

MARINE MAMMAL COMMISSION
1625 EYE STREET, N. W.
WASHINGTON, DC 20006

Agenda 10
January 1979.

18 January 1979

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

Dear Mr. Branson:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the Fishery Management Plan and Draft Environmental Impact Statement for the Groundfish Fishery in the Bering Sea/Aleutian Islands Area and offers the following comments.

General Comments

As you know, the Fishery Conservation and Management Act (FCMA) and Marine Mammal Protection Act (MMPA) call for an integrated, ecosystem approach to management in order to conserve fishery resources at optimum yield levels and marine mammals at optimum sustainable population levels. While we appreciate the difficulty of the task, we believe that the development of a Plan for the substantial groundfish resources of the Bering Sea/Aleutian Islands Area offers a challenging opportunity to develop and implement such an ecosystem-oriented approach and, as noted below, that the Plan and DEIS could and should be modified to better reflect the currently available data and theory, including uncertainties, that provide a basis for such efforts.

The desirable approach and difficult challenge are identified in the document on page 144 which notes that: "(i)n the ecosystem sense, there is no 'surplus' production in the sea for man to take. The question is mainly one of balance between ecosystem components, i.e. changes in

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target species biomasses and the resultant changes in the biomasses of prey, predator, and competitor species." Although it is noted that the determination of such fishery-induced changes is one of the major objectives of the DYNUMES model, neither the Plan nor the discussion reflect any attempt to account for such changes, provide for uncertainties relating to the nature and extent of those changes, or otherwise attempt to strike or even articulate the criteria that will be employed in maintaining the necessary balance among the various components of the ecosystem. As the quoted language indicates, these changes may affect populations of marine mammals and other components of the ecosystem, as well as the target species of fish, themselves. It is therefore in the best interests of all concerned to develop a Plan that calls for sufficiently conservative actions and research to detect significant changes, and, whenever possible, provide for corrective measures before significant changes occur.

Specific Comments

Although relevant theory and data are discussed in several sections of the document, the discussion is not developed or organized so as to yield a clear explanation of the rationale for the Plan. Relevant ecosystem-oriented considerations do not appear to have been incorporated into the actual management regime that is proposed. The comments set forth below address several portions of the discussion in the order in which they appear and are meant to illustrate the need to modify the discussion to better reflect a conservative, ecosystem-oriented approach.

Page 02:

The statement at the bottom of the page indicates that the Plan forms the major component of an environmental impact statement "which assesses the effect that implementation of this Plan is expected to have on the environment of the region ...". However, the discussion on page 153 indicates that the authors of the document were "unable to predict the long-term effect on the ecosystem of the current, single species management strategies ..." which form the basis of the Plan.

Pages 03-04:

In light of this inability to predict the long-term effect of the management strategies, it would appear that there is no basis for confidence that the Plan meets the goal of avoiding irreversible or long-term adverse effects upon fishery resources and the marine environment which is included in paragraph 1 on page 04. Similarly, with respect to the secondary objectives that are identified, we have been unable to find any evidence in the Plan or discussion that the allowable catch limits established by the Plan are based upon "due consideration of other impacted resources" as suggested in paragraph (b) on page 03 or that fishing strategy has been designed "to have minimal impact" on the environment as suggested in paragraph (f) on page 04.

Finally, the document contains numerous statements indicating the inadequacy of available data on the effects of single species management strategies upon the ecosystem and its various components. Notwithstanding these statements, the management Plan does not appear to include a margin of safety in the determination of allowable biological catches or a mechanism for accessing information and research to remedy the inadequacies, in accordance with the objectives identified in paragraph (e) on page 04.

Page 05:

Although the discussion of the determinants of catch levels indicates that ecological objectives, such as preventing adverse impacts upon marine mammals and other associated species, are to be included in the determination of the acceptable biological catch (ABC), the discussion of ABC considers only the dynamics of the target species. The discussion in the remainder of the document appears to make no adjustment in ABC to account for impacts on other species.

The discussion of optimum yield (OY) indicates that it, in turn, may deviate from ABC for purposes of ecological objectives but, again, there is no evidence that there have been any adjustments for such reasons. As you know, the goal of maintaining marine mammals at optimum sustainable population levels is established by the MMPA and, as such, should be considered an ecological objective "established by law" under the criteria discussed in paragraph (d).

Page 104:

The discussion of the socio-economic characteristics of the domestic commercial fishery indicates that the total

domestic commercial catch "is believed to have been no more than 1,500 mt tons in any recent year." Although we recognize that it is not the only relevant consideration, the fact that the total domestic catch amounts to only 10% of the total catch permitted by the Plan indicates that reduction in the total permissible catch to account for uncertainties and other factors in the determination of OY, as suggested below, would not be apt to result in a significant impact upon the domestic fishery.

Page 139:

Here, again, the discussion indicates that fishery-induced changes in the abundance and distribution of one species affect the abundance and distribution of other species and that "single species population dynamics' approaches are no longer fully adequate for modern fisheries management." We are, however, unable to determine what, if anything, has been done to account for such changes by adjusting the OY levels.

Page 145:

Some of the information concerning marine mammals which is contained in Table 22 is erroneous or misleading. Walrus do not feed on salmon; harbor seals do not, to our knowledge, feed extensively on the benthos; bearded seals do not, to our knowledge, feed extensively on fishes; and ringed and ribbon seals are not ecological equivalents as is suggested by grouping them together. The discussion should be supplemented with an explanation of how these estimates of consumption levels were derived to provide a basis for evaluating their utility and reliability.

Page 151:

The discussion on previous pages of the document have indicated the inadequacies in the biological data base concerning the potential effects of fishery-induced changes on both target and associated species. The discussion in the last paragraph of this page recognizes the need for a conservative approach and suggests that catch levels can be set at levels that are equal to or less than the low end of the MSY/EY ranges and that catch levels so established can be "considered relatively free from the risk of overexploitation." Our review of Table I.1 on page I-2 indicates that the OY has been set at less than EY only for "other included species" and that it is set at or above the low end of the range of MSY values in all but one case. Moreover, the document

contains no explanation of the rationale supporting the determination that exploitation of stocks of fish at MSY levels will be free from the risk of "overexploitation", especially if that term is intended to include, as it should, exploitation at levels that result in adverse impacts upon associated species.

Page 153:

As noted earlier, the discussion in the last paragraph on the page indicates that the authors of the document are unable to predict the long-term effect on the environment of the current, single species management strategies which form the basis of the OY determinations in the Plan. This discussion provides additional reason to question the determination set forth on page 151 that exploitation at MSY levels is "relatively free from risk". The discussion should, at least, be modified to more adequately explain what is meant by "relatively free from risk" and to identify the known risks associated with the management strategies that are proposed.

Page 155:

This discussion of the MMPA illustrates the need to modify the discussion and Plan to reflect and account for the fact that there is a complex relationship between target species of fish, marine mammals, and other associated species in the ecosystem and that the maintenance of the integrity of that relationship is the primary objective of the MMPA and a goal of the FCMA.

The brief discussion on this page suggests, without supporting documentation, that restrictions on killing or harassing seals and sea lions results in an "unknown but probably significant economic loss to setline fishermen", that "large numbers" of seals and sea lions often congregate around trawlers and have been observed attacking halibut, salmon, and crabs, and that the maintenance of large populations of marine mammals -- seals, sea lions, porpoises, and whales -- has a profound impact on the abundance of commercial fish species. The discussion should be supplemented not only to provide more supporting information for these statements, but also to recognize and discuss the obvious fact that maintenance of substantial fisheries may well have had and most probably will have a profound impact upon the abundance of marine mammals that are dependent upon those fish. This, among other issues, is precisely the kind of balancing question that the discussion on page 144 identifies. There is no indication, however, that the authors recognized

the need to strike a balance or attempted to determine the relevant factors that must be weighed in achieving it. The discussion should be modified to articulate what, if anything, is proposed with respect to marine mammals and how implementation of the Plan is expected to directly or indirectly affect marine mammals in the area.

Page 163:

This discussion indicates that "having identified no social or economic reasons for reducing the yield of stocks in this fishery below ABC, Optimum Yield for all species will be considered equal to ABC ...". As noted above, the applicable law and the preceding discussion itself clearly indicate that ecological considerations may dictate setting OY at less than ABC. The discussion ignores those considerations as relevant criteria in determining OY and also ignores the discussion in other portions of the document that identify reasons for reducing the yield below ABC levels. The point is that even if there are no social or economic reasons for reducing the yield, there are clear ecological reasons which have already been identified.

Page 195A:

For the reasons set forth above, we believe that the statement in the second paragraph that the management regime is considered to be in conformance with the seven national standards set forth in Section 301 of the FCMA is unsupported and contrary to the discussion in other portions of the document.

Pages 196-198:

The discussion of research needs is confined to a total of less than three pages, all but the last paragraph of which address research on target species of fish, notwithstanding the need for consideration of the associated species and the ecosystem which is acknowledged at various places throughout the document. This discussion should be supplemented to include a list and discussion of specific information needs and a detailed description of the studies (including priorities, methodology, and time schedules) needed to effectively assess and monitor the impacts of the Plan and other factors on the status of non-target species and the ecosystem itself.

Pages 200-204:

As further evidence of the need for a more intensive, integrated approach to the development of an ecosystem-oriented management plan and assessment of its potential impacts, we note that it appears that only one of the listed references deals with marine mammals and that it deals only with the Alaskan fur seal industry through 1950.

Pages 223-224:

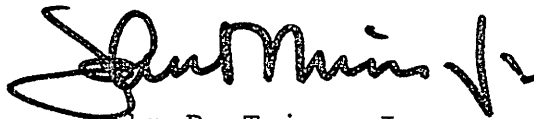
The discussion of the unavoidable adverse impacts of the proposed action and alternatives to it, the discussion of the relationship between local short-term use and maintenance and enhancement of long-term productivity, and the discussion of irreversible and irretrievable commitments of resources should all be modified in accordance with the comments set forth above. These modifications should include, but not be limited to, a consideration of alternatives to the proposed action other than continuation of a preliminary fishery management plan. Management by a PFMP does not appear to be the only alternative consistent with the FCMA. It seems to us that OY can and should be reduced so as to account for the effects of fishery-induced changes on target and associated species and the uncertainties relating thereto. The discussion should evaluate the relative value of various adjustments in OY for the several target stocks and clearly explain the reasons for any determination that such adjustments are not consistent with the FCMA.

Conclusion

In summary, the Commission feels that the Plan has not been developed from an ecosystem perspective, that the calculations of allowable catch levels have not included adequate consideration of the complex interactions among ecosystem components, and that required research may be inadequate either to identify optimum yield levels or to detect adverse impacts on target species, dependent species, associated species, or the ecosystem(s) of which they are a part. Consequently, we are concerned that implementation of the Plan, as presently formulated, may result in the depletion of one or more target, dependent, or associated species. While we recognize that available data and theory are inadequate to construct a fully reliable ecosystem model, we do feel that available data and theory have not been fully and adequately considered. Therefore, we recommend that relevant data and theory be re-evaluated to better identify uncertainties associated with the lack of knowledge or understanding and that the allowable catch levels be adjusted, as necessary, to reflect the degree of uncertainty concerning the possible first order and second order impacts of multi-species harvesting on target species, dependent species, associated species, and the ecosystem(s) of which they are a part.

I hope that these comments are helpful. Should members of your staff have any questions concerning either the comments or recommendations, I would suggest that they get in touch with Dr. Robert J. Hofman, the Commission's Scientific Program Director (202/653-6237).

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Twiss, Jr.", with a stylized flourish at the end.

John R. Twiss, Jr.
Executive Director

North Pacific Fishery Management Council

Clement V. Tillion, Chairman
Jim H. Branson, Executive Director

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Agenda Item #10
January 25-26, 1979

BERING SEA/ALEUTIAN ISLAND GROUND FISH FMP DECISION PAPER

I. AREA CLOSURES

1. Bristol Bay pot sanctuary:

Close to all trawling except U.S. bait trawling during open crab season.

2. Winter Halibut savings area

- a. Closed to all trawling from December 1 - May 31 except U.S. trawling with catch not to exceed 2,000 mt from the area during the closed period.
- b. Closed to all longlining December 1 - May 31 except U.S. longlining will be permitted landward of 500 m during that period for up to 2,000 mt (excluding halibut)

[halibut season will be open from April 8 to 28 and for 19 days beginning 12 days after the last closure of Area 3]

II. STATISTICAL REPORTING REQUIREMENTS

Need: for U.S. fishery

1. catch by species by $\frac{1}{2}^{\circ}$ latitude x 1° longitude
2. by gear type and vessel class
3. by month
4. effort; hours towed, number hooks, number pots, etc.

Will require: (in addition to fish tickets) one or more of the following -

- a. logbooks
- b. port sampling
- c. interviews with fishermen

Need from:

1. fishermen who land at Alaskan ports
2. fishermen who deliver at sea
3. fishermen who sell or use their catch for bait

III. 14.3.1.6 LIMITED ENTRY

Plan says no program presently necessary - no program should be implemented until all foreign fishing has been terminated.

IV. 14.3.2.3 FOREIGN - AREA CLOSURES

A. No fishing year round within 12 miles of shore, except:

1. Option 1

a. Waters of Bering Sea coast off the Aleutian Islands.

- (1) Between 169° and 170° W, trawling from May 16 to November 30, longline year around
- (2) Between 170° and 172° W, trawling and longline year around
- (3) Between 172° and 176° W, longline from April 1 to October 31
- (4) West of 176° W trawling from May 1 to December 31, longline year around

b. Pacific side of Aleutians

- (1) Between 169° and 172° W, trawl, longline and load year around
- (2) Between 172° and 178°30' W longline from April 1 to October 31
- (3) Between 176° and 178°30' W trawl from July 1 to October 31
- (4) West of 178°30' W trawl May 1 to December 31, longline year around.

2. Option #2

a. Bering Sea side of Aleutians

- (1) Between 169° and 170° W trawl May 16 to November 30, longline year around
- (2) Between 170° and 172° W trawl and longline year around
- *(3) Between 172° and 176° W longline during periods U.S. halibut fishing is closed
- (4) West of 176° W trawl May 1 to December 31, longline year around

b. Pacific side of Aleutians

- (1) Between 169° and 172° W trawl, longline and load year around
- *(2) Between 172° W and 179°E longline during periods U.S. halibut fishing closed
- (3) West of 179° E trawl May 1 to December 31, longline year around

*Major difference between Option 1 and 2

3. Option #3 - (Proposed after original draft)

a. Bering & Pacific side of Aleutians

- (1) longlining only between 172° W and 179° E in CFZ outside 12 miles.
- (2) allow longlining between 3 and 12 miles between 172° W and 179° E in following areas:

- ? a. none
- b. Those areas currently open to LL fishing
 - i. between 172° and 176° W on Bering Sea side April 1 - October 31
 - ii. Bering Sea west of 176° W year around
 - iii. Pacific side 172° to 178°30' W April 1 - October 31

V. CONT - FOREIGN CLOSURES

- B. Close management unit (or sub-area where quotas apply) to all fishermen of a nation for remainder of the calendar year when that nation's allocation of a single species (or group) is exceeded.

(JA-LL&GNT Association wants exception for longliners unless the longline target species quota is reached.)

VI. C. LONGLINE CLOSURES

1. Option 1 - Winter Halibut savings area

a. December 1 - May 31 - no foreign longlining landward of 500 meters

b. June 1 - November 30, no closures

2. Option 2 - No U.S. longline closures

VII. ESTABLISH OY'S FOR ALL SPECIES

Table I. 1

In addition to the figures in Table I.1, 100,000 mt has been added to the pollock ABC/OY to be taken from Statistical Area IV (See Figure 1.2.a).

(Several comments request changes in specified OY's, reserves and DAH.)

- iv. Pacific side west of 178°30' W
year around
- c. allow in entire area year around (172°
W - 179° E)
- d. any combination of b. and c.

V. CONT - FOREIGN CLOSURES

- B. Close management unit (or sub-area where quotas apply) to all fishermen of a nation for remainder of the calendar year when that nation's allocation of a single species (or group) is exceeded.

(JA-LL&GNT Association wants exception for longliners unless the longline target species quota is reached.)

VI. C. LONGLINE CLOSURES - FOREIGN

- 1. Option 1 - Winter Halibut savings area
 - a. December 1 - May 31 - no longlining landward of 500 meters
 - b. June 1 - November 30, no closures
- 2. Option 2 - Winter Halibut savings area
 - a. Close U.S. longlining landward of 500 meters from December 1 - May 31

VII. ESTABLISH OY'S FOR ALL SPECIES

In addition to the figures in Table I.1, 100,000 mt has been added to the pollock ABC/OY to be taken from Statistical Area IV (see figure 1.2.a).

(Several comments request changes in specified OY's, reserves and DAH.)

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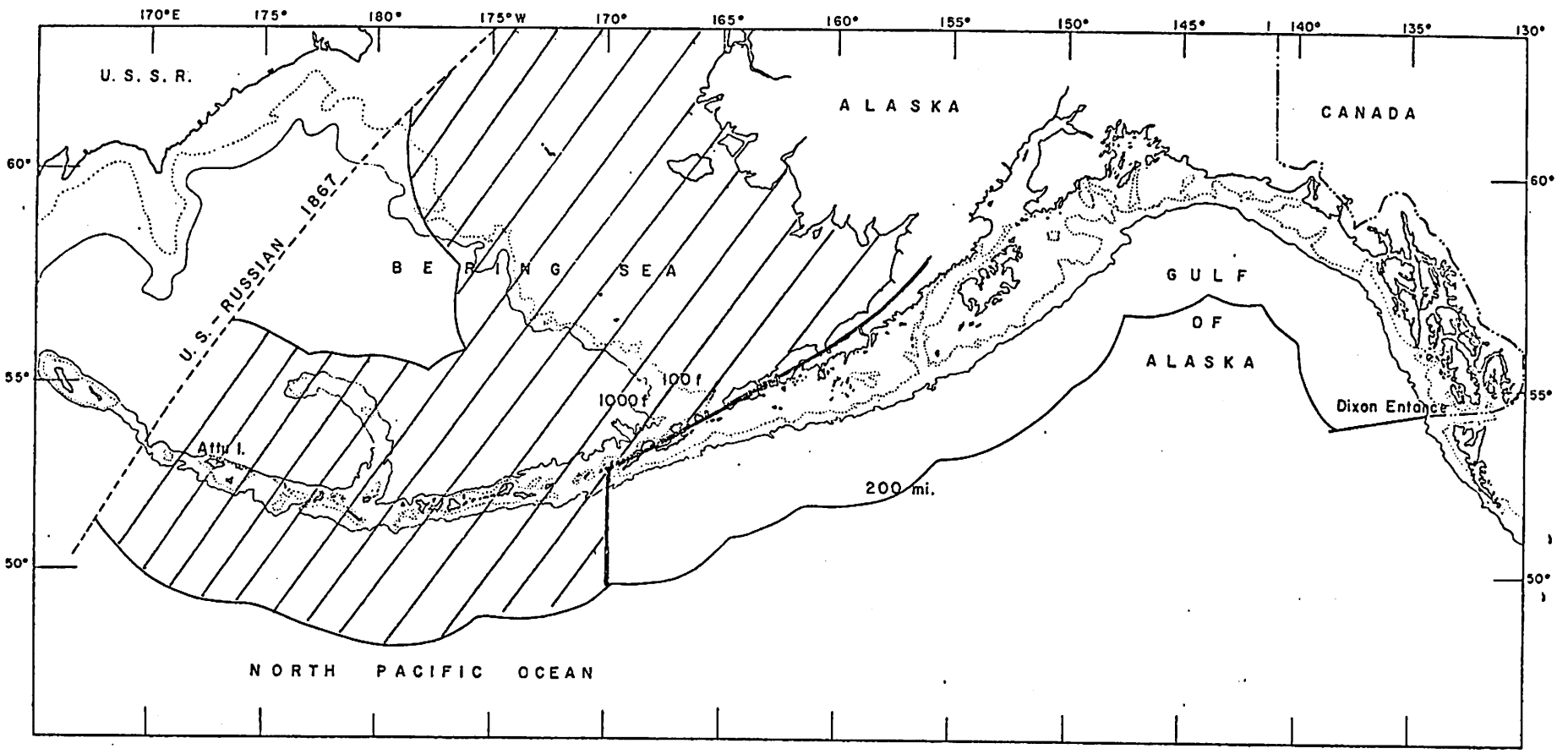


Figure 26.--Area (diagonal lines) over which this Fishery Management Plan applies.

VIII. Request from Joe Demantle and Jesse Foster for special section in plan treating incidental catch of King salmon - suggest time/area closures to control. (In Sec. 8.6.3, page 118 of Plan)

88% of the Japanese mothership catch of chinook is composed of western Alaska and AYK stocks. The average annual take (interception) is 246,000 fish. Two-thirds of these fish are estimated to be bound for the Yukon and Kuskokwim River spawning areas. No other North American salmon stock sustains a greater interception rate on the high seas. The 1978 mothership fishery probably did not take anywhere near this number of chinook.

Recent AYK commercial harvests average 117,000 fish per year.

The FMP estimates the 1977 incidental catch of chinooks by trawlers of Japan, USSR and the ROK at 47,730 fish.

IX. Request from Japanese Longline/Gillnet Association to allocate TALFF between longline and trawl fishery.

X. Comments from EPA - generally wanting some sections of plan expanded with more information.

XI. Extensive comments from the Marine Mammal Commission: generally summarized as follows:

1. Should pursue an integrated ecosystem approach to management. Plan should be modified to better reflect currently available data and theory.
2. Plan does not include a margin of safety in determining ABC or a mechanism for remedying inadequacies.
3. ABC discussion does not use ecological objectives, such as preventing adverse impacts on marine mammals and other associated species. Optimum Sustained Population (Of MM) should be an ecological objective 'established by law'.
4. Some marine mammal information in FMP erroneous or misleading.
5. Need to identify how implementation of the plan will, directly or indirectly, affect the marine mammals in the area.
6. Allowable catch levels should be adjusted, as necessary, to reflect the degree of uncertainty concerning possible first and second order impacts of multi-species harvesting on target species, dependent species, associated species, and the ecosystem.

Table I.1--MSY, EY, and ABC Values for Groundfish in the Bering Sea/Aleutian Region during 1979 (1000's mt)

Species	Sub-area ^{1/}	MSY	EY	ABC=OY	(1978 OY)	(1978-79 change)
Pollock	--	1,100-1,600	1,000	1,000	(950)	(+50)
Yellowfin sole	--	169-260	117	117	(106)	(+11)
Turbots	--	100	90-95	90	} (139)	(12)
Other flatfishes	--	44.3-76.8	=MSY	61		
Cod	--	58.7	=MSY	58.7	(58)	(+0.7)
Rockfishes	BS	75	6.5 ^y	6.5 ^z	(6.5--perch only)	
	Al	32	15	15	(15--perch only)	
Sablefish	BS	11.35	3.5	3.5	(5)	(-1.5)
	Al	1.85	1.5	1.5	(1.5)	(0)
Atka mackerel	--	33	Unknown	24.8	(24.8)	(0)
Squid	--	≥10	≥10	10	(10)	(0)
Pacific halibut	--	5	0.3	<u>2/</u>	--	--
Other included species	--	67	67	55.5	(93.6)	(-38.1)
Total ^{3/}	--	1,702.2- 2,325.7	1,446.5- 1,484.0	1,443.5	(1,409.4)	(+34.1)

^{1/} BS = Eastern Bering Sea Area (Statistical Areas I, II, III combined).
AL = Aleutian Area (Statistical Area IV).

^{2/} Determined by International Pacific Halibut Commission.

^{3/} Excluding Pacific halibut.

^{4/} PoP only

^{5/} All rockfishes including PoP

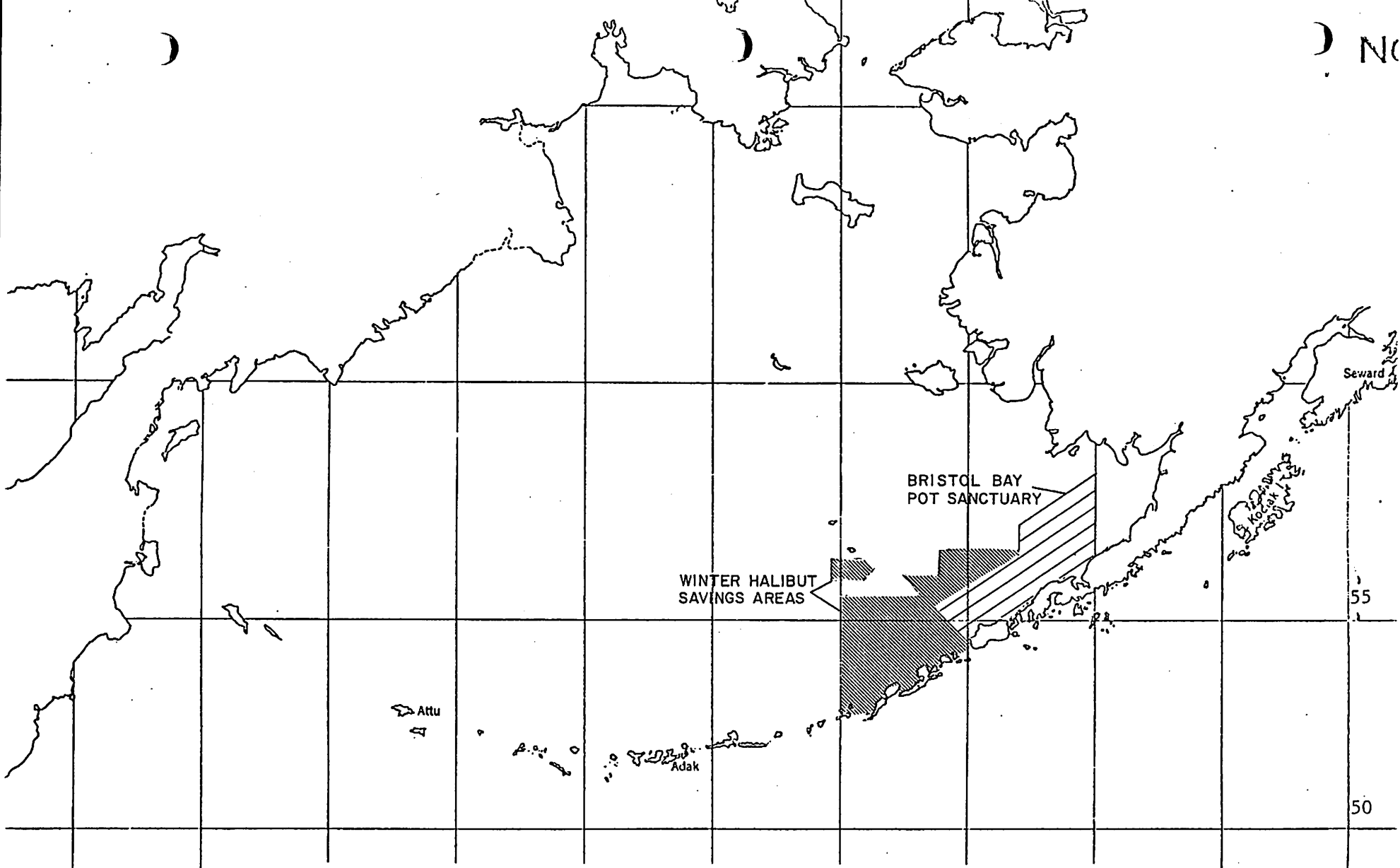


Figure 27.--Locations of "Winter Halibut-savings Areas" and the "Bristol Bay Pot Sanctuary" (See Appendix II for coordinates).

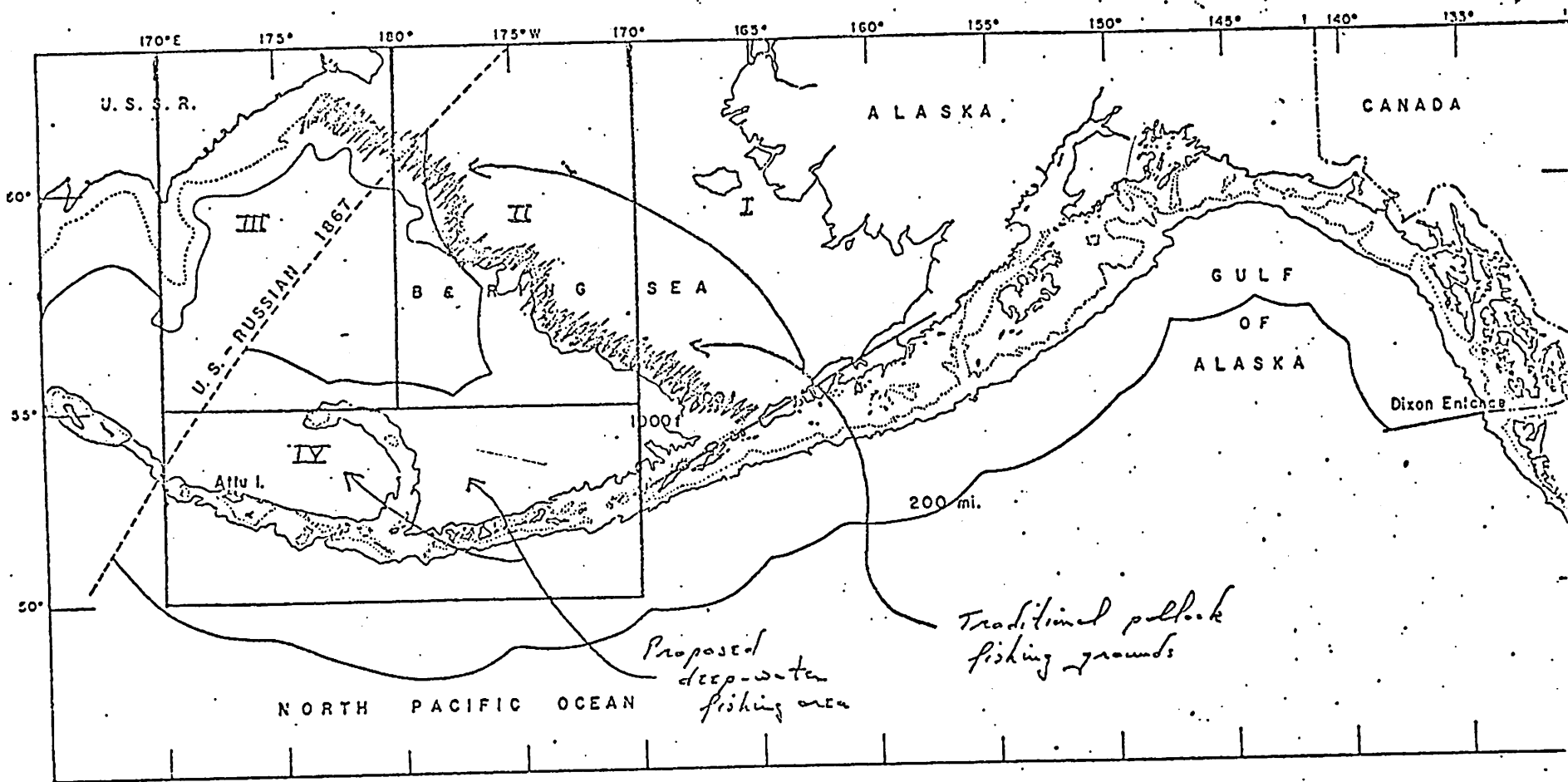
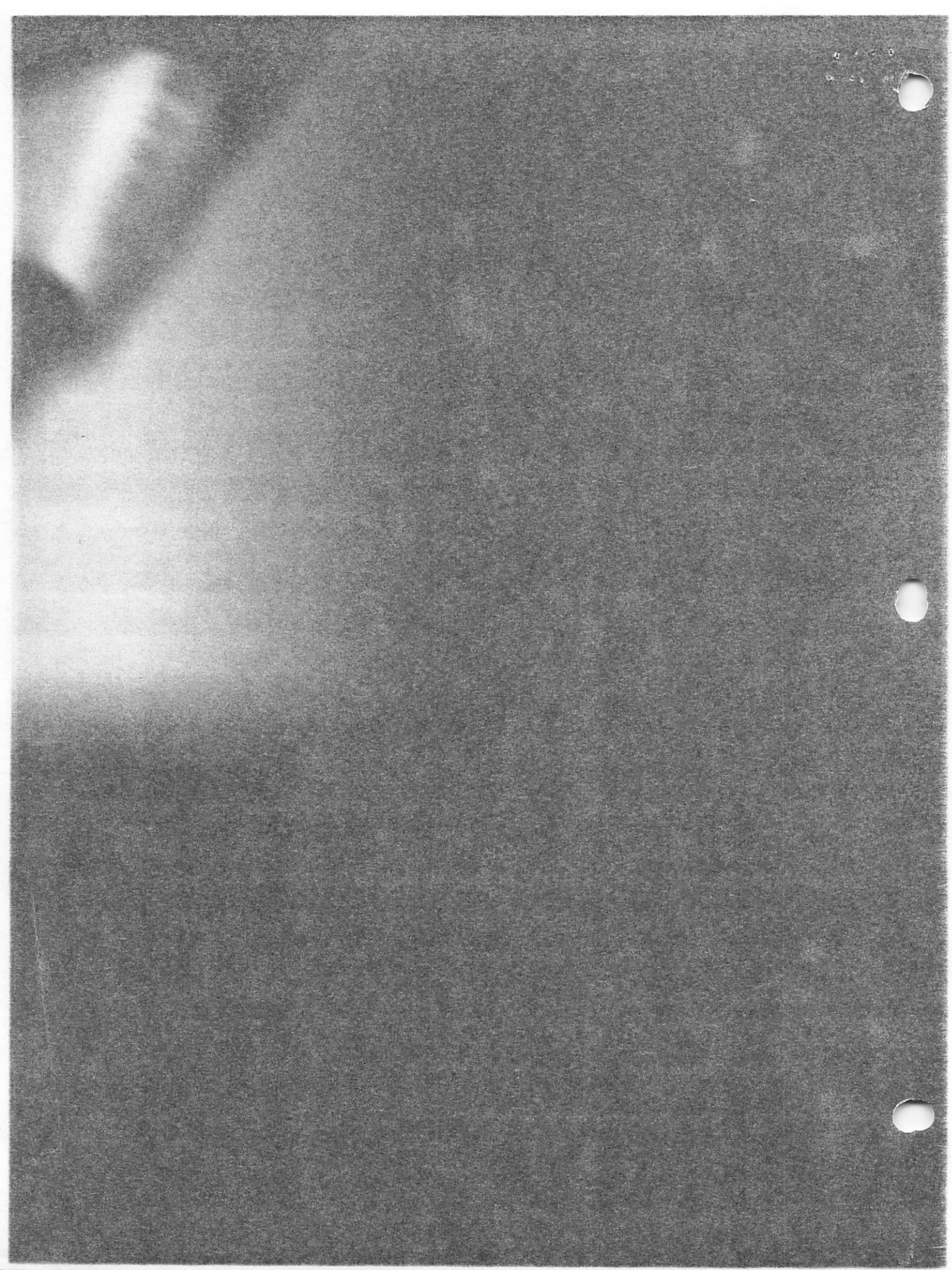


Figure I.2a. Traditional pollock fishing grounds (Areas I, II, III and proposed deep-water fishing area (Area IV).



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AGENDA ITEM #10

January 25-26, 1979

BERING SEA/ALEUTIAN GROUND FISH FMP

COMMENT SUMMARY

COMMENTS - I - AREA CLOSURES

a. Fishing Vessel Owners Association, Seattle -

- (1) General trawling restrictions in effect in the BS/A area should be continued.
- (2) Prohibit trawling in the Bristol Bay Pot Sanctuary - as per plan.
- (3) The FVOA supports the Winter Halibut savings area proposals as follows:
 - a. A restriction to 2,000 mt for domestic trawlers between December 1 - May 31 in the proposed halibut savings areas.
 - b. Trawl closure from December 1 - May 31 (foreign) in the winter halibut savings area.
 - c. The restriction from fishing by foreign longliners from December 1 - May 31 landward of the 500 m isobath.

- (4) The FVOA objects to the suggested restrictions on domestic longlining in the halibut savings areas.
- b. Robert Ely for KMIDC, Anchorage -
- (1) Maximize the opportunity in the FMP for the BS/A groundfish for the harvest of groundfish without the interference of halibut protection provisions.
- c. Mr. Nakamura, NPL-GA -
- (1) Objection is to the 500 m depth restriction on longlining in the "Winter Halibut Savings Area."
- d. Japan Fisheries Association
- (1) Requests open winter halibut savings area to longlining.
- e. Comments received from Mundt, et al, (Seattle) on behalf of the NPL-GA
- (1) Opposes the prohibition of foreign longlining in the halibut savings area inside the 500 m isobath.
- f. Comments by Mr. Sano, Director, Oceanic Fisheries Department, Japan Fisheries Agency
- (1) Remove the prohibition against foreign longlining in the winter halibut savings area landward of the 500 m isobath from December 1 - May 31.

COMMENTS - II REPORTING REQUIREMENTS

A. Ben Paz, Unalaska -

- (1) Fish tickets should be mandatory on board all trawlers in the BS/A fishing area for the purpose of reporting trawl catches for bait deliveries to crab boats. The estimate for bait requirements for the crab fleet varies between 1000 and 5000 tons.

COMMENTS - III LIMITED ENTRY

None

COMMENTS IV CLOSURES ALONG THE ALEUTIANS - MAINLY IN 3-12 MILE ZONE

A. Japan Deep Sea Trawlers Association -

- (1) (3) Request to maintain the area between 172°W and 179° E open to trawling the year around.

B. Comments from the Hokuten Mission (trawlers)

- (1) Open area between 172°W and 179°E to trawling.

C. Fishing Vessel Owners Association

- (1) Supports the trawl closure (foreign) in the area from 172°W to 179°E. (Also requested by the Japanese longliners.)

D. Comments from the Japan Fisheries Association

- (1) Requests trawl area between 172° W and 179° E to be open year around

E. Mundt, ET AL, ON BEHALF OF NPL-GA

- (1) Agrees with the establishment of longline sanctuary between 172° W and 179° E. (14.3.2.3.B.(iii).

- (2) Relax the 12-mile closure provision.

F. S. Stafne, representing the Alaska Longline Fishermen's Association and the International Longline Association supporting the establishment of the longline sanctuary between 172° W and 179° E. (14.3.2.3.B.(iii).

G. Comments by Mr. Sano, Director, Oceanic Fisheries Department, Japan Fisheries Agency

(1) Relax the closed area within 12 miles.

H. Mr. Endo, Japanese Medium Trawlers, Chairman of the Hokutensen Trawlers Association

(1) His ships cannot operate economically if the Aleutian area is closed. The area between 179° E and 172° W is very important to them and has a much higher yield than the data shows.

COMMENTS - V Close area to all of a countries fishermen when quota is reached for any one species.

A. Mundt, et al for NPL-GA

(1) Exempt foreign longliners from that provision

COMMENTS - VI FOREIGN LONGLINE CLOSURES

A. Mr. Nakamura, NPL-GA

- (1) Objection is to the 500 m depth restriction on longling in the "Winter Halibut Savings Area."

B. Japan Fisheries Association

- (1) Requests open winter halibut savings area to longlining

C. Comments received from Mundt, et al, (Seattle) on behalf of the NPL-GA

- (1) Opposes the prohibition of foreign longlining in the halibut savings area inside the 500 m isobath

D. Comments by Mr. Sano, Director, Oceanic Fisheries Department, Japan Fisheries Agency

- (1) Remove the prohibition against foreign longlining in the winter halibut savings area landward of the 500 m isobath from December 1 - May 31.

E. Mundt, et al, on behalf of the NPL-GA

- (1) Agrees with the establishment of longline sanctuary between 172° W and 179° E (14.3.2.3.B.(iii).

- (2) Relax the 12-mile closure provision

F. S. Stafne, representing the Alaska Longline Fishermen's Association and the International Longline Association supporting the establishment of the longline sanctuary between 172° W and 179° E. (14.3.2.3.B(iii).

COMMENTS VII OY, DAH, RESERVES, ETC.

A. Comments from the Japan Deep Sea Trawlers Association with requests for:

- (1) Reassessment of OY for Pollock in the BS/A
- (2) Increase OY for all rockfishes to 37,245 mt
- (3) Release of reserves (30% release every 2 months)

B. Comments from the Hokuten Mission (Trawlers) with requests for:

- (1) Designate a shrimp allotment for Hokuten trawlers of 600 mt, in the northern portion of the eastern Bering Sea for the period June through August.

C. Fishing Vessel Owners Association, Seattle

- (1) Do not set OY equal to EY for sablefish and Pacific ocean perch. The balance between OY and EY does not allow for stock rebuilding.

D. Japan Fisheries Association

- (1) Requests DAH be adjusted to realistic levels, if not nil.
- (2) Removal of the reserve (500 mt or 5% of OY) of each species.
- (3) Carry-over of unused portions of quotas to the next year.

- (4) Set OY for pollock at 1.3 million mt in BS/A area.
- (5) Maintain at 1978 level the OY for Pacific ocean perch and other rockfishes be treated as part of the "other groundfish" category.
- (6) Sablefish OY be set at 4,100 mt in the Bering Sea and 3,200 mt in the Aleutian area.

E. Mundt, et al, on behalf of the NPL-GA

- (1) Recommends DAH and reserves for Pacific cod and sablefish be set as follows:

	<u>DAH</u>	<u>Reserve</u>
Pacific cod	2,000 mt	7,900 mt
Sablefish (Bering Sea)	50 mt	800 mt
Sablefish (Aleutians)	50 mt	600 mt

F. Mr. Sano, Director, Oceanic Fisheries Department, Japan Fisheries Agency, requesting:

- (1) Removal of reserve of each species.
- (2) Adjustment of DAH. (Downward)
- (3) Increase the ABC of POP and other species.
- (4) Increase the allocations for pollock, sablefish, Pacific cod, flounders and Pacific herring.

COMMENTS VIII KING SALMON INCIDENTAL CATCH BY TRAWLERS

- A. Request from Joe DeMantle Jr., and Jessie Foster asking for a specific section to be placed in the FMP treating the interception of king salmon by Russian and Japan. They suggest time/area closures.

88% of the Japanese mothership catch of chinook is composed of western Alaska and AYK stocks. The average annual take (interception) is 246,000 fish. Two-thirds of these fish are estimated to be bound for the Yukon and Kuskokwim River spawning areas. No other North American salmon stock sustains a greater interception rate on the high seas. The 1978 mothership fishery probably did not take anywhere near this number of chinook.

Recent AYK commercial harvests average 117,000 fish per year.

The FMP estimates the 1977 incidental catch of chinooks by trawlers of Japan, USSR and the ROK at 47,730 fish.

COMMENTS IX ALLOCATE TALFF TO GEAR TYPES

A. Mundt, et al, on behalf of the NPL-GA

(1) Divide TALFF between trawl and set-line fisheries.

COMMENTS X EPA CONCERNS

The following comments were received on the EIS for the BSA FMP from the U.S. Department of the Interior, Regional Environmental Office, Anchorage: (FYI only - no action needed)

1. Pages 94-95 - explain changes in environmental conditions mentioned as restraints on fish population and growth.
2. Page 105 - Use rising costs of all things associated with fishing to determine economic viability of the fishing.
3. Page 154 - Discuss the effects of the Endangered Species Act.
4. Page 221 - Expand the description of the changes to the physical environment.
5. Revise 1st sentence, page 22, Sec. 22.3.2.

JAPAN DEEP SEA TRAWLERS ASSOCIATION

#10
Jan 1979
Council order

PROPOSED AMENDMENT TO INCREASE THE OY FOR POLLOCK IN THE BERING SEA/ALEUTIAN GROUND FISH PMP AND ADDITIONAL DATA IN SUPPORT OF THE PROPOSED AMENDMENT TO REDUCE THE NUMBER OF REGULATORY AREAS IN THE GULF OF ALASKA GROUND FISH FMP


Submitted by the Japan Deep Sea Trawlers Association
Anchorage - January 25, 1979

Mr. Chairman and the members of the Council:

I am Toru Fukui, representative of the Japan Deep Sea Trawlers Association. Our fishery mission represents all the fishing enterprises affiliated with the Japan Deep Sea Trawlers Association that have been operating in the Bering, Aleutian and the Gulf of Alaskan waters.

Today we are presenting a proposed amendment to the Bering Sea/Aleutian PMP and additional data in support of our previous proposal to reduce the number of regulatory areas in the Gulf of Alaska. We ask your full attention and consideration to the changes we are recommending.

I would like to thank the Council on behalf of our mission.


TORU FUKUI

JAPAN DEEP SEA TRAWLERS ASSOCIATION

I. REQUEST TO INCREASE THE OY FOR POLLOCK IN THE PMP FOR THE 1979 GROUNDFISH FISHERY IN THE BERING SEA/ALEUTIAN AREA

During the October meeting of the INPFC, Japanese scientists, based upon the best information available and after adequate consultation with the U.S. scientists, concluded that the OY for continental shelf portion of the pollock stock in the eastern Bering Sea be set at 1,200,000 mt. U.S. scientists concluded that the OY should be established at 1,000,000 mt in the traditional fishing areas and designated a separate OY of 100,000 mt for the deep water component of the stock located beyond the continental shelf in statistical area IV. The draft FMP has adopted the estimate of the U.S. scientists, recommending an OY of 1,000,000 mt.

It is our understanding that the Council during the January meeting will be reviewing all the data and testimony submitted during the public review period and making its final decisions for approval of the FMP to be sent to the Secretary of Commerce. However, until the FMP is finally approved and implemented by the Secretary, the PMP, which has maintained the OY for pollock in the traditional fishing area at 950,000 mt, will continue to provide the management regime for the eastern Bering Sea pollock fishery. Since implementation of the FMP by the Secretary could be delayed beyond the scheduled date, it is possible that the recommended increase in the OY for pollock during 1979 could not be fully utilized by the foreign fishery. For this reason, we are requesting the Council for approval of an amendment to the PMP increasing the OY for pollock to the same level which will be recommended by the Council for the FMP.

Should the Council approve an amendment to the PMP which conforms to the recommended FMP, we would seek the Council's support in requesting the Secretary of State to allocate the surplus as soon as possible giving priority to those nations whose vessels have traditionally engaged in the fishery.

JAPAN DEEP SEA TRAWLERS ASSOCIATION

II. COMMENT IN SUPPORT OF THE PROPOSED AMENDMENT TO REDUCE THE NUMBER OF REGULATORY AREAS FROM FIVE TO THREE IN THE FMP FOR THE GULF OF ALASKA GROUND FISH FISHERY

The five regulatory areas established under the Gulf of Alaska groundfish FMP have created a severe problem for Japanese fishermen in starting their fishery operations since implementation of the FMP. To date, not a single Japanese trawl vessel has attempted to begin fishing operations in the Gulf; a situation which has never been experienced by our fishermen in the history of Japanese fisheries in this area. In order to alleviate this serious problem, the Japan Deep Sea Trawlers Association has proposed an amendment to the FMP reducing the 5 regulatory areas to 3 by combining Shumagin with Chirikof and Kodiak with Yakutat.

During the last meeting of the Council, we agreed to provide further information and data demonstrating the operational difficulties resulting from the 5 regulatory areas as opposed to the proposed 3 regulatory areas. The major factor discouraging us from beginning our fishery under the FMP is the likelihood of early closures of certain areas due to the further uneven division of already comparatively low Gulf-wide Japanese allocations into the 5 regulatory areas. This can easily be demonstrated by Table 1 E which shows the total allowable fishing days during which one vessel of average fishing capability and capacity may operate within each of the 5 regulatory areas under the current allocations. The shaded areas represent those species for which the allocations would be prematurely taken resulting in a premature closure of the regulatory area.

As compared with 5 regulatory areas, Table 1 F estimates the number of operable fishing days for the same fishing vessel in the proposed 3 regulatory areas. By reducing the number of areas to 3, Table 1 F demonstrates our operating difficulties will be substantially improved by reducing the number of species for which low allocations would result in premature area closures. With the exception of

JAPAN DEEP SEA TRAWLERS ASSOCIATION

pollock in all areas, the combinations of Shumagin with Chirikof and Kodiak with Yakutat will provide significant relief from premature closures which are inevitable under the existing five areas. However, since experience has demonstrated that pollock and Pacific cod will constitute the majority of the catch between December 1st and June 1st under the pelagic gear restriction, commencement of our fishing operations will still depend upon the release of the pollock reserves.

While the Japanese trawlers recognize the objective of the management team to maintain the regulatory concept, our proposed reduction to 3 regulatory areas will not result in any adverse effects upon the resources. According to past catch records upon which the existing area OYs are based, it can be reasonably concluded that the Japanese fleet will not redistribute its fishing effort in such a manner as to overfish in any one localized area. With 3 regulatory areas the basic goals and objectives of the FMP will be better served by offering us the relief necessary to more fully utilize our share of the foreign allocation.

Based upon the foregoing, we would like to urge the Council to amend the FMP by reducing the number of regulatory areas in the Gulf of Alaska from 5 to 3 as proposed.

Recognizing that the Council is not responsible for the allocations among foreign nations, we would still like to point out that our current operational problems would not have been nearly as severe had the 1979 allocations been based upon the extent to which the vessels of Japan have traditionally engaged in the fishery. The unexplained formula upon which the allocations were established and apportioned among the 5 regulatory areas, as shown in Table II, have simply disrupted our fishing strategy which could result in underutilization of the fishery resources.

TABLE I ESTIMATED ALLOWABLE VESSEL DAYS by FMP REGULATORY AREAS
 BASED UPON 1978 JAPANESE TRAWL CATCH and EFFORT DATA

A: 1978 Japanese Trawl Effort

	SH	CK	KD	YA	SE	TOTAL
a: Vessel days	419	282	929	729	175	2534 (days)
b: Towing time	3788	3110	11021	8810	1914	28644 (hours)
c: b/a (hours)	9.04	11.03	11.86	12.09	10.94	11.30 (hours)

B: 1978 Japanese Trawl Catch (metric tons)

Pollock	3505	6073	12659	3289	996	26522 (mt)
Pacific Cod	286	487	889	214	67	1943
Flounders	2213	2346	4989	3360	2604	15512
POP	438	395	1001	1047	1075	3956
Other Rockfishes	63	71	198	168	150	651
Atka Mackerel	264	252	482	152	164	1314
Others	524	349	1094	595	239	2801
Total	7294	9974	21312	8825	5294	52699

C (=B/a): 1978 Japanese Trawl Average Daily Catch (metric tons)

Pollock	8.36	21.54	13.63	4.51	5.69	10.47 (mt)
Pacific Cod	0.68	1.73	0.96	0.29	0.38	0.77
Flounders	5.28	8.32	5.37	4.61	14.88	6.12
POP	1.05	1.40	1.08	1.44	6.14	1.56
Other Rockfishes	0.15	0.25	0.21	0.23	0.86	0.26
Atka Mackerel	0.63	0.89	0.52	0.21	0.94	0.52
Others	1.25	1.24	1.18	0.82	1.37	1.11
Total	17.41	35.37	22.94	12.11	30.25	20.80

(Table I -2)

D: 1979 Japanese Allocations (metric tons)

Pollock	80	20	75	27	30	232(mt)
Pacific Cod	2370	480	150	100	100	3200
Flounders	5090	70	5800	3060	878	14898
POP	700	50	900	250	2130	4030
Other Rockfishes	20	10	10	20	469	529
Atka Mackerel	1458	10	50	10	0	1528
Others	910	110	1664	50	88	2822
Total	10628	750	8649	3517	3695	27239

(Table I -3)

E (=D/C): Allowable Fishing Days During Which One Fishing Vessel Equipped with Average Fishing Capacity & Capability May Operate Under the Japanese Quota Divided Among the Five Regulatory Areas

	SH	CK	KD	YA	SE	
Pollock	10	1	6	6	5	(days)
Pacific Cod	3485	277	156	345	263	
Flounders	964	8	1080	664	59	
POP	666	36	833	174	347	
Other Rockfishes	133	40	48	87	545	
Atka Mackerel	2314	11	96	48	-	
Others	728	89	1410	61	64	

F : Allowable Fishing Days During Which One Fishing Vessel Equipped with Average Fishing Capacity & Capability May Operate Under the Japanese Quota Divided Among the Proposed Three Regulatory Areas

	SH-CK	KD-YA	SE	
Pollock	11	12	5	(days)
Pacific Cod	3762	501	263	
Flounders	972	1744	59	
POP	702	1007	347	
Other Rockfishes	173	135	545	
Atka Mackerel	2325	144	-	
Others	817	1471	64	

TABLE II - 1 COMPARISON OF THE JAPANESE ALLOCATION WITH THE OY, DAB, RESERVE, AND TALFF AS APPORTIONED AMONG THE STATISTICAL AREAS

	JH	CH	KO	YA	SE	TOTAL
(Pollock)						
OY	57,500	54,400	40,800	12,500	4,150	168,800
DAB	4,800	4,600	3,400	1,100	380	14,280
RESERVE	45,200	43,150	32,450	9,950	3,200	133,800
TALFF	7,000	6,700	5,500	1,500	650	20,900
JAPAN	80	20	75	27	30	232
OTHER AREAS	1,920	6,680	4,925	1,473	570	20,518
(Pacific cod)						
OY	9,600	4,150	15,300	4,300	1,500	34,850
DAB	4,300	1,800	6,800	1,900	700	15,500
RESERVE	2,930	1,150	4,420	1,270	430	10,000
TALFF	2,470	1,150	2,080	1,120	290	9,350
JAPAN	2,270	420	150	100	100	3,200
OTHER AREAS	200	670	2,930	1,030	290	6,100
(Flounders)						
OY	10,400	2,750	12,000	6,450	2,100	33,500
DAB	2,200	600	2,600	1,400	400	7,200
RESERVE	3,800	850	2,550	1,800	600	9,700
TALFF	5,250	1,700	5,750	2,200	1,000	16,150
JAPAN	5,070	70	5,800	2,060	878	14,878
OTHER AREAS	110	1,230	150	140	122	1,702
(OPF)						
OY	2,900	2,900	5,200	9,900	6,500	27,500
DAB	100	150	200	400	300	1,150
RESERVE	900	950	1,600	2,500	2,000	7,950
TALFF	1,700	1,700	3,400	5,000	4,200	16,000
JAPAN	700	50	900	250	2,130	4,030
OTHER AREAS	1,000	1,650	2,500	4,750	2,070	11,970
(Other rockfishes)						
OY	300	200	600	2,400	3,100	7,600
DAB	150	-	200	900	800	2,050
RESERVE	100	100	300	1,100	1,400	3,500
TALFF	100	150	100	700	900	2,150
JAPAN	20	10	10	20	419	529
OTHER AREAS	80	90	90	800	431	1,571
(Sablefish)						
OY	2,100	1,400	2,400	3,250	2,700	12,850
DAB	100	0	100	800	3,000	4,000
RESERVE	700	600	900	1,200	900	4,100
TALFF	1,300	800	1,700	1,400	0	4,200
JAPAN	1,220	700	1,360	275	0	4,185
OTHER AREAS	70	100	40	505	0	715

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TABLE II -2

	SH	CH	KD	YA	JE	TOTAL
(Atka Mackerel)						
OY	4,400	3,600	15,800	1,800	0	24,800
DAH	0	0	0	0	0	0
RESERVE	1,100	200	3,500	200	0	5,500
TALFF	3,450	2,800	12,300	800	0	19,300
JAPAN	1,458	10	50	10	0	1,528
Other kinds	1,992	2,790	12,250	790	0	17,772
(Squid)						
OY	400	400	400	400	400	2,000
DAH	0	0	0	0	0	0
RESERVE	200	200	200	200	200	1,000
TALFF	200	200	200	200	200	1,000
JAPAN	10	10	10	10	10	50
Other kinds	190	190	190	190	190	950
(Other species)						
OY	4,400	3,100	5,800	2,100	1,100	16,200
DAH	100	100	200	100	0	500
RESERVE	1,300	1,800	1,500	600	300	4,700
TALFF	3,500	2,500	2,300	1,400	800	11,000
JAPAN	900	100	1,154	40	78	2,272
Other kinds	2,100	2,400	1,646	1,360	722	8,228
(Total)						
OY	91,300	73,100	99,500	41,400	22,400	326,700
DAH	11,700	7,200	13,500	6,600	5,500	44,500
RESERVE	55,120	48,600	48,300	19,290	8,830	180,200
TALFF	24,470	17,250	35,180	14,530	8,070	101,650
JAPAN	11,858	1,450	10,009	4,412	3,185	31,424
Other kinds	12,612	14,200	26,671	11,118	4,375	67,576

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