



JUNE 1978

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE
 Northwest and Alaska Fisheries Center
 2725 Montlake Blvd. East
 Seattle, Washington 98112

June 20, 1978

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

SUBJECT: Japanese Longline Cod Fishery West of 157° W. in the Gulf

Dear Jim:

At its May 26th meeting the Council requested that the Center give high priority to observation of the foreign longline fishery for Pacific cod west of 157° West in the Gulf and an update on that longline fishery at the June and July meetings. This report responds to that request.

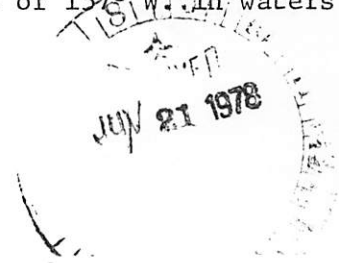
At the May meeting, there was discussion about the large incidence of halibut estimated by our observers aboard two longline vessels fishing for Pacific cod in the Bering Sea (north of Unimak Pass) at depths less than 320 m during February. The high incidence of 29.1 fish/mt. raised concern for the catch rates of halibut which might occur in the proposed Japanese longline fishery shoreward of 500 meters west of 157° W. longitude in the Gulf of Alaska.

As we had anticipated, the incidence of halibut varies with depth, area and time, and generalized extrapolations can result in serious errors in estimation.

For example, during January-March, 1978, when the very high incidence of halibut was encountered in the Bering Sea, observers on vessels fishing sablefish in the western Gulf of Alaska at depths greater than 500 m noted the incidence of halibut to be 1.02 fish/mt. of catch. Another observer who returned in May from longline vessels which fished for both sablefish and Pacific cod in the Bering Sea and Aleutian area reported observing no halibut during the entire trip.

The most recent report from our observer aboard a longliner in the Aleutians indicates an incidence of 4.25 halibut/mt. of catch in waters 150-250 m deep.

In immediate response to the concern of the Council, after your last meeting, we informed the Japan Fishery Agency of our desire to place observers on vessels which were fishing for Pacific cod west of 157° W. in waters less than 500 m.



Japan responded by indicating such a vessel (Shinko Maru No. 3) and our observer transferred to this vessel on June 8. His first report for June 9-10 indicated fishing was at average depths of 170 m. Halibut incidence was low, 0.1 per mt of catch. A more recent report (June 11-17) indicates that this vessel, while fishing cod for three days, had an incidence of one halibut/mt of catch (in water 160-180 m deep).

On June 10 we placed another observer on a Japanese longline vessel. He will report incidence of halibut whenever the vessel fishes in waters less than 500 m. The limited data so far available indicate that the current incidence of halibut is considerably lower in the Shumagin-Chirikof areas than in the Bering Sea in February; however, we would prefer to reserve judgment until more data is available.

The Center plans to add another observer to the longline fleet in early July and we will request the observer be placed on a vessel targeting on Pacific cod. This will bring the total observer complement directed to the longline fleet to three people, which is only one more than we had planned prior to the Council's recent interest in the impact of the cod fishery on halibut stocks. This is not a large increase in our observer effort aboard longliners; however, it is about as much of an adjustment as we can make without seriously compromising other commitments in our observer program. If we are to increase coverage on the longliners, we will need guidance and instruction from the Council and our Regional Director on what fisheries we reduce effort.

During the week of June 4-10 the distribution of Japanese longliners in the Gulf of Alaska was as follows:

<u>Area</u>	<u>No. of Vessels</u>
Shumagin	9
Chirikof	4
Kodiak	1
Yakutat	2
Southeastern	0

The total number of vessels fishing was 13. (Some fished in two areas during the week.)

Sincerely,

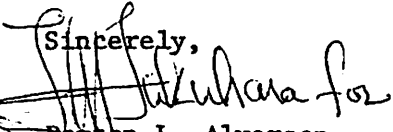

Dayton L. Alverson
Center Director

EXHIBIT A

Northwest & Alaska Fisheries Center
Resource Ecology & Fisheries Management
2725 Montlake Blvd. East
Seattle, WA 98112

March 27, 1978

TO: Mr. James Branson, Executive Director, NPFMC
FROM: H. A. Larkins, Leader, Gulf of Alaska PDT
SUBJECT: Technical adjustment to Gulf of Alaska Groundfish FMP

On March 24, at the Council's request, members of the SSC, AP, and I met with representatives of the Japanese Longline-Gillnet Association to consider adjustments to the Gulf of Alaska Groundfish FMP, that might mitigate the severe cutbacks in sablefish and herring catches suffered by Japanese longliners in 1978, a situation that was compounded by a misunderstanding on the part of the Association regarding the portion of the Pacific cod TALFF that would be available to them.

The group produced the following recommendations which were unanimously adopted by the Council:

1. In the designated longline fishery for Pacific cod (west of 157°W) increase the combined TALFF and reserve from 6230 mt to 7600 mt. This would be accomplished by making the reserve and TALFF from all of Chirikof available to the longline fishery west of 157°W, rather than just the 40 percent of those amounts which reflects the proportion of Chirikof which lies west of 157°W. This action is not expected to produce any adverse biological or conservation consequences in that:
 - (a) the OY for Pacific cod will neither be exceeded in the Chirikof sub-area nor the Gulf as a whole;
 - (b) there is no information which indicates that cod distribution is so localized that this action would lead to depletion in that portion of Chirikof which lies west of 157°W; and
 - (c) this action does not change in any way the ban on foreign longlining in shallow water (landward of the 500 m isobath) east of 157°W.
2. The Reserve for Pacific cod in Shumagin and Chirikof areas be immediately released for allocation to the foreign longline fishery.

3. The DAH for Pacific cod in Shumagin and Chirikof areas be reassessed in August and any projected shortfall be assigned to the foreign longline fishery.

It was the sense of the Council that all of the increase in cod allocation to the longline fishery caused by the above actions should accrue to Japan, who has the longest history of longline fishing in the Gulf of Alaska and whose longline/gillnet fleet has been more heavily impacted by recent restrictions on foreign fishing (in the Bering Sea, Aleutians, and Gulf of Alaska) that any other foreign fishing fleet element.

The Council believes that the above adjustments are of such a technical and minor nature that they do not constitute "major federal actions" requiring additional public input or review.

Finally, the Council noted that Japan has allocations of certain species that occur at depths greater than 500 m that, by domestic (Japanese) action, could be made available to Japanese longliners to further help them replace their lost herring and sablefish catches.

cc: FAK
Alverson

HALarkins:jn

Agenda Item 8, Appendix C
JUNE 1978

Itemized List of Comments and Requests

presented by

THE NORTH PACIFIC LONGLINE AND
GILLNET ASSOCIATION
(Japan)

on

PROPOSED FISHERY MANAGEMENT PLAN
GROUNDFISH OF THE GULF OF ALASKA

and

50 CFR Part 611, Amendments to Regulations
on Gulf of Alaska Trawl Fishery and the
Sablefish (Blackcod) Fishery

70 FAC and 611.92(b) (1)

1. Sablefish Quota - maintain at least level of FAC of 8,000 MT as in PMP.
2. Increase in Pacific Cod quota as recommended and adopted by RC.

8.3.21 D(1) (a) and 611.92(c)

3. Opening of the proposed closures:
 - (1) Reopening of Davidson Bank (PMP).
 - (2) Area between 169-170° West, within 3 miles and 12 miles (PMP).
 - (3) Opening of the area east of: 140° West (FMP); 141° West (Regulation); 137° West (PMP).

8.3.21 A and 611.92(b) (1)

4. Discontinuation of using INPFC Statistical Areas.

8.3.21 B and 611.92(b) (2) (iii)

5. Lift the limit in taking national quota less than 25% of the total from December 1 - May 31.

8.3.23 A and 611.92(b) (2) (i) (A) (B)

6. Withdrawal of the provision to the effect that if a foreign nation has caught its allocation of any species apportioned to each major statistical area, all further fishing by that nation be terminated in the area for the remainder of the calendar year.

8.3.21 D(3) (b) and 611.92(d) (3) (ii)

7. Relaxation of restriction on fishing in the waters landward of 500 m. contour to, for example, 400 m., east of 157° West.

Statement by
H. NAKAMURA
Vice-Chairman
of
North Pacific Longline-Gillnet Association
(Japan)

at North Pacific Fishery Management
Council's 15th Plenary Session

May 25 - 26, 1978

Mr. Chairman, Distinguished Members
of the Council, Ladies & Genelemen:

My name is H. Nakamura, and I represent the Japanese Longliner's Association, its membership's livelihood solely dependent upon fishery resources in this part of the Pacific Ocean, within the Fishery Conservation Zone of the United States.

Nevertheless, on reviewing the contents of the Federal Register issued on April 21, this year, which publisizes proposed rules for FMP on the Groundfish of the Gulf of Alaska and its supporting regulations, the members of the Association felt

they simply must bring several points which cause their serious concern to the attention of the Council here, as well as the Competent Authority of NFMS, Department of Commerce, in Washington, D.C.

7.0 FAC (FMP), 611.92(b)(1) Talffs and National Allocation (Reg.)

In order for orderly development of our fishing plan, we need to share equitably such catch quota with reasonable leetime.

This year we made plans around PMP and regulations implementing the plan for foreign fishing that were issued on November 28, 1977, and allocation received in mid-May. Even that required considerable adjustments for the members of the Association and we are now threatened with further adjustments because of the imposition of FMP which affects the catch quota and regulations, as well as areas of operation.

(1) Sablefish (Blackcod)

We are aware that MSY for Sablefish for 1978 was estimated in the range of 22,000 to 25,000 mt., and EY between 17,400 and 19,800 mt., while OY is set far below this level. We are not really convinced of the validity of reducing the OY from that level down to 13,000 mt., and in this regard we seriously doubt whether such large departure from the level of EY for setting

OY would really be the true intent of the Fishery Conservation and Management Act. Therefore, we would request (1) that FAC of Sablefish for 1978 be maintained at least at the level of 8,000 mt., as has been determined under PMP instead of reducing it further, down to 6,400 mt. as indicated in FMP regulations; (2) Sablefish FAC for 1979 be increased to 19,500 mt., the same as that of 1977.

(2) Pacific Cod

At the 14th Council meeting, it was unanimously agreed and recommended by the Council to work out technical adjustments to the Gulf of Alaska Groundfish FMP for accomplishment of an increase in the combined TALFF and reserve from 6,230 mt. to 7,600 mt., by:

- (a) making the reserve and TALFF from all of Chirikof and Shumagin available to the longline fishing west of 157° West;
- (b) immediately releasing the reserve for Pacific Cod in these two areas for allocation to the foreign longline fishery;
- (c) assign shortfall, if any, of DAH for Pacific Cod after reassessment of DAH in August.

Finally, the Council noted that certain species that occur at depths greater than 500 m. that, by domestic action, could be made available to Japanese longliners to further help them replace our lost herring and sablefish catches.

It is our sincere wish that these adjustments recommended by the Council will be taken into account at Federal Governments so enough Pacific Cod and other species to cover the loss in our fishing be made available to us.

One other concern is that right in the area designated for Pacific Cod longlining, west of 157° West, shallower than 500 m. isobath, lies one of the closures proposed in FMP and Regulations, such as "Davidson Bank".

(3) Closed Areas

8.3.21 D(1) and 611.92(d)(i)(iv)

A. The forthcoming FMP regulations close all foreign fishing year-round in the areas specified which, to the Japanese longliners, means losing just about 40 percent of their fishing ground prior to 1977 in the Gulf.

"Davidson Bank," between 163°04' & 166°00' W. Long., north of 53°0' N. latitude, has recently been made open to longliners with the amendment to PMP and its implementing regulations on January 18, 1978, and we would like to see that in FMP; also, the current amendment for opening this area continues to be effective on the grounds that:

(1) Planning has already proceeded around the PMP which authorized Davidson Bank, but now the danger exists of the area being closed because of the Sanctuary.

(2) Longlining being the best method for conservation of fishery resources, the opening of this area to longliners

would not affect the future development of U.S. fishing industry.

8.3.21 D(1) (a) and 611.92(c)

B. Under PMP and its Regulations, the area "In the Gulf of Alaska between 169°00' W. longitude and 170°00' W. longitude between three and twelve nautical miles from the base line used to measure the territorial sea" is open for foreign fishing. Since (1) the location in the Gulf involves little gear conflicts, and (2) beyond 12 miles in the area the bottom is too deep for longlining; therefore, between 169° W. and 170° W., we request permission to operate in the four to twelve mile zone as was permitted in PMP.

8.3.21 D(3) (a) and 611.92(d) (3) (i)

C. Southeastern: Whereas, east of 141° W. longitude is closed to foreign longline fishing year-round, we would request that, as in the years prior to 1977, this area be opened for foreign longlining.

(4) Area Allocation According to Statistical Areas

8.3.21 A and 611.92(b) (1)3

According to the FMP, OY's are apportioned by five statistical areas in the Gulf of Alaska; that is, Shumagin, Chirikof, Kodiak, Yakutat, and Southeast. The wording on area allocation reads "The FMP and proposed regulations establish

OY's and TALFF's for each groundfish species in each of five major statistical areas. The purpose of allocation by statistical areas is to avoid the overfishing of local stocks which has taken place in the past."

We wish to express the following views on this topic, both from biological and operational perspectives:

Biological Perspective: According to Japanese scientists, the blackcod resource in the Northeastern Pacific and the Bering Sea are related and of one unit stock. For the Gulf of Alaska alone, we do not see the need to apportion blackcod OY by areas. Even the FMP does not say that there are several stocks in the Gulf of Alaska. There is apparently mixing of blackcod between all the areas. Also, from past catch trends, the Japanese longline fishery has operated in most areas of the Gulf and has spread out its fishing effort. The CPUE data by small statistical blocks for the past few years show that local overfishing has not been occurring. We will continue to spread out our longline fishing effort to avoid local overfishing and, from an operational point of view, in order to avoid gear conflicts.

Operational Perspective: The longline gear we use are spread over a very long distance and wide area. Therefore, when catch quotas are imposed by the five statistical areas, it will make it operationally difficult to fish.

(5) 8.3.21 B and 611.92(b)(2)(iii)

The FMP and regulations limit catches of allocation for all species combined by foreign nations to less than 25% during the periods from Jan. 1 - May 31 and Dec. 1 - Dec. 31 combined, in the Gulf of Alaska. (1) In view of existing stringent regulatory measures to protect and rehabilitate halibut resources through area-time, depth contour restrictions, no additional restriction seems to be required; (2) our past records (1975 - 1977) show the catch during December 1 to May 31 comprise more than 40 percent of annual catches. It would therefore be unthinkable to limit our catch to less than 25 percent by our vessels during the corresponding period. What is more, wouldn't such restriction lead to catches far short of FAC? We request that Japanese longline be exempted from the provision

(6) Sections 8.3.21 D(3)(b) and 611.92(d)(3)(ii) close "East of 157° W. longitude and landward of the 500 meter depth contour." We request relaxation of the depth contour closure to, for example, 400 meter depth contour, which we believe would involve low incidental catch rate of halibut and, of course, little gear conflict with U. S. fishermen. We might point out, further, that incidentally-caught halibut are released at the boatside, and mortality is kept extremely low.

(7) In Section 611.92, Regulation (2)(ii)(A) reads that "The taking of any species for which a nation has an allocation is permitted, provided that optimum yield (OY) has not been reached." It further stresses that "if the Regional Director determines that the OY for any species in any statistical area has been reached, all fishing in that statistical area by any vessel subject to this section must terminate even if national allocations or OY's for other species have not been reached."

According to this regulation, we can envision the following situation:

If rockfish quota of, say, 1,000 mt. was reached by a trawl fishery by March, then the blackcod fishery will not be permitted in the same statistical area, even if (a) blackcod fishing has not started, and (b) blackcod quota has not been reached. If we keep in mind that the blackcod line fishery is quite different from the trawl fishery, then this will be an unreasonable restriction on the blackcod line fishery. It is obvious that this type of regulation accomplishes no conservation objectives.

I hope it is not the intent of the North Pacific Regional Fisheries Council to have the regulation implemented this way. Therefore, we propose (1) that the Council clarify the intent of its regulation so that the wording of the regulation can be properly written. Furthermore, we propose (2) that the

Council distinguish between the longline and the trawl fisheries, and allocate fish catches according to these fisheries, for we believe, not only in conservation, but also in full utilization of the resources.