for a claim for a share of the OY equal to the percent of the OY caught. This could be updated each year by proving up on the claim by catching larger tonnages until a total of say 90% were claimed, at which time no further claims would be allowed, and access to the fishery would require purchase of a share or entry into the 10% open fishery, which could be controlled by quota and season. To comply with the MFCMA, a limit would need to be established so that no particular individual, corporation, or other entity acquires an excessive share. The MFCMA would also require that Joint Venture permits be subservient to domestic landings.

A plan should be put into place prospectively, so nothing counts until the Council actually takes action and establishes the plan.

The Bering Sea pollock fishery is somewhat unique in that the Council could go ahead and discuss fishing rights or even the ugly words "Limited Entry" and not worry about creating speculation that would increase fishing effort. The pollock fishery is one place where we're trying to get new interest and if the Council's actions attract new fishermen, then so much the better. That would meet the Council's goals to increase the domestic share in what is now essentially a foreign fishery.

The Bering Sea pollock is probably one of the last chances we have to establish something more rational in fisheries management policy without the problems of disruption of an existing fishery.

Sincerely yours,

Donald E. Bevan,
Director

DEB/aw
Enclosure

cc: Jack Donaldson, Chairman, PFMC

UNIVERSITY OF WASHINGTON
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College of Fisheries
WH-10

FILE	ACT	INFO	ROUTE TO	DATE
			Exec. Dir.	
			Asst. Dir.	
			Adm. Serv.	
			Ext. Aff.	
			Fin. Off.	
			Gen. Inv.	
			Spec. Inv.	
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CGISSC-				
			DEC 4 1979	

December 11, 1979

The Honorable Clem Tillion, Chairman
North Pacific Fisheries Council
P.O. Box 3136DT
Anchorage, Alaska 99510

Dear Clem:

As you well know the Fishery Conservation and Management Act of 1976 under which our Council operates has, as one of its goals, the encouragement of development of fisheries which are currently underutilized or not utilized by United States fish industry, including bottomfish off Alaska.

The largest underutilized resource in U.S. waters is the pollock of Bering Sea.

I suggest that we ask our Plan Development Team and the Scientific and Statistical Committee to develop a plan to provide an increased incentive to the U.S. fishing industry to harvest Bering Sea pollock.

If we look back into our country's history, the methods for encouraging the development of the land area and the mineral resources of the West was by grants of land for homesteads or for building railroads and the system of filing claims for private ownership by prospectors who had located and proved the existence of mineral resources.

I suggest we establish this system to allow fishing claims or "seastead" rights to Bering Sea pollock.

The first question will be, "Is this a Limited Entry Program?" I believe it is and we must look to the Law to see what the Council and the Secretary must take into account.

The Law, in Section 303, is quite specific in its requirements to a system for limited access to a fishery in order to achieve Optimum Yield. The Council and the Secretary must take into account (a) present participation in the fishery, (b) historical fishing practices in and dependence on the fishery, (c) the economics of the fishery, (d) the capability of fishing vessels

used in the fishery to engage in other fisheries, (e) the cultural and social framework relevant to the fishery and (f) any other relevant considerations. Since there is no present fishery, the major item to be considered is item f. and the other relevant considerations are the need to encourage the development of fisheries, which are currently underutilized or not utilized by the U.S. fish industry, including bottom-fish off Alaska.

There are a number of ways such a program could be established. The following are only examples. I believe it very important that the exact details of a number of alternatives be worked out by the Council and tested in the public hearing process.

For example, an individual, partnership, or corporation would be eligible for the right to take one percent of the total allowable catch per month for Bering Sea pollock for each metric ton of pollock caught and processed each year for a two-year period. There are obviously all kinds of alternatives for the amount of leverage or the multipliers applied to what is caught during the proving up period to the later right of fishing.

Another possibility is to provide the right to utilize a certain amount of fishing effort. For example, an individual, partnership, or corporation that caught a metric ton of pollock which was processed could be allowed the application of one tillion¹ of fishing effort in perpetuity with the right to sell or lease that right.

May I suggest that this topic be added to our Agenda for discussion and, that with approval of the Council, it be referred to the Plan Development Team and the Scientific and Statistical Committee.

Sincerely yours,


Donald E. Bevan
Associate Dean

DEB/aw
cc: Charles Fullerton
D. L. Alverson
Steve Penoyer

1/ A tillion is that amount of fishing effort which will provide one percent of the monthly catch of Bering Sea pollock.