

# North Pacific Fishery Management Council

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#3-94

## NEWSLETTER

6/24/94

### Abbreviated Meeting Yields A Lot of Action

During their recent four-day meeting in Anchorage, the North Pacific Fishery Management Council reviewed and commented on the Proposed Rule for the North Pacific Fisheries Research Plan (Observer Program), clarifying several areas of Council intent when the plan was originally approved in June 1992. A discussion of the Sablefish/Halibut IFQ program yielded clarifications and recommendations for regulatory adjustments. Under groundfish actions, the Council approved new directed fishing standards, a January 26 start date for the offshore pollock "A" season fishery, an emergency rule to exempt the BSAI jig fishery from the halibut PSC cap for the remainder of 1994, and a reallocation of 50 mt of halibut PSC from the directed Pacific cod longline fishery for 1994 to the sablefish hook and line fishery in the Aleutians. The Council also approved several analyses for release to public review. Details of these and other Council actions are found in this newsletter.

### Council Family Bids Farewell To Oscar Dyson

Oscar Dyson never missed a meeting (48 of them) during his nine years on the North Pacific Fishery Management Council. At his last meeting as a Council member, NPFMC and the Anchorage Hilton Hotel co-sponsored a farewell reception, with fresh Kodiak halibut donated by Ron Hegge and Mike Mayo. John Sevier of Alaska Pacific Seafoods processed the fish and coordinated transportation, donated by ERA Aviation. Judy Willoughby of Council staff coordinated the event, with help on the Kodiak end from Chris Blackburn, Alaska Groundfish Data Bank.

Oscar and his guests were treated to a slide show featuring Oscar through the years. Best wishes came from Senator Stevens and Congressman Young, RADM Rufe of the Coast Guard, and former Council member and Chairman John Peterson. Jim Campbell, also a former Council member and Chairman personally delivered his best wishes, as did former Council member RADM Dick Knapp (USCG, ret.). Perhaps the longest-serving Council member, Bob Mace, reminisced about his and Oscar's various fishing forays in Kodiak. Current Council Chairman Rick Lauber presented Oscar with a plaque commemorating his nine years on the Council and 50 years in the Alaskan fishing industry. Although he will no longer be a Council member, we all know that Oscar will continue his work in the interests of the Alaska fishing industry as he has done for many, many years.

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## September Council Meeting Schedule Firmed Up

The September 1994 NPFMC and associated meetings will start as follows:

September 27: Scientific & Statistical Committee & Advisory Panel meetings begin  
September 28: Council meeting begins

They will be held at the Red Lion Hotel - Sea Tac Airport, and the Council may meet through October 5. Draft agendas should be available in early September.

The remaining meetings for 1994 and 1995 are listed below, but please note that the April and June meetings may be held earlier in the month.

Week of December 5, 1994	Hilton Hotel-Anchorage, AK
Week of January 9, 1995	Hilton Hotel-Anchorage, AK
Week of April 17, 1995	Hilton Hotel-Anchorage, AK
Week of June 19, 1995	The Grand Aleutian-Dutch Harbor, AK
Week of August 7, 1995	Possible summer meeting if necessary
Week of September 18, 1995	Seattle, WA
Week of December 4, 1995	Hilton Hotel-Anchorage, AK

### Observer Program

At the June meeting, the Council reviewed the North Pacific Fisheries Research Plan which will establish fees for groundfish, halibut, and crab fisheries to support observer coverage. The Plan is expected to become partially effective in 1995 - fees of up to 2% of exvessel value will be assessed, with observer coverage requirements continuing the same as now. The first year, the program will provide necessary start-up funding. It will be fully implemented in 1996. The Secretary of Commerce is reviewing the plan now and will accept comments until July 5. The program as proposed will require everyone to pay the fee in 1995, even if they are paying directly for observer coverage, with a rebate occurring in mid-1995 to those who paid both the fee percentage and directly for observer coverage. This will require 'double payment' for some fishing operations, though they will be rebated sometime during the year. The Council is recommending that the Secretary of Commerce replace this 'double payment' system with an approach that allows fishing operations to deduct the amount of their direct payments from the fee percentage they owe. Regardless of which process is finally approved by the Secretary, those operations which do not carry and pay for observers directly will be required to pay the full fee in 1995. The Council also will comment to the Secretary on the issue of potential, future user fees which may be contained in the Magnuson Act reauthorization later this year. The Council will recommend that such fees not be additive to fees already imposed under the Research (Observer) Plan.

The Council also reviewed agency operating budgets for the Observer Plan, projections of fish prices and landings for 1995, estimates of costs of observer coverage for 1995, and finally, the projected fee percentage necessary for 1995 under the Plan. The fee projection is right at the 2% maximum allowed. These initial projections will be published by NMFS for public review and comment over the summer, with final action by the Council scheduled for September. In the meantime, the Council has recommended changes in the methodologies used to project fish prices and has requested an analysis of savings from potential consolidation of agency costs (NMFS and ADF&G). These will be incorporated in the information brought to the Council in September, after review and comment by the Observer Oversight Committee, a group of industry representatives formed to provide recommendations to the Council on the Observer Plan. The Council also requested that the Council chairman establish an insurance committee to find ways to cut insurance costs. Questions on observer issues should be directed to Chris Oliver at the Council office.

## Sablefish and Halibut IFQ Program

In June, the Council continued to address several aspects of the sablefish/halibut IFQ program scheduled to take effect in March of 1995. Some of these actions were clarifications or affirmations of previous actions, while others initiated potential changes to the program. Fine tuning of this program will likely continue in the future and should be part of the Council's agenda in future meetings. Issues considered and acted upon by the Council in June include the following:

1. Reaffirmed that the entity which existed in 1991 will be used for purposes of determining the nature of the business entity receiving an initial allocation of QS in southeast Alaska (IPHC Area 2C). This is to ensure that the owner-on-board provisions specific to this area not be circumvented.
2. Reaffirmed that catcher vessel QS/IFQ for sablefish (but not halibut) can be used on freezer vessels so long as no processed IFQ product is on board for that trip. This allows for freezing of non-IFQ species.
3. Clarified that all personal use fish, as well as that intended for sale, must be deducted from a person's IFQ account.
4. Initiated an examination of potential hardship provisions to the program.
5. Initiated an amendment to the program which would allow a one-time trade of QS/IFQ received under the CDQ compensation formula between parties in different regulatory areas.
6. Initiated an amendment to the program which would establish three Canadian ports where it will be legal to make U.S. IFQ landings: Port Hardy, Prince Rupert, and Vancouver.
7. Initiated an amendment to have an earlier opening date for the Aleutian Islands sablefish fishery than for other IFQ areas, which are scheduled to open March 1.
8. Initiated an amendment to examine possible changes in ownership caps for the Bering Sea and Aleutian Islands areas.
9. Confirmed that an underage provision, as well as the overage provision, should be included in the program, allowing fishermen to carry over some amount of unharvested IFQ from one year to the next.
10. Initiated an amendment to require hail weight accuracy for landings outside Alaska; also initiated an amendment to require hail weight estimates for landings inside Alaska.
11. Initiated a discussion paper to evaluate the differences between the current pollock Community Development Quota (CDQ) program and the future CDQ program for sablefish and halibut.
12. Declined to proceed with a proposal to consider CDQs for Gulf of Alaska communities.
13. Reiterated the need and intent to form a central point of registry for titles and liens on QS.

Also note that the Council will be distributing a newsletter to the industry regarding the proposed Block Amendment to the IFQ program. Look for this newsletter in early July to coincide with with the Secretarial review period for this proposed amendment to the plan. Staff contact for the Council on this issue is Chris Oliver.

## Comprehensive Rationalization Plan

The Council reviewed progress on the current analyses of License Limitation alternatives for the groundfish and crab fisheries off Alaska, and directed staff to continue this analysis over the summer. The Council will review it in September. The Council also reaffirmed that analysis should be initiated of a potential rollover of inshore/offshore allocations past 1995, including the current CDQ program for pollock in the BSAI. Analyses of IFQ alternatives developed over the past several months will be postponed until after these other studies are completed. The current list of alternatives for both License Limitation and IFQs is the same as shown in the April 1994 newsletter from the Council (January 1994 newsletter for IFQs) with minor clarifications. This list is available from the Council offices upon request.

Work is also continuing on various proposed alternatives to address bycatch, waste, and discards in the groundfish, halibut, and crab fisheries off Alaska. These alternatives include such programs as harvest priority and full retention/full utilization. A preliminary analysis will be available this fall, with a full analysis sometime in early 1995. In other action related to the Council's CRP initiative, the community profiles developed by the Council and the social impact study contracted by the Council are being finalized and will be ready for review at the same time as the License Limitation analysis later this summer. Staff contact is Chris Oliver.

### Potential Restrictions on Seamount Fisheries

The Council heard a report from NMFS on potential enforcement problems related to fisheries occurring outside the U.S. EEZ. There is some fear that these problems would be exacerbated under the IFQ program, particularly with regard to sablefish. NMFS will be developing an analysis over the summer which examines alternatives for addressing this concern. The Council expressed its desire that this analysis look at alternatives which range from a total prohibition on fishing outside the EEZ (for vessels which also fish within the EEZ) to other methods for monitoring activities outside the EEZ, such as observer requirements, pre-permitting, and use of transponders on vessels. We expect this analysis to be available for Council review in September.

### Mesh Size Regulations

The Council has requested analysis of a regulatory amendment to require minimum codend mesh size for cod, pollock, and rock sole trawl fisheries. Specifically, the following mesh sizes will be recommended for analysis:

Rock sole: a single layer, single mesh, 6" minimum diamond mesh size on the top quarter panel of codends used in the BSAI rock sole fishery.

Pollock: a single layer, single mesh, 4" minimum square mesh size on the top quarter panel of codends used in the GOA and BSAI pollock fisheries.

Pacific cod: a single layer, single mesh, 8" minimum diamond mesh size on the top quarter panel of codends used in the BSAI cod fishery. For the GOA fishery, a single layer, single mesh, 6" minimum diamond mesh size on the top quarter panel of codends was recommended for analysis.

An industry committee was established to make suggestions regarding mesh specifications, such as between-knot measures or hole size, and hang-in ratios. In order to provide flexibility during the semi-annual setting of VIP guidelines, the Council also has initiated analysis of a regulatory amendment to separate rock sole from the other flatfish category. The Council is expected to take final action on minimum mesh regulations and VIP changes in September, so regulations could be effective for 1995. Staff contact is David Witherell.

## Directed Fishing Standards

**D**irected fishing standards (DFS) limit the amount of a species that may be retained on a vessel when fishing for that species is restricted to bycatch only. The standards are expressed as a percentage of the total amount of fish and fish products on board. Retention over that percentage is considered evidence of a directed fishery for that species. The current DFS, which are highly specific for bycatch species, areas, and gears, are complex and difficult to enforce. To address this problem, NMFS developed a regulatory amendment with new DFS for all groundfish in the Gulf of Alaska and Bering Sea/Aleutian Islands areas.

In June, the Council reviewed an analysis of proposed changes to directed fishing standards. Based on that review, and input from the public and Advisory Panel, the Council adopted an alternative that simplifies DFS by using the same DFS for each species regardless of gear type or management area. The DFS for vessels using pelagic trawl gear would be eliminated. A matrix system to help fishermen identify the DFS would be updated as necessary on the NMFS bulletin board. Specific changes to DFS are listed below, and should be in effect for the 1995 fisheries.

Sablefish: The DFS for sablefish will be set at 15% relative to other deepwater species and at 1% relative to all other fish species.

Greenland turbot: The DFS for Greenland turbot will be set at 35% against rockfish, sablefish, deepwater flatfish, flathead sole, and rex sole, and at 1% against all other species.

Demersal Shelf Rockfish: The DFS for demersal shelf rockfish (DSR) in the GOA will be set at 1% against deepwater flatfish, rex sole, flathead sole, sablefish and other rockfish of the genera Sebastes and Sebastolobus plus 10% of the amount of each other fish species.

Rockfish: The DFS for rockfish (except DSR in the GOA) will be 15% against deepwater species (deepwater flatfish, rex sole, flathead sole, sablefish, rockfish, and Greenland turbot) plus 5% against all other species.

Other fish species: The DFS for all other fish species will be set at 20%.

With the exception of rockfish, the DFS based on aggregate groupings of target species will be eliminated and DFS would be established that are specific to each target species. NMFS will provide a matrix of DFS that plots each target species against each other target species. The revised regulations will define directed fishing as being greater than the indicated percent. Additionally, regulations will be revised so that when a fishery category reaches its specified prohibited species bycatch allowance the applicable DFS for the groundfish fishery will not be based on an aggregate grouping (except for rockfish, which would remain in the aggregate) but will be consistent with the species-specific DFS proposed. The Council also has requested the plan team to assign a separate total allowable catch (TAC) for flathead sole in the BSAI for 1995, rather than combining it with Other Flatfish as has been done in the past. Staff contact is David Witherell.

## Pollock 'A' Season Starting Date

**T**o enhance the offshore fleet's opportunity to benefit from the pollock roe fishery, the Council adopted a start date for the offshore pollock "A" season of January 26, beginning in 1995. Vessels fishing in the BSAI or GOA trawl fisheries or in the BSAI crab fisheries before January 26, would need to wait 10 days (February 6) before entering the "A" season offshore pollock fishery. CDQ vessels fishing before January 26 would not be subject to this regulation. Staff contact is David Witherell.

## Total Weight Measurement

A draft analysis for a proposed regulatory amendment to improve total catch weight estimates in the groundfish fisheries was reviewed. Three alternatives were analyzed:

Alternative 1: Status quo.

Alternative 2: All processors with 100% observer coverage would be required to weigh groundfish catch before any discard or processing.

Alternative 3: All processors with at least 30% observer coverage would be required to weigh groundfish catch before any discard or processing.

Option: The option of requiring catcher vessels with 100% observer coverage to weigh groundfish discards is also considered under Alternatives 2 and 3.

The Council released the analysis for public review after additional analysis is done on using other approved procedures for determining total weight, such as volumetrics, as long as these procedures can meet a specified level of accuracy. Final action on these proposals is scheduled for September. Staff contact is David Witherell.

## PSC Exemption for Jig Gear & PSC Reapportionment

Halibut PSC bycatch for fixed gear in the BSAI area is allocated between Pacific cod and other fixed gear fisheries, including all pot and jig fisheries. Although hook and line fisheries for Pacific cod did not use all their allowance (725 mt) before the cod TAC was reached this year, other fixed gear fisheries are likely to shut down early when their PSC cap (175 mt) is reached. The Council has requested an Emergency Rule to allow the Pacific cod jig fishery to continue this year, exempt from the hook and line halibut PSC cap. Additionally, to allow the sablefish fishery to continue in the Aleutian Islands, the Council requested an emergency reallocation of 50 mt of hook and line halibut PSC to the sablefish hook and line fishery.

## Salmon Bycatch

Among the provisions of the Council's salmon bycatch control policy is development of regulations requiring retention of salmon for processing and delivery to nonprofit foodbank organizations. In June, the Council initially reviewed alternatives to do so, and released the analysis for public review. Alternatives considered in proposed BSAI Amendment 26 and GOA Amendment 29 include:

Alternative 1. Status quo. Salmon retained only until observer has determined the number of salmon and taken scientific samples as required. No other type of retention would be authorized, and salmon must be discarded at sea as PSC.

Alternative 2. Mandatory retention and processing of salmon. All salmon taken as trawl bycatch would be required to be retained, processed for human consumption, and donated to foodbanks. This alternative was not fully evaluated, as NOAA General Counsel has determined that NMFS lacks the statutory authority under the Magnuson Act to implement this alternative.

Alternative 3. Voluntary retention and processing of salmon. All salmon taken as trawl bycatch could be voluntarily retained and processed for foodbanks. This alternative would require that permits be issued to those processing, possessing, or distributing these salmon.

The Council also has endorsed the Salmon Research Foundation, a non-profit corporation, whose purpose is to use income generated from salmon bycatch assessment payments to develop a salmon bycatch avoidance program for the BSAI trawl fisheries, and to fund research on stock origin of salmon taken as bycatch. Other recent regulatory changes allow the release of individual vessel's bycatch data on a haul-by-haul basis, and require retention of salmon until examined by a NMFS-certified observer. In June, the Council received a report on recent Foundation activities, including a review of fleet participation and assessment collection, pollock "B" season bycatch avoidance program, and Foundation development. A full report is available from the Council office.

### **Grid Sorting of Halibut on Trawlers**

In October 1993, the International Pacific Halibut Commission (IPHC), Highliners Association, and the NMFS-Alaska Fisheries Science Center conducted an experiment aboard the F/T Northern Glacier to evaluate methods of increasing survival of halibut taken as bycatch in bottom trawls. The experiment involved sorting halibut from the groundfish catch more rapidly than currently practiced and evaluating subsequent changes in discard mortality rates. Results and implications of the study were reported to the Council in June. The Council initiated analysis of a regulatory amendment to require improved sorting, by grid or other method, in order to improve survival of halibut discarded from bottom trawls. The intent is to get halibut back in the water within 20 minutes. The Council hopes to make a final decision by January 1995 so new rules could be in place for 1996. The Council also will develop alternatives for applying the halibut mortality savings to either increasing the directed halibut fishery or groundfish fishing opportunities.

### **Documents/Analyses Available for Public Review and Comment**

**Total Weight Measurement.** A regulatory amendment to improve total catch weight estimates in the groundfish fisheries. Available for public review by late August. Scheduled for final Council action in September. [See article on page 6.]

**Salmon Retention and Delivery to Food Banks.** An analysis for amendments to authorize retention and processing of salmon taken as bycatch in trawl fisheries for donation to needy individuals. Available for public review by early July. Scheduled for final Council action in September. [See article on page 6.]