

North Pacific Fishery

Management Council

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September 8, 1977

Mr. Elmer E. Rasmuson, Chairman
North Pacific Fishery Management Council
P.O. Box 600
Anchorage, Alaska 99501

Dear Elmer:

I found myself somewhat uneasy listening to the proceedings of the last Council meeting because it became apparent that some technical people, and people testifying from the floor, were using terms in a different way than they are employed in the Scientific and Statistical Committee. The comments must have been confusing to the Council members. It is, of course, not possible to treat this issue in any substantive way in a letter, but at least one matter needs clarification so that a more enlightened decision concerning controversial issues can be taken by the Council.

The attitude of some Council members may be shaped by a misunderstanding of the meaning of "equilibrium yield" (EY). A number of times during the discussions, members of the Council and audience stated that the equilibrium yield was below the MSY, therefore the condition of the stock was bad and stock restoration was required. These statements disturbed me because it was apparent that early comments by the SSC concerning MSY and EY had not found their mark. You will recall in earlier discussions that the members of the SSC pointed out that the maximum sustainable yield is the best average yield value which can be expected from a stock over time, if properly managed. It is not the value that one attempts to establish for production on a year-to-year basis. MSY would exist as a management objective only in a fishery which remained in a static condition and was unperturbed by natural events. Unfortunately, such a situation does not prevail in nature and we can expect rather sharp changes in abundance to occur as a result of dynamic environmental conditions.

Hence, the yield which can be expected from any fishery will vary from year to year even when well-managed. At times, annual yields should be below and other times higher than the MSY. EY, as a single value, tells us almost nothing about status of a resource. It is that yield which if taken will not change the population size, i.e., whatever is taken is replaced by nature and hence the population size remains stable. If a stock is under- or over-fished, EY is less than the MSY. Therefore, the perception that if EY is below MSY the fishery is in trouble just

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isn't true. In a well-managed fishery one can expect the EY should approach the MSY value, but nevertheless vary below and above a stated MSY figure. The major message here is that EY alone will not provide the Council with any real basis for determining status of a resource. This must be judged, taking into account a number of other indicators associated with stock abundance, recruitment patterns, etc.

I have felt it important to discuss this issue with you because of the concern that some Council members have for Pacific pollock in the eastern Bering Sea. The proposed Preliminary Management Plan suggests a total allowable level of foreign catch equal to 950,000 tons. As of this writing, our current best estimate of equilibrium yield is 1 million metric tons and our projected MSY is 1.2 - 1.9 million metric tons. The catch of pollock in the eastern Bering Sea has declined substantially over the past six or seven years from about 1.8 million metric ton to the current level of 950,000 tons. We have made the point at a number of INPFC meetings that eastern Bering Sea pollock stocks have deteriorated over the past one-half decade. Regardless, we have been careful to note that such deterioration is apparently sharply shaped by recruitment patterns. We have not, to date, been able to establish a relationship between fishing and recruitment and have noted that the stock size changes appear to be strongly influenced by natural processes as well as fishing.

The large catches in the early periods were in part possible because of the unexploited biomass of older fish. This is expected in virgin populations. Our current interpretation of the situation is that pollock biomass is somewhat below its average, but nevertheless is producing year-classes which result in potential catches close to the MSY. Hence, we are not seriously concerned that there is a major overfishing problem with pollock. We have merely stated that the populations have been declining and that the catch should be reduced proportionately to insure that the mortality generated by man is not excessive.

As a scientific group we have always chosen to support quotas which are relatively conservative, largely because our data base for stock analyses leaves something to be desired. In this instance, the Center and the SSC would have opted for 850,000 tons. Nevertheless, you should be aware that the scientists at the Center do not think 950,000 is unreasonable nor that it is a serious risk. In addition, they do not think that such a catch will, in a substantive way, delay stock rehabilitation. In fact, most current information indicates that rebuilding is now occurring (i.e., abundance is increasing). Most of us feel that stock sizes will further increase when and if the environmental factors influencing abundance improve and that existing levels of fishing are not substantially influencing recruitment patterns.

One other factor concerning the status of pollock in the Bering Sea needs to be heard. There was some implication that the fishery had driven the average size to a point where the resource was no longer of any value to U.S. fishermen. There is perhaps some truth in this statement, largely because U.S. fishermen can, at the present time, only base a fishery on the older, larger fish. Regardless, strictly from a biological sense, the average size of the fish harvested in the Bering Sea has increased in the last two years and it is currently approaching optimal from a yield-per-recruit standpoint.

This rather long scenario has been presented to you because I want the Council members to seriously reflect on factors which have led to a proposal of 950,000 tons for pollock in the Preliminary Management Plan for the Bering Sea. In summary, they are along the following:

- Stock condition is in relatively good condition
- 950,000 tons is still below the EY value of 1 million metric tons which, in turn, is relatively close to the maximum sustainable yield value.
- The average size of pollock has been increasing in the last two years.
- At recent past and current levels of fishing, environment is the predominant influence on stock abundance.

These, of course, are some technical factors you may wish to take into account regarding this issue. From an OY and Council standpoint, as you are acutely aware, there are other issues that must be weighed concerning the need for animal protein throughout the world, the fact that the stocks are currently surplus to U.S. needs, and that most of us do not believe the U.S. will be involved in exploiting pollock in the Bering Sea in the next two years.

In a recent telephone call from the New England Fish Company, it was of interest to me that they will be opening a bottomfish plant in Kodiak in November or December. Regardless of their feverish attempts to interest U.S. fishermen to commit themselves to a bottomfish fishery, they have not yet lined up one boat willing to switch from the crab or shrimp fisheries to bottomfish trawling. Although I am convinced the U.S. will be entering into the bottomfish arena, particularly in the Gulf, it will not be without problems and may not develop as rapidly as many of us would hope.

In closing, you will find attached a copy of Oceanus in which there is an article I wrote on the North Pacific Council. I hope its ingredients do not in any way offend members of the Council. It does, however, reflect my perception of the status and problems of the NPFMC.

Sincerely,

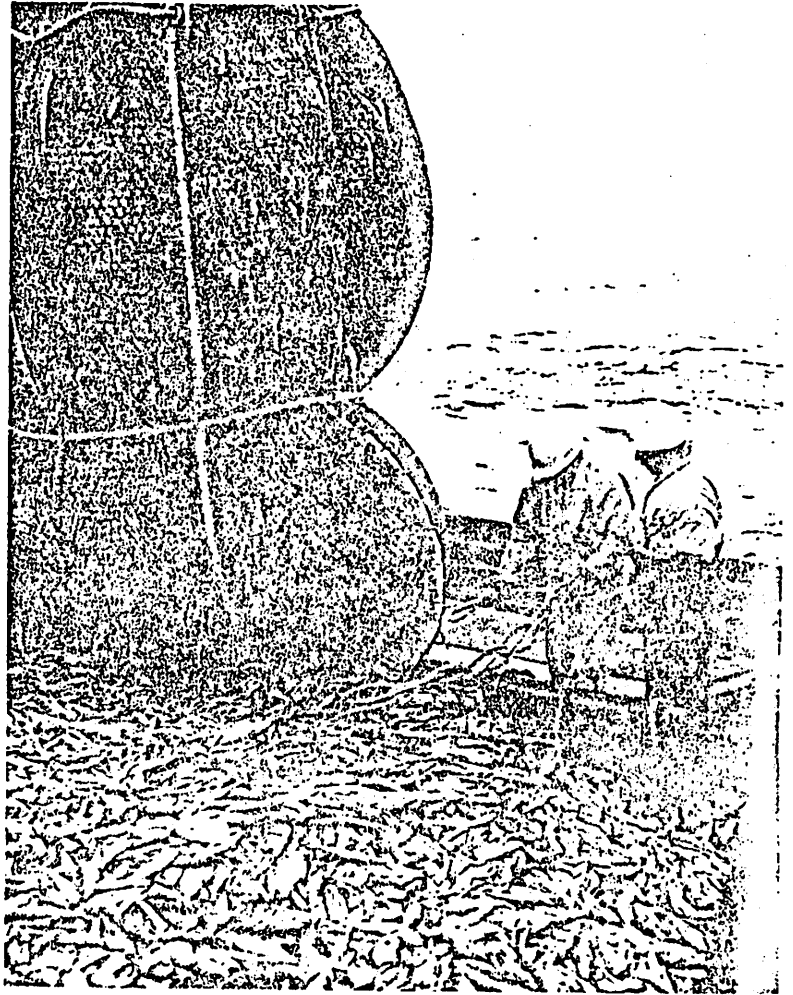
A handwritten signature in cursive script, appearing to read "Dayton L. Alverson", with a long horizontal flourish extending to the right.

Dayton L. Alverson
Chairman, SSC

Enclosure

cc:
All members, NPFMC
All members, SSC

The 200-Mile Limit II:



A U.S. observer and Japanese fisherman inspecting catch of pollock from Bering Sea. (Courtesy Northwest and Alaska Fisheries Center).

THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

by Dayton L. Alverson

The North Pacific Fishery Management Council is unique in terms of its large geographic area of concern, and the magnitude and complexity of the fisheries for which it is responsible. The area under the jurisdiction of the Council extends from southeastern Alaska to the Arctic Ocean (Figure 1). Major fisheries are located throughout most of this area — off southeastern Alaska, throughout the Gulf of Alaska to Unimak Pass, westward along the

Aleutian Islands, and throughout much of the eastern Bering Sea. It is the only Council that has an area of responsibility located entirely off one state. Nevertheless, the area of continental shelf involved is equal to or greater than that within the jurisdiction of the seven other Councils combined.

Major domestic fisheries within this area include: shrimp, scallop, crab (king, Tanner and Dungeness), herring, halibut, and salmon. The harvest by foreign fisheries within

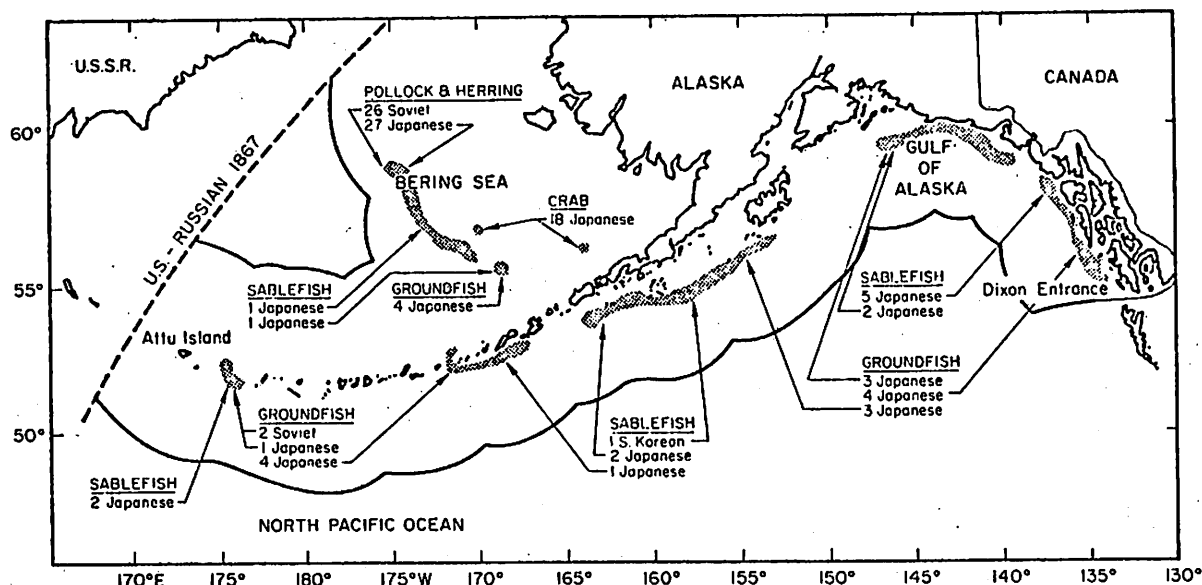


Figure 1: Waters seaward of the coast of Alaska over which the North Pacific Fishery Management Council has fisheries authority. (The waters of the northern Bering Sea or Arctic Ocean are not shown.) Also indicated is the foreign fishing off Alaska from April 1 to 22, 1977, by country, number of vessels, principal fishing grounds, and species fished. (Adapted from supplement to Alaska Seas and Coasts, June 1977)

the Council's area of jurisdiction historically has exceeded 2 million metric tons annually, or about two-thirds of the total foreign catch taken within 200 miles of the coast of the United States. There has been a very large trawl fishery for bottom fish in the Bering Sea and Gulf of Alaska by Japan, the Soviet Union, and South Korea; a longline fishery for black cod in the Bering Sea and Gulf of Alaska by Japan, South Korea, and China; a pot fishery for crab in the Bering Sea by Japan and in the past by the Soviet Union; a pot fishery for snails in the Bering Sea by Japan; and a fishery for a variety of other species by several countries.

The area under the jurisdiction of the Council is also noteworthy in that there are still a number of latent resources that have not been significantly exploited despite the large-scale foreign and domestic fisheries. For example, large populations of squid and capelin are known to occur off Alaska, as well as populations of sub-tidal clams on the extensive continental shelf of the eastern Bering Sea. These and other latent resources offer potential for future fisheries, as well as conflicts.

Structure of the Council

The North Pacific Council held its first meeting

in Juneau, Alaska, on October 5 through 8, 1976. Like many of the seven other councils, the first sessions were largely devoted to organizational matters that had to be completed before the real work could begin. The Council has an Executive Director, who is responsible for coordinating meetings and insuring that the proper scientific and technical documentation is prepared in support of Council decisions. The current operational structure of the Council is shown in Figure 2.

The Council provides general guidelines and operational terms of reference for its Executive Director, who in turn provides guidance and coordination for management teams selected by the Council to prepare fishery management plans. These teams, which may be conceived of as the bodies responsible for the main thrust of the Council (developing regulatory programs for the various fisheries under its jurisdiction) are recommended by the Scientific and Statistical Committee (SSC) of the Council. For example, the Council identifies management units (fisheries or fisheries complexes) that it wishes to prepare management plans for. The Council then sets its management objectives. The Scientific and Statistical Committee subsequently selects the composition of the management teams, along with technical

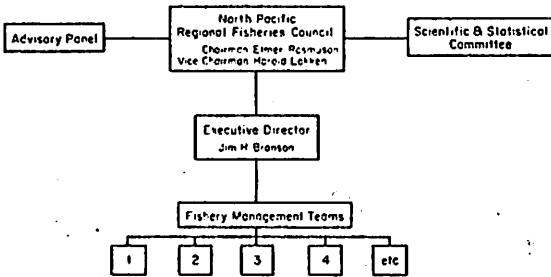


Figure 2: The operational structure of the North Pacific Regional Fisheries Council.

advisors, and submits the recommendations to the Council. To insure user group input during the preparation of the plans, key members of the industry advisory group are nominated to work with the management team during this time.

When the plan has been completed, it is submitted to the Council by the Executive Secretary of the team. The Council then submits the plan to its two advisory bodies—the SSC and its user advisory group. This interaction provides the management team with the final in-Council critique. The plan is subsequently modified and either accepted or rejected by the Council.

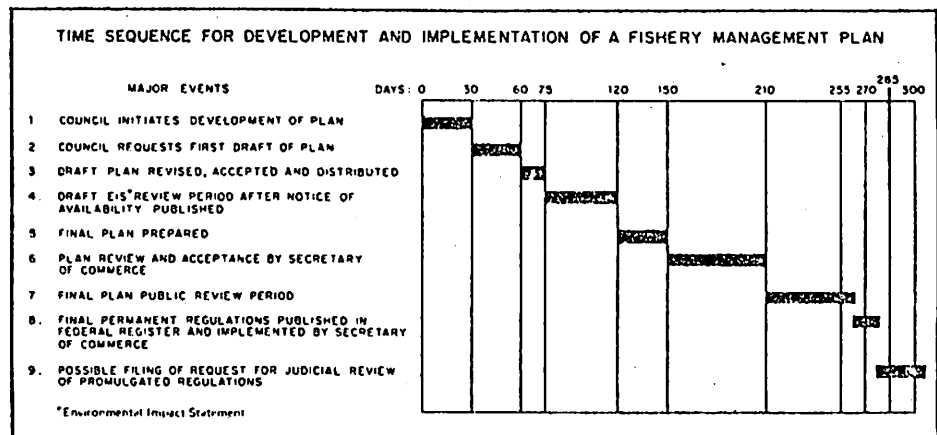
The industry advisory body of the North Pacific Council is comprised of twenty-five members, representing diverse fishery user groups. Both the industry advisory body and the SSC can meet between Council meetings or concurrent with the Council's official sessions. The SSC is comprised of ten members; three are members of academia, one a federal employee, and six scientists from state conservation agencies. To date, the SSC of the North Pacific Council has been extensively used to provide a scientific

overview of the various technical documents received by the Council, and to assist the Council in initiating the preparation of management plans.

Development of Management Plans

Because of the many domestic and foreign fisheries under the jurisdiction of the North Pacific Council, there has been feverish activity within the Council, as well as by supporting state and federal agencies, to prepare fishery management plans. At least ten plans are now being drafted by the Council. These include managing the large trawl fishery in the Bering Sea and Gulf of Alaska, the king crab and Tanner crab fisheries of both the Gulf of Alaska and Bering Sea, the shrimp and scallop fishery of the Gulf of Alaska, the clam fishery of the Bering Sea, and troll salmon and high-seas salmon fisheries.

The Council faces the difficult task of managing salmon fisheries which, in the case of Japan's high-seas mothership fishery, operate on stocks of both Asian and North American origin within 200 miles of the U.S. coast. Any plan that allows a substantial number of salmon to be intercepted by Japan's high-seas fishery would be in opposition to the initial concept of the extended jurisdiction act, which states that where the United States has the capacity to fully utilize its resources, no surplus can be allotted to other nations. However, to deny Japan access to salmon of Asian origin within 200 miles of the United States could result in the fishery shifting to other areas beyond 200 miles where salmon of North American origin might be even more vulnerable to high-seas fishing. Hence, there



Excerpts Public Law 94-265

National Standards for Fishery Conservation and Management

IN GENERAL. — Any fishery management plan prepared, and any regulation promulgated to implement any such plan, pursuant to this title shall be consistent with the following national standards for fishery conservation and management;

(1) Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery.

(2) Conservation and management measures shall be based upon the best scientific information available.

(3) To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination.

(4) Conservation and management measures shall not discriminate between residents of different States. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (A) fair and equitable to all such fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.

(5) Conservation and management measures shall, where practicable, promote efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose.

(6) Conservation and management measures shall take into account and allow for variations among, and contingencies in, fisheries, fishery resources, and catches.

(7) Conservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication.

Excerpts continued

is need to develop a management regime to control the existing high-seas fishery by Japan in a way that would minimize the interception of stocks of interest to the United States.

So far, the Council has given highest priority to plans for the trawl fishery and the Tanner crab fishery. This is because the trawl fishery represents the largest foreign fishing activity off Alaska, and because there is extensive interaction and conflicts among the various exploiters of the crab resources. The schedule calls for completion of the plans in the summer of 1977, with their subsequent submission to the Secretary of Commerce.

Those responsible for developing the plans are having considerable difficulty in accomplishing the task. State and federal personnel working on the plans have found themselves spread very thin, particularly in developing required socio-economic information. Nevertheless, the Council has made good progress. It has developed and

accepted a standard outline for plan development that has been adopted in part by two other Councils; it has established a set of operational definitions; and it is well along in developing plans for the trawl and Tanner crab fisheries. Plans for several other fisheries have begun, with working groups beginning to investigate trans-boundary species problems. They will recommend institutional arrangements for dealing with these problems.

Special Problems

The North Pacific Council is comprised of individuals from the states of Alaska, Oregon, and Washington. It is, nevertheless, dominated by individuals with Alaskan interests. This introduces the possibility of a parochial interest in decision making. The Council will have to guard against designing its plans in such a way as to provide special protection or opportunities for Alaskan fishermen vis-à-vis those from other states (for example, Oregon and Washington). Although the Council is comprised of very competent individuals, there remains the possibility of polarization between the southern and northern groups, and hence internal conflict. There has been a tendency at past sessions to split on an issue along regional lines rather than on the substance of the matter.

Alaska is a major target area for large-scale foreign ventures, both in terms of investment in Alaskan-based processing companies and attempts to buy catches from U.S. fishermen at sea for processing aboard foreign factoryships. Whether the latter kind of venture will be permitted is a major policy issue of national concern. There are many who think that U.S. fishermen should be allowed, at least for an interim period until better domestic fish processing facilities become available ashore, to deliver catches to foreign processing vessels at sea. At present, however, the North Pacific Council has recommended against permitting a large-scale Korean purchase of pollock from U.S. catcher vessels.

Because of the large fishery resources within the Council's jurisdiction, many of which are not yet exploited by domestic fishermen, one can expect foreign fishing to continue off Alaska. Although it may be reduced from that which occurred preceding the 200-mile legislation, it will nevertheless be

FOREIGN FISHING ALLOCATION OFF ALASKA BY COUNTRY
(1,000's metric tons)
1977

SPECIES/AREA	JAPAN	USSR	ROK	TAIWAN	POLAND	TOTAL ASSIGNED	UNASSIGNED	TOTAL FOREIGN ALLOCATION	U.S. CAPACITY	TAC
POLLOCK:										
Bering Sea/Aleutians	792.3	112.7	40.0	5.0	0	950.0	0	950.0	0	950.0
Gulf of Alaska	44.1	63.1	35.8	0	6.0	149.0	0	149.0	1.0	150.0
SABLEFISH:										
Bering Sea	3.6*	0.6†	0.4*	0.2†	0	4.8	0.2	5.0	0	5.0
Aleutians	2.0*	0.2+	0.2*	0	0	2.4	0	2.4	0	2.4
Gulf-Southeast**	3.75	0	0	0	0	3.75**	0	3.75**	2.2	
Gulf-Central & Western**	10.15	0	1.6	0	0	11.75**	0	11.75**	0.3	22.0††
PACIFIC COD:										
Bering Sea/Aleutians	38.1	17.2	0	0	0	55.3	2.7	58.0	0	58.0
Gulf of Alaska	1.6	0.6	0	0	0.1	2.3	0	2.3	4.0	6.3
YELLOWFIN SOLE:										
Bering Sea/Aleutians	62.1	40.8	0	0	0	102.9	3.1	106.0	0	106.0
OTHER FLOUNDERS:										
Bering Sea/Aleutians	61.5	40.4	0	0	0	101.9	3.1	105.0	0	105.0
FLOUNDERS:										
Gulf of Alaska	18.7	1.8	0	0	0	20.5	0	20.5	3.0	23.5
HERRING:										
Bering Sea/Aleutians	5.8	13.6	0	0	0	19.4	0.6	20.0	1.0	21.0
PACIFIC OCEAN PERCH:										
Bering Sea	2.8	3.5	0	0	0	6.3	0.2	6.5	0	6.5
Aleutians	6.5	8.1	0	0	0	14.6	0.4	15.0	0	15.0
Gulf of Alaska	19.8	8.7	0.5	0	0	29.0	0	29.0	1.0	30.0
OTHER ROCKFISH:										
Gulf of Alaska	2.7	1.2	0.1	0	0	4.0	0	4.0	1.0	5.0
SQUID:										
Bering Sea/Aleutians	10.0	0	0	0	0	10.0	0	10.0	0	10.0
ATKA MACKEREL:										
Gulf of Alaska	0	21.0	0	0	1.0	22.0	0	22.0	0	22.0
OTHER GROUND FISH:										
Bering Sea	40.4	17.4	1.6	0.2	0	59.6	0	59.6	0	59.6
Aleutians	23.1	9.9	0.89	0.11	0	34.0	0	34.0	0	34.0
Gulf of Alaska	4.2	11.8	0.1	0	0.1	16.2	0	16.2	0	16.2
TANNER CRAB:										
Bering Sea	12.5	0	0	0	0	12.5	0	12.5	22.7	35.2
SNAILS:										
Bering Sea/Aleutians	2.7	0	0	0	0	2.7	0.3	3.0	0	3.0
TOTALS:										
Bering Sea/Aleutians	1,063.4	264.4	43.09	5.51	0	1,376.4	10.6	1,387.0	23.7	1,410.7
Gulf of Alaska	105.0	108.2	38.1	0	7.2	258.5	0	258.5	12.5	275.0
Grand Total	1,168.4	372.6	81.19	5.51	7.2	1,634.9	10.6	1,645.5**	36.2	1,685.7††

* Includes incidental trawl catch

† Incidental catch only

** Does not include 4,000 metric ton allowable incidental trawl sablefish catch in Gulf of Alaska

†† Includes 4,000 metric ton allowable incidental trawl sablefish catch in Gulf of Alaska

Prepared by NMFS, Alaska Region,
March 3, 1977

substantial and a source of irritation to Alaskan fishermen. There will be attempts, of course, to find mechanisms to reduce foreign fishing activities, and it will be the Council's responsibility to insure that the intent of the law is not circumvented.

As with many Councils, the overall objectives of optimum yield (OY) are not understood very well, and this confusion was evident at a meeting early this summer of all the councils in Houston, Texas. A panel examining the concept of OY, representing members from the various SSCs, did a great deal to crystallize a common perspective on OY. There was, nevertheless, a general view that the concept reflected a strategy designed to insure that a holistic approach is taken in the development of plans to manage living resources and the people who use or enjoy them.

The North Pacific Council has accepted the fact that, in establishing OY, a variety of factors (sociological, ecological, economic), in addition to the status of a fishery, must be taken into account in establishing the regulatory regime. At the present, the mechanism and nature of quantifying certain parameters associated with OY are somewhat nebulous, at least at the Council level, and leave the budding OY embryo without shape or dimension. In the end, many feel that politics at the Council level are likely to play a major role in influencing the objectives and goals for a particular fishery, which ultimately may lead to a metamorphosis of the OY embryo into a more reasonable creature. Paraphrasing Peter Larkin, a scientist at the University of British Columbia: "We may have given birth to Heaven or Hell, but which remains to be seen."

A Look Ahead

The North Pacific Council is fortunate to have good scientific talent and technical support from state and federal personnel, who have extensive experience in both national and international fishery management activities. The Council's membership is rich in fisheries experience, and its advisory bodies take a strong interest. The area under the Council's jurisdiction is extensive and there are a number of major domestic and foreign fisheries that must be brought under management. The Council, however, has the

Excerpts Public Law 94-265

Contents of Fishery Management Plans

REQUIRED PROVISIONS. — Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, shall —

(1) contain the conservation and management measures, applicable to foreign fishing and fishing by vessels of the United States, which are necessary and appropriate for the conservation and management of the fishery . . . and consistent with the national standards, the other provisions of this Act, and any other applicable law;

(2) contain a description of the fishery, including, but not limited to, the number of vessels involved, the type and quantity of fishing gear used, the species of fish involved and their location, the cost likely to be incurred in management, actual and potential revenues from the fishery, any recreational interests in the fishery, and the nature and extent of foreign fishing and Indian treaty fishing rights, if any;

(3) assess and specify the present and probable future condition of, and the maximum sustainable yield and optimum yield from, the fishery, and include a summary of the information utilized in making such specification;

(4) assess and specify —

(A) the capacity and the extent to which fishing vessels of the United States, on an annual basis, will harvest the optimum yield specified under paragraph (3), and

(B) the portion of such optimum yield which, on an annual basis, will not be harvested by fishing vessels of the United States and can be made available for foreign fishing; and

(5) specify the pertinent data which shall be submitted to the Secretary with respect to the fishery, including, but not limited to, information regarding the type and quantity of fishing gear used, catch by species in numbers of fish or weight thereof, areas in which fishing was engaged in, time of fishing, and number of hauls.

Excerpts continued

potential for internal conflict that could diminish its effectiveness, particularly if its members polarize along regional lines. To date, however, the Council appears to be making reasonable progress in the development of its management plans, and in the sorting out of its problems. If Council members can direct their attention to resolution of the substantive issues and attempt to cleave away from parochial interests, its chances for successful management are good.

Dayton L. Alverson is Director of the Northwest and Alaska Fisheries Center, NMFS, Seattle, Washington.

RESTRICTIONS ON THE FOREIGN FISHERY

The following restrictions are proposed by the management plan on the foreign fishery in the Gulf of Alaska.

1. The FAC will be apportioned to individual major statistical areas.
2. No more than 25 percent of the total FAC may be taken during the periods January to May 31 and December 1 to December 30 combined. This restriction is made on the assumption that trawl gear will not be changed. If the use of pelagic trawls is required and found to be sufficiently enforceable to lower incidental halibut fisheries, this restriction could be dropped.
3. Prohibited species - foreign ships must reduce to a minimum their incidental catch of, and may not retain any of, the following species or species groups:
 1. salmonids
 2. Pacific Halibut
 3. Shrimp
 4. Herring
 5. "creatures of the continental shelf"
 6. Scallops

4. Time area closures -

(a) areas closed to all foreign fishing

(1) inside 12 miles

(2) within the four fishing sanctuaries off S.E. Alaska and Yakutat (the drafting team has combined two of these sanctuaries so only three are now recommended. ~~The Council should decide whether to close these sanctuaries to both U.S. and foreign fishermen or only to foreign fishermen as recommended in the plan).~~

Comments

(3) Davidson Bank - Year round - preserves a ~~rich~~ ^{highly productive} area near Unalaska and Akutan for developing U.S. fishery.

(4) 140° west to 147° west longitude, January 1 to February 15 and November 1 to December 31.

(Option II-A, if chosen, provides for a similar closure to U.S. trawlers and longliners).

(5) 147° west to 157° west longitude closed from February 15 through May 15 (again a similar closure is proposed for U.S. trawl and longline fishermen if Option II-A is chosen).

*Close now
to all foreign fishing*

(b) The following areas to be closed to foreign fishing with nets during the period specified:

- (1) six Kodiak areas, January 1 to May 31, August 10 to December 31. (protects U.S. crab gear)
- (2) three Kodiak halibut areas five days before and five days after the opening of domestic halibut set line fishery (this provision will be unnecessary unless the 1978 halibut season opens later than May 10 since those areas will already be closed under previous provisions).

removed restriction west of 157° - Alaska per - 1978 cod day

- (c) The area landward of the 500 mm isobath closed year-around to foreign fishing with set lines. (The Japanese have made several requests to be allowed to fish shallower than this for true cod).
5. Gear restrictions - from January 1 to May 31 and December 1 to 31 only pelagic trawls with recording net-sonde devices may be used in the Gulf of Alaska during the time area units not otherwise closed to trawling.
6. Species group quota - Closes a statistical area to all fishing by a nation if it has taken its allocation of any one species or species group.

- U.S.C.G letter of further reasons for the closures

9.22.77

SSC COMMENTS ON GULF OF ALASKA

GROUND FISH MANAGEMENT PLAN

The SSC reviewed the items requiring Council action at this meeting relative to the Gulf of Alaska groundfish management plan (agenda item 5) in the absence of any new information on potential incidental halibut harvest or DAH. We could see no rationale for modifying our previous stand on the management options presented which was "... The Committee felt that the options presented in the plan as extremes were perhaps not really extremes at all but did require the Council to make a choice in favor of one fishery vis-a-vis another. In this sense, the SSC felt that there were intermediate options that would allow for effective growth and development of trawl fisheries to occur while minimizing its impact on halibut or other nontarget species. The Committee requested that the management team consider revision of the plans to achieve this goal, but suggested that such revision await comment on the part of the Council." It is our understanding that no comments from the Council have been received on this point.

The opinion of one member of the Management Team was that very few restrictions (or none) should be placed on the developing domestic groundfish fishery in its first year and the results in terms of incidental harvest of other species

closely monitored through an observer program. The result of this study would be used to set more meaningful regulations in this fishery. Some members of the SSC supported this view or suggested some sliding scale of regulation based on amount of participation in the fishery. Others contended that the halibut resource was in a state of decline, the level of domestic harvest and potential incidental loss of halibut was unknown and the proposed time area closures were not unduly restrictive on domestic fishery development. At any rate, no consensus could be reached.

The groundfish team's recommendations relative to sablefish were reviewed (Sept 29 model) with Mr. Larkins and the committee supporting the recommendations setting up sanctuaries prohibiting foreign trawling off S.E. and Yakutat, setting the FAC for sablefish at 0 off S.E. and E of 140° W longitude off Yakutat.

The committee noted that the sablefish OY and resultant DAH chosen was dependent on the rate of rebuilding desired for this apparently depressed stock. While the committee agreed that the stock was currently below MSY it was not offered any data upon which to base a judgment as to the desired rate of rebuilding.

There was some discussion relative to the Advisory Panel recommendation for a winter closure on domestic and foreign longlining while it was generally agreed that there was no need to protect breeding sablefish in the winter months, no data was presented as to the desirability of closure during a period of supposed poorer flesh quality or the effect on halibut incidental harvest rate of a winter fishing ban. It was suggested that further data from IPHC would be required to make that judgment.

In regards to Suboptions I-B.2 and II-C, the SSC has already gone on record supporting 30 percent of OY reserve from the FAC to allow for unanticipated expansion of the domestic harvest in season combined with apportioning OY by major statistical areas.

The SSC reviewed public and agency comments received on the Gulf Groundfish Plan with Mr. Larkins, plan development team leader. Based on this review, we would point out the following:

1. Approval of joint ventures for pollock in the Gulf of Alaska may also require an increase in the DAH of other species to take care of anticipated incidental catch.
2. With regard to the Japanese request to increase the pollock OY from 169,000 m.t. to 200,000 m.t., it is true that:

- (a) 200,000 m.t. is well within the MSY range of 169,000 - 338,000 m.t.; and
- (b) the proposed OY of 169,000 m.t. is conservative.

On the other hand, the proposed OY allows a three-fold increase in catch over 1976 and a 20,000 m.t. increase over 1977.

We believe that an orderly expansion of this fishery is desirable so that stock condition can be carefully monitored as catch approaches MSY, and the impact of the pollock fishery on halibut, crabs, and other important species can be assessed as it expands into new areas.

3. We generally support the levels of OY, DAH and FAC by species for the Gulf of Alaska presented by the management team in a revised table under agenda item ____ at this meeting. The only two reservations were relative to a previous comment on sablefish OY being dependent on the rate of stock rebuilding chosen by the Council and the OY for "other" groundfish. In the latter case, the SSC noted that it was desirable that the NMFS actively pursue breaking this category into species for which biological and OY estimates can be individually computed.

4. It was noted that Japanese fisheries representatives have been exploring the possibility of experimentally removing the ban on longlining inside the 500 m depth contour for certain areas to allow longline harvest of true cod. There is recommended expansions of the FAC for this species in the Gulf of 1978 which presumably would be taken largely by trawlers under the present depth restriction on longlining. No data was presented to the SSC on the relative potential incidental harvest of halibut by the two forms of gear or the specific areas which might be impacted and the SSC could therefore form no judgement on this matter. The NMFS representative did state that mounting an adequate observer coverage for this fishery would be financially difficult.

September 22, 1977

SSC REPORT ON TANNER CRAB MANAGEMENT PLAN

The SSC reviewed the items relative to the Tanner Crab Management Plan listed under Agenda Item 4 requiring Council action at this meeting. The purpose of the review was to determine if the SSC wished to comment further on these items to assist the Council in its deliberations.

Items Considered

Item 1 - "Closed area for foreign fishing in the Bering Sea -

The SSC, as early as last December, stated that data presented to it indicated that a line closing the area of the Bering Sea south of 58° north latitude would effectively preserve all significant harvest of C. bairdi for the domestic fishery. In light of the 1977 domestic harvest there seems little reason to doubt that the U.S. fishery has the capacity and desire to take the stated OY of this species or any other OY within the range discussed with us. The SSC has not had an opportunity to see the final NMFS 1977 Bering Sea shellfish survey results, but preliminary reports suggest a reduction of the 1977 MSY of 108 million pounds by as much as 25 percent (using 1977 size limit and exploitation rate).

Unless the final survey results differ dramatically from the preliminary data we believe that the domestic fleet will have the capacity to harvest the MSY, and therefore any likely departures for OY considerations. The final estimate of the 1978 MSY for C. bairdi in the Bering Sea will be a function of the population estimate, the size limit and the exploitation rate.

The committee notes that the OY and DAH for this species should be altered by any change in legal size if one is adopted by the Council. The committee further notes that no information has been presented to it on demand and product value relative to densities of crab that can be economically harvested by the U.S. fishery. An increased OY and DAH may be necessitated by such a re-analysis but will probably not change the presently recommended FAC of 0 for this species.

Item 2 - "Council tentatively approved an Alaska wide size limit for C. bairdi of 135 mm (5.3 inches). Current State regulations put it at 140 mm (5.5 inches) except in Prince William Sound where it is 135 mm (5.3 inches)."

The SSC in its earlier plan review stated that "Although no consensus could be reached as regards a specific size limit, the group did feel that the size limit for the 1978 season should not be set below 5 inches (127 mm), and all concerned agreed that a reduction to 5.3 inches (135 mm) was unlikely to harm the reproductive capacity of the stocks." It has come to our attention that the biological data on protection of newly matured crab relative to the size limit was based on research measurements, not the legal commercial measurement. The difference is that legal measurement is from the outside of the spines while the research measurement is to the inside of the spines. We were told that the difference is about 5 mm on 140 mm legal-sized crab. In other words, a legal 140 mm crab would measure 135 mm by research standards. When the SSC reached a concensus view that a drop from 140 to 135 mm in the size limit would not damage the stocks biologically, we did not

realize that the drop in terms of the research data presented us would actually be to 130 mm. Therefore, our original statement should be translated to "Although no consensus could be reached as regards a specific size limit, the group did feel that the commercial outside the spine measurement size limit for the 1978 season should not be set below 5.3 inches (132 mm), and all concerned agreed that a retention of the present 5.5 inch size limit (140 mm) was unlikely to harm the reproductive capacity of the stocks." We further recommend that the present 135 mm legal size in effort for Prince William Sound Area be retained and the effects monitored as a basis for further discussion of the desirability of size limit modification.

The SSC will continue to re-examine the size limit based on new information as it becomes available for further iterations of this plan.

Item 3 - "Expected DAH in the Bering Sea -

As indicated under Item 1 discussion, it appeared to the SSC that the U.S. fishery was capable of taking the present calculated OY or any permutation of OY discussed with us based on preliminary information of the NMFS 1977 trawl survey, possible size limit changes or price changes affecting densities of crab that can be economically fished by the U.S. Exact numbers were not available to us and obviously final determination will have to await data for recalculation of MSY, ABC and OY. Nevertheless, it seems unlikely that an FAC of 0 for C. bairdi in the eastern Bering Sea will change based on this data.

Item 4 - The SSC had no comment.

Item 5 - "Optimum yield for *C. opilio* north and west of 58° N., 164° W. -

The plan proposes setting the OY equal to 13,860 - 14,728 metric tons (mt) and the foreign catch at the same level as 1977, 12,500 mt.

The committee reviewed the University of Alaska document entitled "Discussion Paper - Optimum Yield for *C. opilio* North of 58° N in the Bering Sea." It was noted that the paper developed some possible scenarios of the impact of alternative Japanese harvest levels on U.S. markets and the development of a U.S. fishery for this species. The paper indicates that Japanese harvests of less than 17,000 m.t.* are unlikely to surpass the present market in Japan resulting in an increase in imports to the U.S. It was noted that the estimate may be conservative since total harvests by the Japanese in some past years have been considerably higher than the totals upon which this analysis was based. We have no information to determine if 30,000 m.t. is a reasonable estimate for the market for *C. opilio* in Japan next year.

New information on ABC for *C. opilio* north of 58° N was received from Dr. Balsiger which was based upon population estimates from the 1975 NMFS survey and size composition data obtained by U.S. observers from

*Based upon a market of 30,000 m.t. in Japan, a harvest of 12,000 m.t. in the Japan Sea and 1,000 m.t. U.S. harvest with export to Japan.

the Japanese independent vessel and factory ship fisheries of 1977. Based upon an exploitation rate of 0.58 for a minimum exploitable size of 155 mm, the ABC was estimated to be about 203,000 mt for the total C. opilio population, one half or 101,000 mt of which pertains to waters north of 58° N.

The SSC felt that no sufficient new information had been presented upon which to base any modification in its earlier comments relative to C. opilio N of 58° in the Bering Sea which stated "In the absence of specific instructions from the Council regarding goals and/or objectives of an OY-nature concerned with C. opilio stocks in the Bering Sea and supporting justification in the plan, the SSC was not in a position to evaluate or recommend a specific departure from the ABC for socioeconomic or ecological purposes."

The SSC did not discuss the other items on Agenda Item 4 but understand presentations on pot limits, registration areas, emergency order implementation, etc., will be made by appropriate agencies/individuals.

Comments on the draft tanner crab management plan by Japanese fisheries interest were discussed. Most centered around the objection to the 58° N closing line in the Bering Sea reserving nearly all of the C. bairdi OY for the U.S. fishery. Based on considerations of domestic capacity and desire to harvest C. bairdi stated earlier, an FAC of 0 for this species S of 58° N still seems appropriate.

SSC REVIEW OF REPORT ON BERING SEA CLAM - WALRUS INTERACTIONS

By Mr. Sam Stoker

The SSC is in general agreement with Mr. Stoker's concerns regarding clam resource management. However, we cannot agree that his projections of the potential impacts from developing a commercial clam fishery in the Bering Sea are very well documented.

Neither can we agree that there is sufficient evidence to accept his overly restrictive view that commercial exploitation of those clam resources be forbidden by both state and federal agencies.

The SSC recommends that if industry wishes to develop a clam fishery in the Bering Sea, that it be done in a closely controlled, orderly manner with concurrent collection of good ecological and biological data upon which to base control. The SSC has also recommended previously that this fishery resource be brought under a Fishery Management Plan as soon as possible and the Council has appointed a plan drafting team to accomplish this.

SSC REVIEW OF 1978 PMP'S

The SSC reviewed the MSY-EY-ABC-OY-FAC levels in the proposed '78 PMP's included under Tab for Council action. We also reviewed the public and agency comments received on the Bering Sea PMP with Mr. Larkins of NMFS. SSC comments were:

1. Bering Sea Pollock: We note in a letter to Elmer Rasmuson from Dayton Alverson dated September 8, that the status of this resource is judged to be improving with a concomitant increase in size. Since no data has been presented on the size composition required to stimulate growth of a domestic fishery or the OY necessary to achieve it, we had no basis to suggest a modification of the proposed OY-FAC. We were presented information indicating that the average size of fish in the population is approaching the size at which yield would be maximized (MSY). Any attempt to increase average size must be judged in the light of potential decreased yield.
2. In the case of Bering Sea herring, the committee wants to point out to the Council that the 2,000 m.t. deficit on the OY from 1977 was intended to be taken from the 1978 January-March foreign allocation rather than the fall fishery which will be operating on a new year class population composition. This should be specified in the PMP. Additionally, the Council may wish to apply the .30 of OY reserve concept being considered for GAG to this resource. If this is done then the realisticness of the DAH of 10,000 m.t. could be re-examined.

3. If any potential for U.S. harvest of true cod and sablefish in the Bering Sea/Aleutian area exists, perhaps some small DAH should be held in reserve from the FAC for part of the year. No actual U.S. harvest projections were presented during the meeting and the SSC was not aware if any had occurred in public testimony.

4. There is some indication based on recent Japanese catch statistics that Bering Sea shrimp populations may support a small ABC although these stocks are still considered to be well below previous levels. The conservative approach may be to wait and see if a U.S. industry research venture to assess the population materializes as has been suggested to the committee before indicating an ABC.

5. Comments on the determination of OY for "other" groundfish and lifting of restrictions on foreign longlining landward of the 500 m for true cod were discussed under the SSC report on the draft Gulf of Alaska Groundfish Management Plan.

SSC COMMENTS ON GULF OF ALASKA GROUND FISH MANAGEMENT PLAN

The SSC reviewed the items requiring Council action at this meeting relative to the Gulf of Alaska groundfish management plan (Agenda Item 5). In the absence of any new information on potential incidental halibut harvest or DAH, we could see no rationale for modifying our previous stand on the management options presented which was "...The Committee felt that the options presented in the plan as extremes were perhaps not really extremes at all but did require the Council to make a choice in favor of one fishery vis-a-vis another. In this sense, the SSC felt that there were intermediate options that would allow for effective growth and development of trawl fisheries to occur while minimizing its impact on halibut or other nontarget species. The Committee requested that the management team consider revision of the plans to achieve this goal, but suggested that such revision await comment on the part of the Council." It is our understanding that no comments from the Council have been received on this point.

The opinion of one member of the Management Team was that very few restrictions (or none) should be placed on the developing domestic groundfish fishery in its first year and the results in terms of incidental harvest of other species closely monitored through an observer program. The result of this study would be used to set more meaningful regulations in this fishery. Some members of the SSC supported this view or suggested some sliding scale of regulation based on amount of participation in the fishery. Others contended that the halibut resource was in a state of decline, the level of domestic harvest and potential

incidental loss of halibut was unknown and the proposed time-area closures were not unduly restrictive on domestic fishery development. At any rate, no concensus could be reached.

The groundfish team's recommendations relative to sablefish were reviewed (September 29 report) with Mr. Larkins and the committee supporting the recommendations setting up sanctuaries prohibiting foreign trawling off S.E. and Yakutat, setting the FAC for sablefish at 0 off S.E. and E of 140° W longitude off Yakutat.

The committee noted that the sablefish OY and resultant DAH chosen was dependent on the rate of rebuilding desired for this apparently depressed stocks. While the committee agreed that the stock was currently below MSY it was not offered any data upon which to base a judgment as to the desired rate of rebuilding.

There was some discussion relative to the Advisory Panel recommendation for a winter closure on domestic and foreign longlining while it was generally agreed that there was no need to protect breeding sablefish in the winter months, no data was presented as to the desirability of closure during a period of supposed poorer flesh quality or the effect on halibut incidental harvest rate of a winter fishing ban. It was suggested that further data from IPHC would be required to make that judgment.

In regards to Suboptions I-B.2 and III-C, the SSC has already gone on record supporting 30 percent of OY reserve from the FAC to allow for unanticipated expansion of the domestic harvest in season combined with apportioning OY by major statistical areas.

The SSC reviewed public and agency comments received on the Gulf Groundfish Plan with Mr. Larkins, plan development team leader. Based on this review, we would point out the following:

1. Approval of joint ventures for pollock in the Gulf of Alaska may also require an increase in the DAH of other species to take care of anticipated incidental catch.
2. With regard to the Japanese request to increase the pollock OY from 169,000 m.t. to 200,000 m.t., it is true that:
 - (a) 200,000 m.t. is well within the MSY range of 169,000 - 338,000 m.t.; and
 - (b) the proposed OY of 169,000 m.t. is conservative.

On the other hand, the proposed OY allows a three-fold increase in catch over 1976 and a 20,000 m.t. increase over 1977.

We believe that an orderly expansion of this fishery is desirable so that stock condition can be carefully monitored as catch approaches MSY, and the impact of the pollock fishery on halibut, crabs, and other important species can be assessed as it expands into new areas.

3. We generally support the levels of OY, DAH and FAC by species for the Gulf of Alaska presented by the management team in a revised table under Agenda Item at this meeting. The only two reservations were relative to a previous comment on sablefish OY being dependent on the rate of stock rebuilding chosen by the Council and the OY for "other" groundfish. In the latter case, the SSC noted that it was desirable that the NMFS actively pursue breaking this category into species for which biological and OY estimates can be individually computed.

4. It was noted that Japanese fisheries representatives have been exploring the possibility of experimentally removing the ban on longlining inside the 500 m depth contour for certain areas to allow longline harvest of true cod. There is recommended expansions of the FAC for this species in the Gulf for 1978 which presumably would be taken largely by trawlers under the present depth restriction on longlining. No data was presented to the SSC on the relative potential incidental harvest of halibut by the two forms of gear of the specific areas which might be impacted and the SSC could therefore form no judgment on this matter. The NMFS representative did state that mounting an adequate observer coverage for this fishery would be financially difficult.

mammals, as well as hundreds of million of sea birds and other forms of marine life are currently being impacted by the annual removal of more than 5 billion pounds (2,268,600 mt) from the eastern Bering Sea biomass. Optimum yield considerations indicate a cautious approach to additional removals.

Optimum yields for Tanner crab for 1978 are prescribed as follows:

C. bairdi 73-89 million pounds (30,000 mt)

C. opilio

North of 58° 40-44 million pounds (18-20,000 mt)

South of 53° See Table 11, p. 76

F.7.0. TOTAL ALLOWABLE LEVEL OF FOREIGN FISHERY

The North Pacific Fisheries Council has determined that the U.S. domestic Tanner crab fishing fleet has the intent, desire, and capacity to fully harvest the OY of C. bairdi crab in the eastern Bering Sea. NMFS and OCS surveys show that the vast majority, all but about two percent (2%), of the C. bairdi stocks are found below 58° N. latitude (Fig. F3, Page 250). For this reason, and in order to prevent gear conflicts and a foreign by-catch of C. bairdi crab, any foreign harvest of Tanner crab has been restricted to the area north of 58° N. latitude and west of 164° W. longitude.

Approximately half of the C. opilio crab stocks found in the eastern Bering Sea are located south of 58° N. latitude and have a similar and

overlapping distribution with C. bairdi (Fig. F3, Page 250). The U.S. Tanner crab fleet has expressed a relatively strong interest in the development of a directed C. opilio crab fishery, however, the rate at which this fishery might develop can not be projected at this time with any degree of accuracy. Development of a directed domestic C. opilio fishery is considered to be both desirable and beneficial should market conditions and technological advancements make it feasible for domestic fishermen to economically harvest this resource. About half of the C. opilio population would be available north of 58⁰ N. latitude for an ABC of approximately 225,000,000 pounds (102,000 mt). The FAC is equal to the OY minus the expected domestic annual catch. (FAC=33,000,000 pounds, 15,000 mt).

F.8.0. MANAGEMENT REGIME

F.8.1. Management Objectives

See statewide Section 8.1. The management plan for the Bering Sea seeks to encourage the development of the U.S. fishery in this area by:

1. Ensuring concentrations of crab capable of supporting CPUE levels necessary to support U.S. fishery development are reserved for U.S. fishermen.
2. Preventing gear conflicts between U.S. and foreign fishermen.
3. Reserving crab for the U.S. fishery above the minimum size required by the U.S. industry for market development.

0923

: FISHERIES:

WASHINGTON, SEPT 9, REUTER-KYODO--REPRESENTATIVES OF JAPANESE FISHING INTERESTS SAID TODAY THEIR COUNTRY'S FISHING INDUSTRY COULD BE IMPERILED IF NEW RESTRICTIONS ON FOREIGN FLEETS ARE IMPOSED INSIDE THE 200-MILE U.S. FISHING LIMIT.

THE LEADER OF A DELEGATION NOW IN WASHINGTON FOR TALKS WITH GOVERNMENT OFFICIALS TOLD A PRESS CONFERENCE THAT THE JAPANESE FLEET WAS BEING VIRTUALLY "FROZEN OUT OF UNITED STATES AND SOVIET FISHING ZONES."

MR. TOMOUOSHI KAMENAGA, A MEMBER OF THE HOUSE OF COUNCILLORS (SENATE) AND PRESIDENT

OF THE JAPAN FISHERIES ASSOCIATION, SAID HIS GOVERNMENT HAD ALREADY PAID ABOUT 550 MILLION DOLLARS IN RELIEF TO ITS FISHING INDUSTRY.

HE CHARGED THAT NEW U.S. REGULATIONS NOW BEING CONSIDERED WERE HIGHLY DISCRIMINATORY AND ADDED THAT IF FRESH RESTRICTIONS WERE IMPOSED ON FOREIGN FISHERMEN "PERHAPS WE WOULD NOT FIND THE FISHING INDUSTRY VIABLE."

JAPAN, WHICH RELIES HEAVILY ON ITS HARVEST FROM THE SEA TO FEED ITS POPULATION, IS SENSITIVE PARTICULARLY TO ANY MOVES TO RESTRICT ITS FISHING GROUNDS.
REUTER PK

0926

: FISHERIES 2 WASHINGTON (REOPENS):

THE JAPANESE TRIP TO WASHINGTON WAS PROMPTED BY REPORTS THAT U.S. FISHING INTERESTS ARE PROPOSING TOUGH NEW REGULATIONS TO THE NATIONAL MARINE FISHERIES SERVICE, WHICH IS NOW IN THE PROCESS OF ESTABLISHING CATCH LIMITS FOR THE 1978 SEASON.

MR. KAMENAGA SAID THE JAPANESE HAD LEARNED THROUGH INFORMAL CHANNELS THAT THE DETERMINATION OF THE LIMITS WAS NOT REALLY SCIENTIFIC.

"ACCORDING TO OUR INFORMATION THE DETERMINATION IS NOT QUITE SCIENTIFIC, IT IS NOT BASED JUST ON SUSTAINABLE LEVELS, BUT INCLUDES ARBITRARY ELEMENTS," HE SAID.

HE LEFT NO DOUBT THAT THE ARBITRARY ELEMENTS HE REFERRED TO WERE U.S. FISHING INTERESTS, WHICH HE SAID WANTED TO INCREASE THEIR PORTION OF THE ALLOWABLE CATCH FAR BEYOND NECESSARY LEVELS AND THUS REDUCE THE ALLOCATIONS FOR FOREIGN FLEETS.

UNDER THE 200-MILE FISHING REGULATIONS, WHICH THE UNITED STATES BEGAN TO ENFORCE EARLIER THIS YEAR, THE FISHERIES SERVICE ALLOCATED 1.2 MILLION TONS TO JAPAN, WITH RESTRICTIONS ON CERTAIN SPECIES.

IT WAS "A LIMIT WE CAN LIVE WITH," MR. KAMENAGA SAID.
MORE PK

UNRECORDED

0929

: FISHERIES 3 WASHINGTON:

THE FISHERIES SERVICE ITSELF SET THE LIMITS THIS YEAR. IN FUTURE, HOWEVER, IT IS EXPECTED TO RELY HEAVILY ON THE RECOMMENDATIONS OF INDUSTRY COUNCILS IN EIGHT REGIONAL ZONES INTO WHICH THE COASTAL WATERS HAVE BEEN DIVIDED.

O THE JAPANESE SAID THOSE RECOMMENDATIONS WERE "SLANTED TO BUILD PROFITS FOR A SMALL AND HIGHLY PROFITABLE (U.S. FISHING) INDUSTRY WHICH DISREGARDS CONSERVATION GOALS."

WHILE THE JAPANESE BELIEVE THE U.S. REGULATIONS NOW BEING CONSIDERED WILL CUT INTO ALL AREAS, THEY CITE AS PARTICULARLY UNFAIR AND DISCRIMINATORY THE SITUATION IN THE BERING SEA, WHERE FOR MORE THAN 30 YEARS JAPANESE DEVELOPED AND FISHED FOR KING CRAB.

WHEN U.S. INTERESTS MOVED IN ABOUT 18 YEARS AGO, THE JAPANESE AGREED TO RESTRICT THEIR CATCH TO THE HUMBLER TANNER CRAB AND BEGAN DEVELOPING THAT RESOURCE.

NOW, THE JAPANESE SAY, THE NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL, THE INDUSTRY ORGANISATION, WANTS TO ALLOW U.S. FISHERMEN TO "TAKE AS MUCH TANNER CRAB AS THEY CAN CATCH ... WHICH THEY EXPECT TO EXPORT TO JAPAN AT EXTORTIONATE PRICES."

REUTER PK

Statement of
MR. NAMIKI HAYASHI
on behalf of the
JAPANESE TANNER CRAB INDUSTRY
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
September 22, 1977

Mr. Chairman, members of the Council: My name is Namiki Hayashi. I attended the public hearing held in Kodiak on August 24, and was given the opportunity to state on behalf of the Japanese Tanner crab fishery our views regarding the Tanner crab fishery in the eastern Bering Sea. Today, I am most grateful that I have been given the chance once again to express our views on the same subject.

To summarize, the main points of our views which I stated on August 24, are as follows:

1. The Tanner crab resources in the eastern Bering Sea are quite rich and should be able to permit more than sufficiently the catch required by both the U.S. and Japanese fisheries.
2. Optimum yield (OY) must be determined on the basis of very rational grounds.
3. The Japanese fishery should be allocated the same quota, including C. bairdi, that has been previously allocated.
4. The Japanese fishery should be allowed to operate, as in past years, in the waters south of 58° north latitude.
5. The market for C. bairdi, which the U.S. Tanner crab fishery needs, particularly the market in Japan, should be maintained and expanded by means of permitting the Japanese fishery to catch C. bairdi.

We requested that the original draft management plan be modified taking our above-mentioned views into consideration.

On September 9, the U.S. Government made its own draft PMP public. Its contents, too, vary considerably from what we are hoping for.

I would like to emphasize once again at this Council meeting when the Council is scheduled to discuss the draft FMP, that your approval of the aforementioned points we proposed for your consideration during the previous meeting would ultimately prove to be in harmony with the interests of the U.S. fishermen and fishery-related industries. Furthermore, I should like to add the following points.

In the event that the operation by the Japanese fishery is restricted within the waters north of 58° north latitude, we are not at all sure if our mothership-type fishery can continue

operating as a business enterprise. Furthermore, we have absolutely no knowledge of the value of the catch from this area.

The mothership-type fishery requires a vast amount of capital investment and great efforts must be devoted in order to manage it on a paying basis. If regulatory measures such as those proposed in the draft FMP or PMP are implemented in 1978 in one sweep, we will encounter insurmountable difficulties. To avoid the occurrence of such a fatal situation in our fishing industry, we would like to ask you to provide a period of adjustment for a few years. We earnestly request that other necessary measures, including an increase in the quota, be taken to avoid the destruction of our fishery which may be brought about by the implementation of regulatory measures too drastic in nature.

Given the necessary period for adjustment, not only our fishery, but also our marketing organizations which dominate almost 100% of the Japanese Tanner crab market, including imports, will be able to adjust to the new situation. A reasonable period for adjustment will also benefit the U.S. Tanner crab fishery by providing the necessary time to expand the Japanese market for the U.S. product through our marketing organizations.

Mr. Chairman, members of the Council: I believe the aforementioned fact, that is, mutual complement of the U.S. and Japanese fisheries, is the best and most effective way for the development and growth of the fishery for both countries. I believe this is already well understood by all members of the Council. I sincerely hope that you will make a decision during the current discussions on the draft FMP which will allow both our fisheries to be continued and provide everlasting growth and prosperity for many years to come.

Thank you very much for your attention and consideration.

Namiki Hayashi

FOR GAIL RIDGE

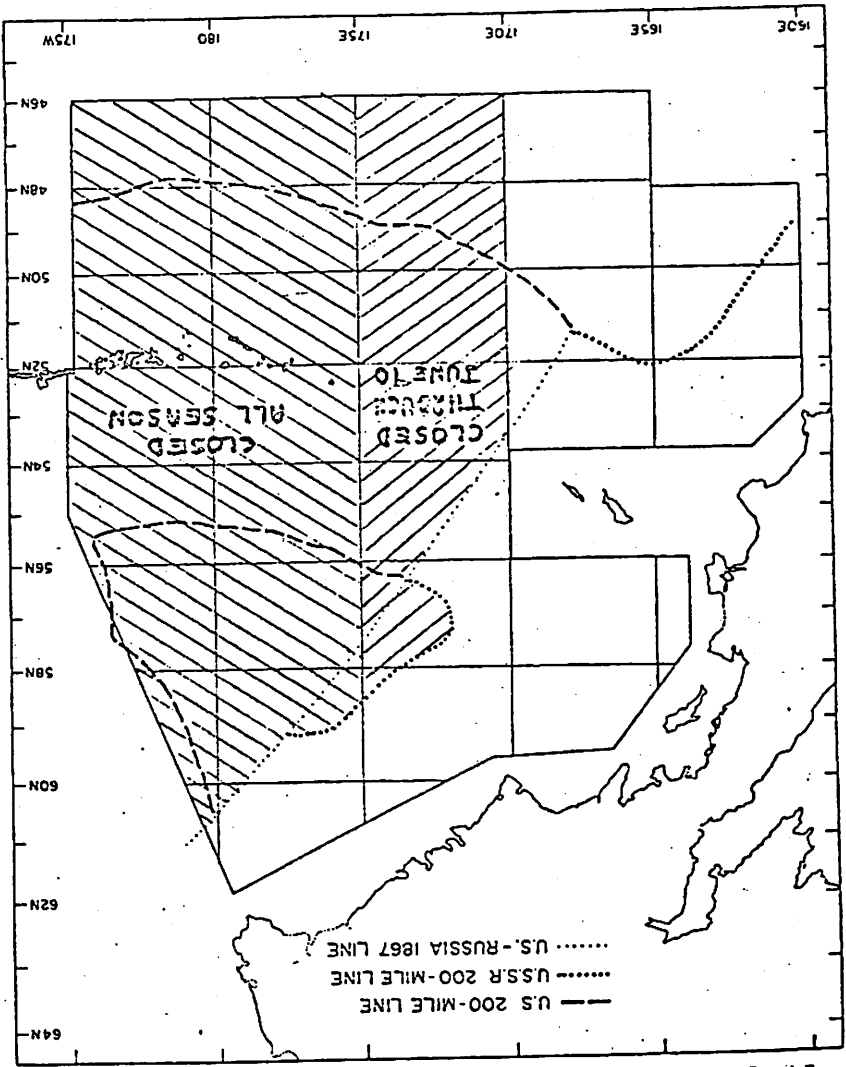


Figure 10.3 --- Option No. 3: Same as Option No. 2 except that water between 170°E and 175°E would be closed only through time 10.

SPECIES	OPTION		TOTAL
	AMERICAN	RUSSIAN	
a. Total catch outside the U.S.R. 200-mile zone	Sockeye	2,076	4,921
	Rain	17	3,412
	Chum	149	6,376
b. Catch in the closed area(s) and periods	Sockeye	2,013	2,512
	Rain	17	1,394
	Chum	149	4,100
c. Percent of the total catch outside the U.S.S.R. 200-mile zone taken in the closed area(s) and period (s)	Sockeye	97	52
	Rain	100	41
	Chum	100	64
d. (Catch outside the U.S.S.R. 200-mile zone and the closed area(s) and periods)	Sockeye	63	2,246
	Rain	0	2,013
	Chum	0	2,276
Total	97%	94%	7,097
	92	48	55
	100	52	53
a. Total catch outside the U.S.S.R. 200-mile zone	Sockeye	2,145	4,921
	Rain	3,315	3,412
	Chum	6,227	6,376
b. Catch in the closed area(s) and periods	Sockeye	2,013	2,512
	Rain	17	1,394
	Chum	149	4,100
c. Percent of the total catch outside the U.S.S.R. 200-mile zone taken in the closed area(s) and period (s)	Sockeye	97	52
	Rain	100	41
	Chum	100	64
d. (Catch outside the U.S.S.R. 200-mile zone and the closed area(s) and periods)	Sockeye	63	2,246
	Rain	0	2,013
	Chum	0	2,276
Total	97%	94%	7,097
	92	48	55
	100	52	53

Table 10.3 --- Effect of Option No. 3 on catches of North American and Rain Sockeye by the Japanese, American and Russian fishery as indicated by estimates of average annual catches in thousands of mt, 1964-73.

4-702

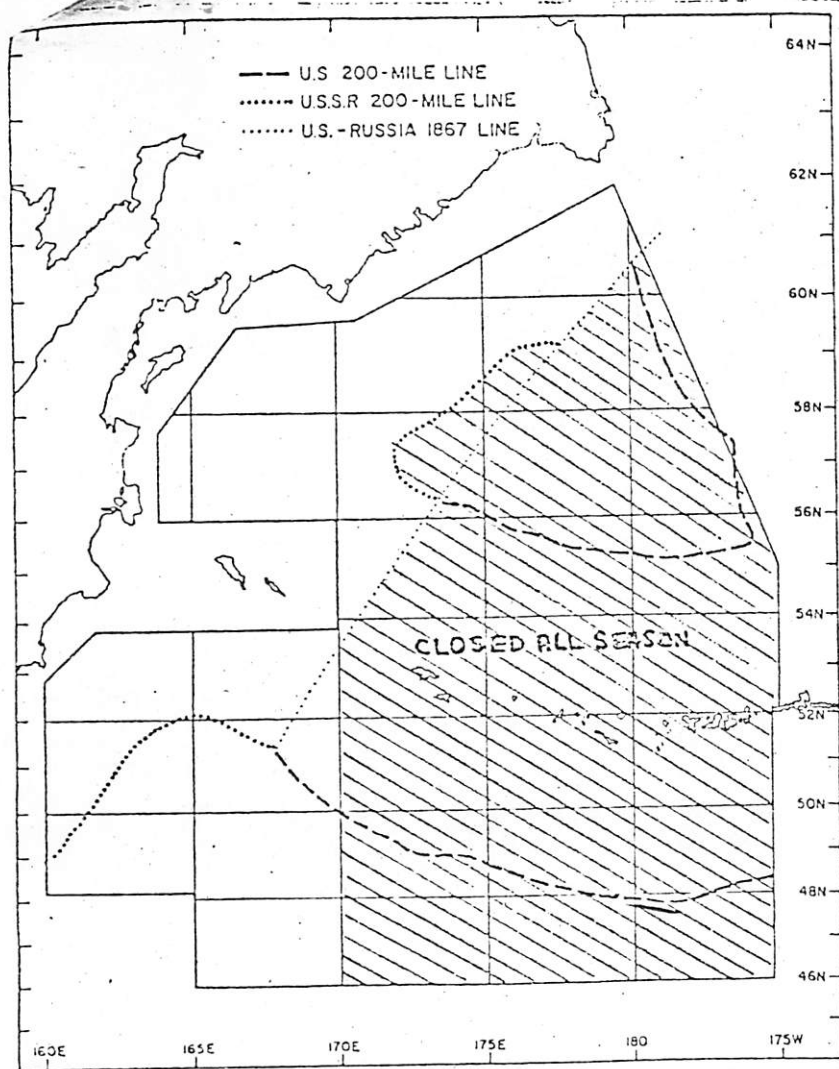


Figure 10.2 --- Option No. 2: Same as Option No. 1 except that waters west of 170°E inside the US 200-mile zone would not be closed.

ITEM	SPECIES	ORIGIN		
		NO. AMERICAN	ASIAN	TOTAL
a. Total catch outside the U.S.S.R. 200-mile zone	Sockeye	2,076	2,745	4,821
	Pink	17	3,375	3,412
	Chum	149	6,227	6,376
	Coho	24	933	957
	Chinook	134	65	199
	Total		2,400	13,365
b. Catch in the closed area(s) 2nd period(s)	Sockeye	2,076	815	2,951
	Pink	17	2,184	2,201
	Chum	149	4,663	4,812
	Coho	24	834	858
	Chinook	130	48	178
	Total		2,396	8,604
c. Percent of the total catch outside the U.S.S.R. 200-mile zone taken in the closed area(s) and period(s)	Sockeye	100	32	61
	Pink	100	64	65
	Chum	100	75	75
	Coho	100	87	90
	Chinook	97	74	89
	Total	~100	64	70
d. Catch outside the U.S.S.R. 200-mile zone and the closed area(s) and period(s).	Sockeye	0	1,870	1,870
	Pink	0	1,211	1,211
	Chum	0	1,564	1,564
	Coho	0	99	99
	Chinook	4	17	21
	Total	4	4,761	4,765

Table 10.2 --- Effect of Option No. 2 on catches of North American and Asian salmon by the Japanese wharship salmon fishery as indicated by estimates of 20000 annual catches, in thousands of fish, 1964-73.

Requests from Japan "North Pacific
Longline-Gillnet Association" which
operates with 200-Mile Fishing Zone
of the U.S.A.

Yoshiro Okazaki
President
North Pacific Longline-
Gillnet Association

Japan North Pacific Longline-Gillnet Association is organized by the Japanese Longline-Gillnet Vessel Owners, and is engaged in fishing operations under the guidance of the Japanese Government, with its 22 fishing vessels which have not increased for the past 10 years.

These fishing vessels have conducted orderly longline fishing for sablefish and Pacific cod in the Bering Sea, the Aleutians and the Gulf of Alaska, and gillnet fishing for herring during the May-June period in accordance with the U.S. Japan Fishery Agreement.

With regard to the development of deep-sea sablefish resources, we have made considerable financial and technical investments in the long-term survey of the fishing grounds, improvement of fishing methods, maintenance of fishing vessels and expansion of production facilities to pave the way for the establishment of our enterprise as it exists today.

At the outset, sablefish was not familiar to the Japanese market and the catch of this fish was not profitable. As a result of the publicity of its cooking methods and various features through mass communication media, however, this species has come to be valued as food material and has become one of those fishes which has won popularity in the diet of the general public.

In our longline fishing for sablefish, as it is regulated by the U.S. regulation of foreign fishery, we have been catching the fish living near the steep slopes along the outer edge of the continental shelf. Therefore, there should be no conflict of fishing ground between the U.S. and Japanese fisheries.

Most of the sablefish thus caught by our vessels are large, grown-up ones. Our fishing method using longlines is passive in nature, and is considered to be a highly ideal method from the standpoint of preserving marine resources since this method does not hurt the deep-sea environment in any way.

Thus, we believe that our longline fishing has a historical performance along the lines of the U.S. Fisheries Conservation and Management Act enacted in 1976.

The sablefish catch quota for our vessels for 1977 has been decreased by about 30 percent below the previous year's level, and it is considered that the U.S. fishing for this species will take a big step forward now that the sablefish resources in the Gulf of Alaska have attracted your special attention.

The implementation of various regulatory measures, based on the currently proposed draft management plan, however, will bring about extreme difficulties to our longline fishing, which is ideal for the conservation and effective use of the sablefish resources will become very difficult.

Under such circumstances, we most earnestly request the following points in your determining F.M.P. for 1978.

1. Optimum Yield (OY) of the sablefish for 1978 should be decided taking the opinions of both the U.S. and Japanese scientists. We request that the catch quota allocation of the sablefish for 1978 not decrease from that for 1977.
2. It is earnestly desired that the plan for establishing no-fishing zones in the Southeastern and Yakutat waters in the Gulf of Alaska in and after 1978 be cancelled.

Reasons:

- (1) The Southeastern and Yakutat waters in which the non-fishing zones are to be established are very important areas where 40 to 50 percent of our sablefish catch has been hauled. Therefore, management of our longline fishing industries will be hit severely by the establishment of such zones.
- (2) Japanese longline fishing vessels usually operate at the depth of more than 500 meters, much deeper than the depth of operation of the U.S. longline fishing vessels in their fishing ground. Therefore, there should be no conflict of the fishing ground between the U.S. and Japanese fisheries.
- (3) In longline fishing, fishing lines are laid out at equal depth over a long distance; (appox. 20 miles)

and a rotating harvest is required. Therefore, the establishment of non-fishing zones not only prohibits fishing operation there, but makes fishing operation in the fishing zones between non-fishing zones extremely difficult.

3. It is desired that the no longline fishing zones in waters less than 500 meters deep be lifted, so that our longline fishing for Pacific cod in the Gulf of Alaska may become possible.

Reasons:

- (1) The drastic decrease in our catch quota of sablefish in the Gulf of Alaska in 1977 from that of 1976 has made the management of our longline fishing very difficult. To remedy this situation, your favorable consideration is highly desired so that we may catch Pacific cod in the Gulf of Alaska now that foreign catch quota of Pacific cod for 1978 in the same waters, as suggested by the U.S. Government is to be considerably increased.
- (2) In the fishing grounds west of 157°W, the amount of mixed fishing of halibut is small and little competition with the U.S. fishing boats is seen. Therefore it is strongly desired that, in waters west of 157°W the 500-meter depth restrictions be lifted so that Pacific cod fishing is possible.

4. The U.S. establishes a no-fishing period for all foreign vessels in waters $140^{\circ}\text{W} - 147^{\circ}\text{W}$ and $147^{\circ}\text{W} - 157^{\circ}\text{W}$ in the Gulf of Alaska. But it is desired that this proposal be withdrawn so far as longline fishing is concerned.


Reasons:

- (1) The Japanese longline fishing vessels which catch sablefish catch very few halibut and do not destroy their spawning grounds.
 - (2) There is no conflict between the U.S. halibut fishing vessels and Japanese longline fishing vessels.
5. With regard to the non-fishing zone for herring in the Bering Sea, it is desired that the present zone (North of 58°N , east of 168°W) be altered to a zone encircled by the 168°W longitude, the line connecting the points $60^{\circ}\text{N} - 168^{\circ}\text{W}$ and $58^{\circ} - 163^{\circ}\text{W}$, the 58°N latitude and the coastal line.

Reason:

As a rule, the amount of herring catch depends largely on the condition of sea ice. It is therefore feared that the present no-fishing zone may severely influence our fishing operations in some years. It is strongly desired therefore in regard to the fishing from next year on that the southwestern corner of

the present no-fishing zone, which has no conflicts with the coastal indigenous fishing, be opened for us. As the herring resources are abundant, we believe that such partial liberation of the non-fishing zone will not affect the amount of catch by the coastal inhabitants.



Yoshiro Okazaki Date
President
North Pacific Longline-
Gillnet Association

TRUSTEES

DEAN L. KAYLER
MICHAEL RADOVICH
DONALD E. REINHARDT
WILLIAM A. DIGNON
RICHARD O. PHILLIPS
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NORTHWEST FISHERIES ASSOCIATION

INCORPORATED 1951

911 WESTERN AVENUE
SEATTLE, WASHINGTON 98104
623-0102

JAMES G. FERGUSON PRESIDENT
REX K. LODER VICE PRESIDENT
ROBERT H. BOROUGHS SECRETARY
FRED N. WOODWORTH TREASURER

September 19, 1977

Mr. Elmer Rasmuson, Chairman
North Pacific Fishery Management Council
P. O. Box 3136 DT
Anchorage, Alaska 99510

Dear Mr. Rasmuson:

Our Association just recently learned that the North Pacific Council is being asked to consider opening areas for U.S. groundfish fishery that have been closed to protect nursery halibut stocks. These areas had long been subject to foreign trawling and it would be too bad to reopen any of these areas before we could ascertain to what degree the closure had been beneficial. It was very difficult to get the foreign fleets to agree to refrain from such fishing and the agreement was based on conservation requirements.

Regardless of the merits in any such requests, it does not seem that the Council should sanction a new U.S. fishery at the expense of another fishery...a measure that could lead to the continued decline and eventual demise of the halibut industry. It would also seem that such an action would be hard to justify to foreign nations who have refrained from fishing for conservation purposes.

Thank you for considering our thoughts.

Sincerely,

NORTHWEST FISHERIES ASSOCIATION

Donald E. Reinhardt

D. E. Reinhardt, Chairman
Government Affairs Committee

DER:ls



DRAFT

*PROTOCOL TO THE INTERNATIONAL CONVENTION FOR THE HIGH SEAS FISHERIES OF THE NORTH PACIFIC OCEAN

The Governments of the United States of America, Canada and Japan,

With regard to the International Convention for the High Seas Fisheries of the North Pacific Ocean, signed at Tokyo on the ninth day of May, nineteen hundred fifty-two;

Sharing the view that the Convention, its Annex and Protocol thereto have served to promote and coordinate scientific studies relating to the fishery resources of the North Pacific Ocean and its adjacent seas, and that the principles embodied in the Convention have aided in the conservation of these fisheries resources;

Taking into account that each of the Parties has established by domestic legislation new fishery jurisdiction in the Convention area;

Acknowledging that certain aspects of the Convention must be restructured to ensure compatibility with such jurisdiction;

Intending that the following terms and conditions shall hereinafter apply in the Convention area and that provisions of the Convention which are

* This draft presumes there would be a successful renegotiation and that the United States would withdraw its notice of intent to withdraw, before February 9, 1978.

inconsistent with the following shall be terminated and superseded;

Have agreed as follows:

1. Until such time as a new multilateral agreement is in force which concerns the collection and coordination of scientific studies relating to fisheries in the Convention area, the Commission established in Article II of the Convention shall continue its functions in this regard. The Commission shall coordinate its activities with the scientific studies undertaken pursuant to bilateral agreements between the Contracting Parties.

*Commerce
to multilateral
agreements
9/1/57
Convention*

2. Except as may be provided in paragraph 1, the Convention and Commission established pursuant thereto, shall be concerned solely with anadromous species.

3. The Commission shall operate as a consultative body for the purpose of analyzing and promoting the collection of scientific data relating to anadromous species and of making recommendations to domestic fishery management authorities in accordance with paragraph 4.

4. From time to time, the Commission shall discuss, and upon unanimous consent, make recommendations to governments which concern the following:

- the size of runs of anadromous species in the Convention area;

- the continent of origin of anadromous species in the land-based fishery;
- the intermingling of stocks;
- protection for anadromous species of North American origin;
- protection for anadromous species of Asian origin;
- the encouragement of scientific studies, and the coordination of scientific data collection and analysis regarding anadromous species;
- and such other matters as the Contracting Parties may agree.

*motherly
A.P.*

*Adv. -
Anadromous
salmon
or
other fish*

5. The Contracting Parties agree that in order to protect anadromous species of North American origin the high seas Japanese mothership fishery will fish only in waters west of 170 degrees East Longitude, and that the Japanese land-based salmon fishery will fish only in waters west of 165 degrees East Longitude until such time as the continent of origin of anadromous species in such waters shall be determined. East of such waters, Japanese nationals and vessels shall not engage in the exploitation of anadromous species, or in the loading, processing, possessing or transporting of anadromous species, unless such exploitation, loading,

processing, possessing, or transporting is authorized under a permit issued pursuant to a United States-Japan governing international fishery agreement, or a Canada-Japan fishery agreement.

6. In waters west of 170 degrees East Longitude which are within the United States fishery conservation zone, the United States shall authorize fishing for anadromous species and shall issue permits accordingly, pursuant to this agreement. Fishery support vessels shall be required to have on board a valid permit while in the United States fishery conservation zone.

7. Within the United States fishery conservation zone the United States, and within the Canadian 200-mile zone Canada, shall enforce the provisions of this agreement.

8. Beyond the United States fishery conservation zone and the Canadian 200-mile zone, any Contracting Party may enforce the provisions of this agreement and take further action in accordance with its domestic laws.

9. Enforcement actions taken pursuant to this agreement shall be promptly reported to the other Contracting Parties, including the ultimate disposition of each case.

10. Article VI and VIII of the Convention shall remain in full force and effect between the Contracting Parties.

11. This Protocol shall be subject to ratification by the Contracting Parties in accordance with their respective constitutional processes. The instruments of ratification shall be exchanged in Washington as soon as possible. The Protocol shall enter into force on the date of exchange of ratifications between all three Contracting Parties, at which time all inconsistent provisions of the Convention, including its Annex and earlier Protocol, shall be terminated. This Protocol and those portions of the Convention, not terminated by this Protocol, shall continue in force until one year from the day on which a Contracting Party shall give notice to the other Contracting Parties of an intention of terminating the Convention, whereupon it shall terminate as to all Contracting Parties.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed this Protocol.

DONE in triplicate, in the English and Japanese languages, all of which shall be equally authentic, at _____ this _____ day of _____,

** In an agreed minute, the Parties would specify their intent as to the portions of the Convention that would be superseded.

CC: Council (50)
9-23-77

NORTHERN AURORA FISHERIES - Boat "AURORA"
Box 1247
Sitka, Alaska 99835

September 20, 1977

North Pacific Fishery Management Council
P.O.Box 3136 DT
Anchorage, Alaska 99510

Attn. Mr. Jim H. Branson, Executive Director

Dear Mr. Branson:

Northern Aurora Fisheries, a newly formed fishing and processing company is now building a 150 foot fishing-processing boat in Tacoma, Washington. This boat will be completed and ready to enter the fisheries in Alaska in April, 1978. The boat "AURORA" will be equipped to fish all types of bottom and mid-water fish, as well as pot fishing for crab or bottom fish, such as sablefish or Pacific Cod. The "AURORA" can also freeze aboard 50,000 pounds of finished product per 24 hours and can pack in refrigerated holds 500,000 pounds. Our target species will be scallops and herring in the Bering Sea and sablefish off Southeast-Yakutat area. If we elect to fish sablefish with pots, our projections are for 1,000,000 pounds per month during the spring and summer months. This will of course, depend on the market for this product holding up at prices paid in late 1977. Our total catch could exceed 5,000,000 pounds in this fishery. Shipping our sablefish product south to Seattle from Southeast Alaska is no problem as excellent freight service is available.

Herring fishing in the Bering Sea would present problems because of the freight service and freight costs from this remote area to Seattle and then to markets in Europe or Japan. We think it would be feasible to mid-water trawl or seine herring in the Bering Sea if:

1. We were allowed to deliver unprocessed herring to a foreign ship to be processed and shipped to markets in Japan.
2. Market prices increase where we could catch and process for delivery to a foreign ship.

At this time we would like to go on record in support of foreign ships receiving unprocessed fishery products from American fishing boats until such time American processors are capable of handling these products. We will be capable of catching and delivering to these ships at least 5000 metric tons of herring in the Bering Sea using a mid-water trawl which we will be equipped with when we leave Seattle for Alaska.

We are enclosing drawings of the "AURORA" for your review. We will also be equipping the boat with the most modern electronic gear available.

As I mentioned in Anchorage, we would like to serve on the Advisory Board should a vacancy occur.

Very truly yours,
Robert E. Wyman
Robert E. Wyman