

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: King Crab Fishery Management Plan

*ACTION REQUIRED*

*Council had scheduled final approval of FMP, however, certain points have not been resolved. Therefore, it is suggested that Council postpone final action until the Council/Board meeting in March.*

BACKGROUND

If the Council should decide to postpone final action on the FMP, they must prepare their final position concerning the framework plan, memo of understanding, and Board/Council interactions for the March meeting.

A report of an ad hoc workgroup on State and Council king crab management interactions should be available.

The North Pacific Fishery Management Council conducted its thirty-sixth plenary session from December 8-12, 1980 in Juneau, Alaska. A summary of Council action pertaining to the King Crab Fishery Management Plan follows:

The Need for a Fishery Management Plan

The Council tentatively approved Option 2 for development of a plan with federal regulations not issued. This option was amended to omit reference to the Secretary of Commerce review and Federal Register publication.

Fishery Management Unit

The Council approved Option 1 which was amended to exclude Kodiak and the Peninsula area and to include only Dutch Harbor, Adak, Bristol Bay and the Bering Sea.

Management Options; Sex Restrictions

The Council approved Option 1 which states that there will be no commercial harvest of female crab.

### Management Options; Pot Limits

The Council adopted Option 2 of no pot limits.

### Management Options; Vessel Tank Inspection

The Council approved Option 1 which was amended to require tank inspections within a reasonable period prior to the season opening, deleting any reference to the exact schedule of hours.

### Management Options; Limited Entry

The Council approved adoption of Option 2 which defers action on limited entry as a management measure for the king crab fishery until further studies are made.

The following are the remaining topics left undecided during the December meeting and still require Council action.

### Management Options; Determination of Optimum Yield

After considerable discussion it was decided to postpone decision on the three options pending further discussion on the subject with scientists and the Board of Fisheries in order that a procedure could be developed for opening the season and determining management goals.

### Management Options; Registration Areas

The Council postponed decision on the two options until after discussion with the Board of Fisheries.

### Management Options; Gear Placement and Gear Storage

The Council postponed decision until the Plan Development Team could meet with the fishing community to develop a better plan. Richard Goldsmith volunteered to chair a workgroup to develop the system. The workgroup met on January 20, 1981. The group supports current storage areas as described by the State of Alaska except in the Bristol Bay area. They recommend a new area that lies farther south of the current designated storage area in order to reduce fuel costs and conflicts between stored crab pots and trawl gear.

The proposed change is a significant one, since the new area would lie on the crab fishing grounds (see attached report and figure).

A copy of a letter from Bill Woods of Pan-Alaska Fisheries Inc. to the Board of Fisheries is attached. Pan-Alaska recommends delaying the opening of fishing in the Bristol Bay area and Dutch Harbor area. Apparently, the industry experienced a significant problem with light meat content in crab taken during the early part of the season. Pan-Alaska also supports the current minimum width of shell (6.5 inches) for Red king crab in both areas.

Attached are four of the 37 king crab and 3 general provision proposals that will be put before the Alaska Board of Fisheries. They are provided since they are directly related to pending decisions or topics described in this memo.

# NORTH PACIFIC FISHING VESSEL OWNERS ASSOCIATION

Building C-3, Room 218  
Fishermen's Terminal  
Seattle, Washington 98119  
Phone: (206) 285-3383

9-1-206 Y

January 20, 1981

To: Jim H. Branson, Executive Director  
North Pacific Fishery Management Council

JAN 22 1981

From: *Dick Goldsmith*  
Dick Goldsmith

Subj: Ad Hoc Group on Storage of King Crab Gear

On January 20, 1981, the Ad Hoc Group on the Storage of King Crab Gear met at the office of the North Pacific Fishing Vessel Owners' Association in Seattle. In attendance were Al Burch, Konrad Uri, Dennis Petersen, Sam Hjelle, Bob Alverson, and Dick Goldsmith.

Assuming that the North Pacific Council's King Crab Fishery Management Plan will encompass Statistical Areas O (Dutch Harbor), R (Adak), T (Bristol Bay), and Q (Bering Sea) established by the State of Alaska, the Ad Hoc Group recommends the following storage areas for king crab pots:

- (1) In Statistical Areas O, T, and Q, gear may be stored in areas where the waters are 25 fathoms or less;
- (2) In Statistical Area R, gear may be stored in areas where the waters are 30 fathoms or less;
- (3) In Statistical Area T, gear may also be stored in waters of the area within the following coordinates:

57° North latitude  
56° 30' North latitude  
163° West longitude  
166° West longitude

- (4) In Statistical Area Q, gear may also be stored in waters of the area within the following coordinates:

61° North latitude  
61° 30' North latitude  
169° West longitude  
169° 30' West longitude

- \* In the areas defined in Recommendations 3 and 4, all foreign trawling should be prohibited.
- \* Gear shall be stored with all doors secured fully open, and all bait and bait containers shall be removed.

With the exception of Recommendation 3 , all gear storage areas are the same as those where the State of Alaska requires gear to be stored. Recommendation 3 replaces the gear storage area in Statistical Area T which is north of the Bristol Bay crab grounds.

If Recommendation 3 is adopted by the North Pacific Council, gear could be stored on the Bristol Bay fishing grounds at little financial cost and fuel expense to fishermen. Since little or no trawling takes place in the area outlined in Recommendation 3, it is anticipated that there would be no conflicts between crab pots and trawl gear. Vessel tank inspections would ensure that there is no covert fishing.

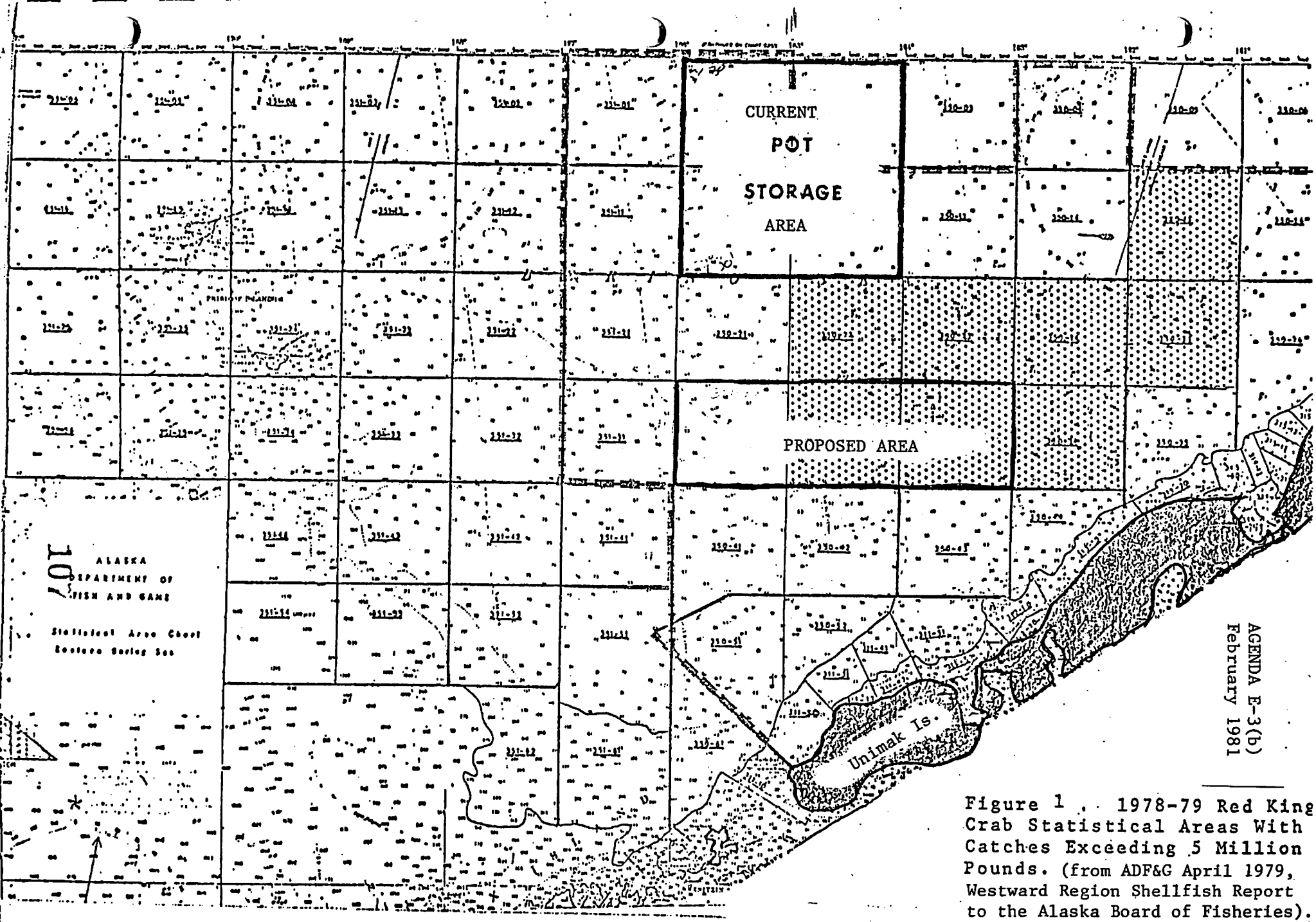


Figure 1 . . . 1978-79 Red King Crab Statistical Areas With Catches Exceeding 5 Million Pounds. (from ADF&G April 1979, Westward Region Shellfish Report to the Alaska Board of Fisheries).

# *Pan-Alaska Fisheries, Inc.*

A SUBSIDIARY OF CASTLE & COOKE, INC.  
CASTLE & COOKE BUILDING, FISHERMEN'S TERMINAL  
P.O. BOX 17705 / SEATTLE, WASHINGTON 98107 / 206 284-0900  
TELEX 32 9439 PAN AKFISH SEA

January 21, 1981

Board of Fisheries  
State of Alaska  
Subport Building  
Juneau, Alaska 99801

Gentlemen:

We understand that the Alaska Board of Fisheries will consider shellfish regulatory proposals at its regular spring meeting which begins on March 23, 1981, at Anchorage. For the next King Crab Season we recommend that the start of fishing for Red King Crab in Statistical Area T (Bristol Bay Area) and Statistical Area O (Dutch Harbor) be delayed and that the minimum width of shell for Red King Crab in both Areas not be changed from the present 6.5 inches.

The 1980 Shellfish Regulations of the Alaska Department of Fish and Game set the date for the start of fishing for Red King Crab in the Bering Sea Area for September 10, 1980 (Chapter 34, Section 5AAC 34.610 (1)) and in the Dutch Harbor Area for November 1, 1980 (Chapter 34, Article 10, Section 5AAC 34.610 (1)). The industry experienced a significant problem with light meat content in crab taken during the early part of both seasons this year which has caused problems of acceptance in both the domestic and export markets. A proposal to delay the opening of fishing in both areas until January 15, (after the holiday season) was discussed at a meeting with vessel owner representatives last month. Such a proposal would be economically attractive to both the vessel owner and the processor because the crab would be full and both parties would then be able to operate for a continuous six month period on King and Tanner Crab without the extra cost of moving boats and crews back from the Aleutians after King Crab Season and then returning for the Tanner Crab Season after the holidays; double fuel and travel costs would be eliminated. Concern was expressed, however, that the weather and ice conditions on the fishing grounds would be so severe as to make operations difficult. We recommend that this January start date be seriously considered and that the impact of ice and weather conditions be evaluated by the Board based on both historical data and observations of operations in the Bering Sea between now and the March 23, 1981 meeting.

If the start of fishing cannot be delayed until January, then we recommend that the 1981 season for Red King Crab in Statistical Area T (Bristol Bay) be delayed until November 1 and that the start of fishing in Statistical Area O

January 21, 1981  
Board of Fisheries  
Page 2

(Dutch Harbor) be delayed until December 1. We believe that these dates, which are later than those presently in use, would minimize the problem of light crab but the bulk of the fleet would still incur the penalty of double transportation expenses. These later dates would also permit the regulatory agencies enough time to evaluate the trawl survey results before setting estimates of resource abundance which we understand has been a problem with the dates used in 1980.

We recommend that the minimum shell width in both Statistical Areas T (Bristol Bay) and O (Dutch Harbor) not be changed from the present 6.5 inches. We understand that marine biologists believe that any increase in the minimum size would cause a substantial reduction in total catch and would not benefit the resource stocks. We are concerned that the decrease to 6.25 inches proposed by others could cause the average weight of the Red King Crab harvested from these two areas to decrease from approximately 6.2 pounds to 4.7 pounds live weight. This size reduction could significantly affect the market acceptance of product which is now sold in shell. There may be other resource management proposals (such as keeping the exploitation rate at the levels permitted during the 1980 season) that will permit full utilization of the resource without a potentially negative impact on the market.

We appreciate this opportunity to express our recommendations to the Board.

Sincerely,

PAN-ALASKA FISHERIES, INC.



William P. Woods, Jr.  
Vice President - Production

WPW/trm

cc. NPFMC

BRISTOL BAY  
KING CRAB

(69)

5 AAC 34.020. REGISTRATION. (b) (Regulation page 47) Change the area to a nonexclusive registration area.

The proposed regulation reads as follows:

5 AAC 34.020. REGISTRATION.

(b) The registration areas in statistical areas R, Q and T are nonexclusive registration areas together with one exclusive registration area during any registration year, except that a vessel or gear registered for area H may not be used to fish king crab in any other registration area.

Justification: Will be provided at a later date.

Proposed by: North Pacific Fishing Vessel Owners Association (29)

FAVOR

OPPOSE

Action Taken:

12/12



BRISTOL BAY  
KING CRAB

77

5 AAC 34.810. FISHING SEASONS. (b) (Regulation page 69) Change the king crab season.

The proposed regulation reads as follows:

5 AAC 34.810. FISHING SEASONS.

(b) Red, blue and brown king crab 6 1/2 inches (165 mm) or larger in width of shell may be taken or possessed from 12:00 noon October 1 [SEPTEMBER 10] through April 15 unless closed earlier by emergency order, except that red, blue and brown king crab seven inches (178 mm) or greater in width of shell may be taken or possessed during periods opened and closed by emergency order.

Justification: In the past, the poor quality of crab earlier in the season has caused a hardship on the fishing fleet and the processors alike. Because of the large fishing fleet and the large processing capabilities of the processors, the harvest levels can be reached prior to the season closing date.

Proposed by: Royal J. DeVaney (83)

FAVOR

OPPOSE

Action Taken:

A

STATEWIDE  
KING CRAB

78

5 AAC 34.910. FISHING SEASONS. (b) (Regulation page 70). Opens the seasons in the Bristol Bay and Pribilofs concurrently.

The proposed regulation reads as follows:

5 AAC 34.910. FISHING SEASONS.

(b) In the Pribilof district red and brown king crab 6-1/2 inches (165 mm) or larger in width of shell may be taken or possessed from 12:00 .. noon, September 15 [10] through April 15 unless closed earlier by emergency order, except that red and brown king crab 7-1/2 inches (190 mm) [SEVEN INCHES (178 MM)] or greater in width of shell may be taken or possessed during periods opened and closed by emergency order,

Justification:

During the 1979-80 season, regulation allowed fishing to begin for red crab in the Pribilofs five days before the opening of the blue crab season. This caused much confusion during registration and tank inspections since both species are fished on the same grounds. This proposed regulation change allows for a simultaneous opening for the two species as well as opening simultaneously with the Bristol Bay red king crab season which is necessary for enforcement. By raising the size limit from 7 inches to 7-1/2 inches for red crab during a second season, an additional harvest of red crab could occur during the blue crab fishery. Commercial catch statistics show that approximately 67 percent of the red crab commercial harvest was over 7-1/2 inches in the Pribilofs.

Proposed by: Staff IV - 1

BRISTOL BAY  
KING CRAB

82

5 AAC 34.825. LAWFUL GEAR. (c) (Regulation page 69) Change the pot storage requirements..

The proposed regulation reads as follows:

Specific language will be provided at a later date.

Justification: Will be provided at a later date.

Proposed by: North Pacific Fishing Vessel Owners Association (29)

FAVOR

OPPOSE

Action Taken:

11/13

STATEWIDE  
GENERAL PROVISIONS

(III)

5 AAC 39.130.(a)(1). REPORTS REQUIRED OF PROCESSORS, BUYERS AND FISHERMEN. (Regulation page 155) Require that individuals or companies engaged in buying or processing of fishery resources comply with Departments of Labor's and Revenue's licensing and bonding requirements before fish tickets will be issued.

The proposed regulation reads as follows:

5 AAC 39.130. REPORTS REQUIRED OF PROCESSORS, BUYERS AND FISHERMEN.

(a)(1) furnish to the department each calendar year before operating a written statement of intent to operate with a description of the nature, extent and location of the operation on forms available from the department; forms will not be processed without certification that surety bonds as required by AS 16.10.290--296 have been posted with the Commissioner of Labor and that a valid Alaska Business License or Fisheries Business License has been issued by the Department of Revenue. No fish tickets will be issued without these certifications.

Justification: Many fishermen are experiencing problems in selling their catch to fish buyers/processors who fail to pay for product received. The buyers/processors are required to be bonded under Fish & Game Title 16; bonds to be posted with the Commissioner of Labor and used to pay any fishermen who fail to receive payment; however, current ADF&G regulations do not require bonding certification before a given party may file an Intent to Operate and receive fish tickets. Trusting or uninformed fishermen may and do assume any buyer with fish tickets is properly licensed, hence they will sell to him/her. While over 700 Intent to Operate forms were filed in 1979, less than 200 bonds were filed with Labor.

Similarly, in 1979 only 241 processing licenses and between 70 and 100 buying licenses were issued by the Department of Revenue. Thus about two thirds of all operators were not licensed to do business in Alaska. Because they had filed Intents and processed fish tickets, it was possible for them to do business. An estimated \$7,000,000 in tax revenues to the state have been lost for that year, and 1980 losses will probably be higher.

Proposed by: Staff (Computer Services)

FAVOR

OPPOSE

Action Taken:

STATEWIDE  
GENERAL PROVISIONS

112

5 AAC 39.130(a) (2). REPORTS REQUIRED OF PROCESSORS, BUYERS AND FISHERMEN. (Regulation page 155) To clarify requirements for filing annual reports of operator activity.

The proposed regulation reads as follows:

5 AAC 39.130. REPORTS REQUIRED OF PROCESSORS, BUYERS AND FISHERMEN. (a)

(2) submit, no later than April 1, [AN ACCURATE AND COMPLETE SUMMARY OF THE PREVIOUS YEAR'S OPERATION ON FISH AND GAME FORM 122, WHICH IS] an operator's summary of activity for each Intent to Operate form filed for the previous year or a signed statement of nonactivity on forms available from the department.

Justification: The purpose of the annual summary is to collect various data relating to operator activity, particularly with regard to fisheries value, elements of which are used for internal fiscal management determinations, and which are extensively demanded by other agencies working in this field, including numerous federal and state regulatory agencies and loan programs, consulting and investment groups, independent fisheries research centers and educational institutions.

Lack of clarity in the current phrasing has led to problems with (1) obtaining separate reports for operations in different management areas for floating operators, who now comprise approximately 20% of active operators, and (2) compliance of operators who fail to understand that the fact of nonactivity must also be stated--clearly it is not reasonable for the department to assume nonoperation simply by the fact that no report is filed.

Current internal computerization of Intent to Operate information makes it possible to succinctly and clearly inform each operator of all reports expected. Clarification of the phrasing of the regulation will aid in increasing their understanding and will assist greatly in the efforts of the Department of Public Safety's Division of Fish and Wildlife Protection to enforce compliance.

Proposed by: Staff (Computer Services)

FAVOR

OPPOSE

Action Taken:

STATEWIDE  
GENERAL PROVISIONS

(113)

5 AAC 39.130(b) (9). REPORTS REQUIRED OF PROCESSORS, BUYERS AND FISHERMEN.  
(Regulation page 156) Exempt small operators from the fish ticket  
imprinting requirement.

The proposed regulation reads as follows:

5 AAC 39.130. REPORTS REQUIRED OF PROCESSORS, BUYERS AND FISHERMEN..

(b) (9) the Commercial Fisheries Entry Commission permit number of the operator of the unit of gear with which the fish were taken, imprinted on the fish ticket from the valid permit card; the imprinting requirement of this paragraph may be suspended by a local representative of the department [ONLY] after notification from the buyer or fisherman that the imprinter is malfunctioning, presentation by the fisherman of documentation from the department or the Commercial Fisheries Entry Commission that the permit card has been lost, transferred or destroyed or that the fisherman or buyer will be completing a limited number of fish tickets during a year; if the above suspension is granted, then the permit number shall be handwritten on the fish ticket by the buyer or fisherman;

Justification: Imprinting machines are supplied by private industry and are quite costly. A large number of fishermen (250-300) are actively engaged in marketing their own fish, either fresh or in a processed state. The largest number of fish tickets required to be completed under these circumstances is seldom as high as 100 annually, and is most often a small fraction of that number. The original intent of the regulation was to ensure ease of fish ticket processing in reducing the error factor attributed to illegibility of CFEC permit numbers, in instances of major buyers/processors who submit large numbers of fish tickets to the department annually.

The suggested change will allow enforcement efforts to be concentrated on operations of significant size found to be in violation.

Proposed by: Staff (Computer Services)

FAVOR

OPPOSE

Action Taken:

HEARING SUMMARY: DRAFT WESTERN ALASKA KING CRAB  
FISHERY MANAGEMENT PLAN  
Kodiak, Alaska  
December 6, 1980

The North Pacific Fishery Management Council conducted a public hearing on the Draft Western Alaska King Crab Fishery Management Plan in Kodiak, Alaska on December 6, 1980 at the Kodiak Electric Association Auditorium. The hearing was called to order at 9:30 a.m. by Chairman Clem Tillion and adjourned at about 12:30 p.m.

Representing the Council, AP, and staff were Clem Tillion, Donald Bevan, Jeff Stephan, Jim Branson and Peggy McCalment. Support staff in attendance included Ray Baglin and Bob Otto, NMFS, and Marty Eaton, Alaska Department of Fish and Game.

The following members of the general public attended the hearing.

Mark Alwert	P.O. Box 1711, Kodiak
C. Louie Lowenberg	P.O. Box 2179, Kodiak
Bill Alwert	P.O. Box 1711, Kodiak
Dave Herrnsteen	P.O. Box 1704, Kodiak
David Dowie	P.O. Box 2644, Kodiak
Pete Holm	P.O. Box 1901, Kodiak
Oscar Dyson	P.O. Box 1228, Kodiak
Bill Berestoff	P.O. Box 2196, Kodiak
Chris Blackburn	Kodiak Daily News

Donald Bevan explained the concept of the FMP as a policy document, the area to be covered by the plan, and options available.

The majority of persons testifying were against a federal FMP, or suggested that if there must be an FMP, Kodiak should be left out of it. They felt that ADF&G had done an adequate job of managing the fishery over the past 20 years. All but one who addressed area registration and pot limits were in favor of them.

Individual Testimony

Dave Herrnsteen, testifying on behalf of himself, preferred no plan. He was against limited entry; had no objection to leaving Kodiak out of the FMP; believed the season should start when quality is good and wants exclusive registration and pot limits.

David Dowie, representing himself, submitted written testimony in support of ADF&G's management of the fishery. He was afraid the proposed change in management may be detrimental to the fishery and questioned the actual purpose of a federal plan when the state has done a good job of managing the fishery for over 20 years.

Pete Holm, representing himself, wanted no plan because he felt the current system is working well; favored area registration.

Oscar Dyson, an experienced fisherman in the Bering Sea, Kodiak area, and Cook Inlet, wanted Kodiak and Cook Inlet left out of the FMP. He said Kodiak fishermen like the present system; suggested the Council work on a Bering Sea plan to include Dutch Harbor, Adak, and the Bering Sea area.

Bill Berestoff, representing himself, was not in favor of the FMP. He said he is a small boat fisherman by choice and prefers the present system.

Bill Alwert of the BUCCANEER favored area registration, pot limits, and the 7-inch size limit for Kodiak; felt area registration had helped shore labor as well as fishermen in 1980.

C. Louie Lowenberg, representing himself, favored open fishing with no size, sex, or area limitation; felt that fishermen need more space and longer seasons; was against a federal FMP.

Mark Alwert, a high school student and crew member on a king crabber, favored the 7-inch size limit.

Opportunity was also available for comment on amendments to the Bering Sea/Aleutian Islands Groundfish FMP, and the Tanner Crab FMP, the Herring FMP, and the Troll Salmon FMP. There was little discussion on any of these FMP's, but the group was generally against allowing trollers in the Kodiak area.



SUMMARY: COUNCIL/BOARD OF FISHERIES JOINT PUBLIC HEARING  
ON DRAFT KING CRAB FISHERY MANAGEMENT PLAN AND AMENDMENTS  
TO BERING SEA/ALEUTIAN ISLANDS GROUND FISH FMP  
AND TANNER CRAB OFF ALASKA FMP

Anchorage, Alaska  
December 9, 1980

A joint Council/Board of Fisheries public hearing was held in Anchorage in conjunction with the December 8-12, 1980 North Pacific Fishery Management Council meeting. General public in attendance included those present during the Council meeting. Synopses of individual testimony are given below.

Draft King Crab Fishery Management Plan

Dennis Petersen, representing Ocean Spray Fisheries, testified in support of a federal plan.

Richard Goldsmith, North Pacific Fishing Vessel Owner's Association, reviewed NPFVOA's participation in the king crab fishery off Alaska and testified in favor of a federal plan. He said Alaska does not have the authority to regulate the fishery in the FCZ, and the Board of Fisheries and ADF&G would not give the equal consideration to testimony by non-residents and residents. He favored the 6.25-inch minimum size limit and stressed the need for accurate data collection. He said area registration violates the National Standards and is discriminatory. He recommended no pot limits around Kodiak and random gear placement with storage on the grounds. He rejected limited entry in its entirety.

Al Burch, Alaska Shrimp Trawlers Association and Advisory Panel member, testified against random gear storage because of problems with grounds preemption with other fisheries.

Amendments to the Tanner Crab Off Alaska FMP

Dave Osterback, president of Peninsula Marketing Association, said that last year pot storage interfered with the salmon fishery in Area M. He suggested that pot storage be regulated so it does not interfere with other fisheries in a dual fishery area. He favored area registration to protect local resources.

Jay Hastings, representing the Japanese Tanner Crab Industry, submitted written testimony in support of a 7,500 mt TALFF with the foreign fleet restricted to the areas north of 58°N latitude west of 164°W longitude and north of 54°N latitude west of 173°W longitude. He said there were no gear conflicts or competition for fishing grounds during 1978 and 1979 when this restriction was made, and suggested that until there is convincing evidence that U.S. fishermen will utilize this remote area, the Japanese should be permitted to fish surplus Tanner crab there. He felt that current estimates of the Tanner crab resource in the eastern Bering Sea were more than adequate to support both the U.S. and foreign fishery.

Bill Berestoff, small boat fisherman from Kodiak, testified in favor of area registration and pot limits. He preferred the status quo for size limits; he felt enforcement is adequate.

Richard Goldsmith, North Pacific Fishing Vessel Owner's Association, submitted written testimony on support of the Richardson report and the resulting Council preference for a zero TALFF in 1981.

#### Amendments to the Bering Sea/Aleutian Islands Groundfish FMP

Mick Stevens, representing Marine Resources Company, submitted written testimony containing Marine Resources' proposals for more flexible management of the fishery. Their proposals included establishment of a reserve of 25% of OY to meet unanticipated needs of the domestic fishery; gradual release of reserves to TALFF; annual survey of domestic harvesting and processing capacity; changing the fishing year to January 1 through December 31; revision of MSY, EY, and ABC values for groundfish to reflect 1980 resource surveys; and encouragement for domestic participation and orderly development of the fishery. They opposed the closure of the Bristol Bay Pot Sanctuary and the Winter Halibut-Savings Area to domestic trawlers, and felt that economic disincentives and gear specific regulations offered the best methods for minimizing incidental catches.

Phillip Fuller, operations manager for Trans-Pacific International, owners of the ARCTIC TRAWLER, reviewed the ARCTIC TRAWLER's operations over the last six months. He opposed closing Area A to domestic trawlers.

Barry Fisher, representing Marine Resources Company, said their yellowfin sole and cod fishery for 1980 had netted 13,177 mt. Value of the catch for 3-1/2 months operation was \$1,555,000 to the five boats involved. Expenses were approximately \$30,000. He does not think statistics from the foreign fishery before 1977 are accurate, and urged establishment of a good data base and a method for handling the problem of incidental catch. He said no fishery should be allowed to proceed if it impacts another fishery, but does not believe any developing fishery should be denied or rescheduled on the basis of untimely data. The data base should contain information a successful skipper needs, such as time, location, species, comments on incidental catch, weather, and fish behavior relative to the environment. He felt a logbook program would receive the necessary support from fishermen if it were properly explained and reported anonymously. He advocated 100% observer coverage.

Jay Hastings, representing Japan Fisheries Association, testified in support of Option 1, but recommended three changes. First, for domestic fishery expansion he recommended 2 or 3 reserve release dates: 40% the first month, 40% the sixth month, and 20% the eighth month. Second, he recommended release of unutilized DAH either at the end of the sixth month or at the end of the sixth and eighth months. Third, he proposed that the Regional Director be required to release reserves held for correction of operational problems when there are no operational problems in the fishery.

Steve Johnson, representing Japan Deep Sea Trawlers Association and Hokuten Trawlers Association, said the Japanese had planned a research project to study methods for minimizing incidental catch. Their formal proposal will be

submitted to NMFS and Northwest and Alaska Fisheries Center before year-end. He recommended that the Council ask NMFS not to institute the winter closure in the Bering Sea until the Council has reviewed the situation.

Richard Goldsmith, NPFVOA, was concerned about the October through March winter closure in the Bering Sea, and felt it would hamper developing fisheries in the Bering Sea. He urged the Council to explore all available alternatives before undertaking such a drastic measure. He also suggested that better observer coverage may be responsible for the increased numbers of incidental salmon catches reported.

Dennis Petersen, representing the Highliners Association, urged the Council to determine what economic losses to current fisheries are acceptable in relationship to losses to developing fisheries. He said the FMP should minimize the impact of incidental catch to the target species and suggested the U.S. trawl fishery may need to move to Horseshoe area. The Highliners proposed that areas A, 1, and 2 be left open to U.S. trawlers; that U.S. trawl operations in those areas be monitored through a logbook program; encouraged development of specific principles for interacting fisheries; and felt that closures are warranted only if significant losses are sustained in other fisheries. He asked that fishermen be allowed to keep herring as bait for catcher boats to reduce operating expenses and dependence on Canadian bait herring.

DRAFT

JOINT STATEMENT OF PRINCIPLES  
BETWEEN  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL (NPFMC)  
ANCHORAGE, ALASKA

and

ALASKA BOARD OF FISHERIES (BOF)  
JUNEAU, ALASKA

ON THE

MANAGEMENT OF DOMESTIC FISHERIES

Recognizing that NPFMC has a legal responsibility for reviewing and recommending to the Secretary of Commerce the conservation and management of the fisheries of the North Pacific Region (Arctic Ocean, Bering Sea, and Pacific Ocean seaward of Alaska) with particular emphasis on the consistency of management and regulations with the National Standards of the Fishery Conservation and Management Act (FCMA); and

Recognizing that State and Federal governmental agencies are limited in fiscal resources and that the optimal use of these monies for North Pacific fisheries management, research, and enforcement occurs through a clear definition of agency roles by dividing responsibilities and thus avoiding unnecessary duplication; and

Recognizing that Alaska statehood not only brought State fishery management authority to the territorial sea of Alaska, but in absence of Federal regulation of domestic fisheries seaward of the territorial sea, the State effectively (and out of necessity) extended its management into the Fishery

Conservation Zone to encompass the fisheries throughout their ranges. The State system centers around the Board of Fisheries for policy and regulations. The Board's regulatory system provides for extensive public input; is sufficiently structured to insure annual revisions; is flexible enough to accommodate resource and resource utilization "emergencies"; and is understood and familiar to the users of North Pacific fisheries resources. Further, there exists a substantial investment by the State in facilities, communications and information systems, vessels and other equipment, coupled with a cadre of experienced personnel capable of carrying out extensive management, research, and enforcement programs to monitor the conduct of the fisheries and the status of the resources.

Therefore, NPFMC and BOF enter into a Joint Statement of Principles on the roles both entities will play in order to achieve the most effective and efficient management of selected domestic fisheries off Alaska.

#### I. Applicable Fisheries

This <sup>Joint Statement of Principles</sup> ~~Memorandum of Understanding~~ applies only to the following domestic fishery, which the Council has determined does not need a formal FCMA Fishery Management Plan and implementing Federal regulations:

The red king crab (Paralithodes camtschatica) fishery in the Bering Sea, Adak, and Dutch Harbor areas (Areas O, R, T, and Q) <sup>Brook Bay</sup>

The Council may expand this agreement to include other fisheries.

II. The North Pacific Fishery Management Council and the Board of Fisheries will

1. meet jointly to discuss and receive public comment on a Statement of Principles regarding joint management of domestic fisheries.
2. meet jointly to hold public hearings regarding the development, monitoring and maintenance of management plans to be followed by the Council and the Board in managing the king crab fishery specified in Section I. These plans will state mutual management objectives, applicable management standards (including the national standards of the FCMA and statutory standards of the Fish and Game Code of Alaska) and management measures necessary to achieve the objectives (e.g. methods for determining optimum yields or guideline harvest levels, etc.). The plans and future amendments required for its maintenance will be agreed to by the Council and the Board.
3. meet jointly to hold annual public hearings regarding the state's program of regulatory implementation of the management plans. The annual review will include evaluation of optimum yield determinations and the management measures employed to achieve optimum yield.

This annual review may include joint or separate reports by interested agencies.

4. hold joint public hearings, including meetings in Seattle, Washington, to assure full participation and input from all commercial fishermen concerned with this fishery.
5. assure effective management of the domestic fishery resources of the North Pacific Region through appropriate biological, biometrical and socioeconomic research.
6. seek assistance as needed from other Pacific Coast states to assure full compliance with the management plans and applicable state regulations by all fishing vessels.
7. resolve conflicts on management plans and implementing regulations through all appropriate means, including use of subgroups, additional formal joint meetings, arbitration, etc.

III. The Alaska Board of Fisheries will promulgate regulations which implement the jointly agreed upon Management Plan.

IV. If the Statement of Principles is voided at any time through failure of the consultative approaches and processes here outlined, the North Pacific Fishery Management Council will prepare a formal Fishery Management Plan for implementation by the Secretary of Commerce through the Federal rulemaking process.