

North Pacific Fishery Management Council

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NEWSLETTER

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Council Adjourns for Summer

The Council held its final meeting for the spring in Kodiak June 24-25 to review amendments to the Gulf of Alaska and Bering Sea/Aleutians fishery management plans. Amendment 15 to the Gulf of Alaska plan was approved for public review. Amendment 10 to the Bering Sea/Aleutian Islands plan will be revised and then sent out for public review. The Council also received recommendations from industry workgroups dealing with Americanization of the fisheries off Alaska and crab bycatch in the Kodiak area. Minor changes to the Council's joint venture policy were approved. The Council also discussed management of the king and Tanner crab and salmon fisheries off Alaska. Details of these and other actions are discussed in this newsletter.

September Council Agenda a Full One

The North Pacific Council and its advisory bodies will meet the week of September 22 at the Sheraton Hotel in Anchorage. Groundfish will be the main topic, including status of stocks reports and initial apportionments for domestic and foreign fisheries for 1987. Final approval of harvest levels and apportionments is scheduled for December.

The Council will also review and approve Amendment 15 to the Gulf of Alaska Groundfish Plan and Amendment 10 to the Bering Sea/Aleutian Islands Groundfish Plan. Both are complicated amendments which will require extensive Council deliberation. Finally, the Council will consider how to proceed with Tanner and king crab management.

The Council meeting is now scheduled for three days but may be extended to four. A full agenda for the meeting should be available by September 5.

Council Appointments Announced

On June 27 the Secretary of Commerce announced two new Council appointments for three-year terms, effective August 11. John Winther, Jr. was reappointed for a second term. He is a long-time Alaska fisherman from Petersburg and a Director of Icicle Seafoods.

Larry Cotter was appointed to fill the vacancy left by Sara Hemphill. Mr. Cotter lives in Juneau and was President of Local 200, International Longshoremen's and Warehousemen's Union until recently, leaving that position to run for the State House of Representatives. He is currently Chairman of the Council's Advisory Panel which he has been a member of since January 1981.

Americanization Committee Report

The Council received a report from its Americanization Committee. That committee was formed in March to study ways to achieve accelerated Americanization of the North Pacific groundfish fisheries. The committee was to give due consideration to legislatively mandated phase out schedules for foreign directed fishing and "ceilings" on joint venture allocations. The committee met in Seattle on April 18-19, May 12, and June 9 and adopted the following points for presentation to the Council:

1. In moving toward maximum economic development of the U.S. seafood industry the North Pacific Fishery Management Council (the Council) must consider the economic impacts of its actions and must minimize economic dislocation for any one domestic group.
2. The Council must support industry's efforts to change laws and rulings which impede the maximum economic development of the U.S. seafood industry.
3. The Council must support the reduction or elimination of identified trade barriers and/or inhibitive trade practices in order to create fair trade opportunities for totally domestically produced fish products.
4. The Council must support the MFCMA's processor preference amendment as currently written.
5. The Council, NMFS and the Secretaries of Commerce and State must consider and provide for the maximum economic development of the U.S. seafood industry in making management and allocative decisions or recommendations.
6. The Council must support the reduction and/or equalization of all user fees and taxes (federal and state) applied to domestic fishermen and processors.
7. Where TALFF is warranted, the Council must ensure that it is allocated to achieve the maximum economic development of the U.S. seafood industry (e.g., TALFF in exchange for agreements to reduce tariffs on U.S. fish products, to gain priority access to foreign markets for U.S. fish products, and to ensure TALFF products are not shipped back into the U.S.).

The Council adopted these points without objection.

The committee did not reach a consensus on either legislated phase out schedules for directed foreign fishing or "ceilings" on joint venture allocations. For this reason, the Council has requested Congress delay for a year considering amendments to the Magnuson Fishery Conservation and Management Act (Act) that would address those issues. It is the Council's intent to work on these matters during the next year through the Americanization Committee and its Reauthorization Committee. After the committee work has been completed the Council will consider any committee recommendations concerning amendments to the Act.

Federal Marine Recreational Fishing Fees

The Council was asked by Congress to comment on the Reagan Administration's proposal to establish a federal marine recreational fishing fee. The Administration proposal calls for a \$10 fee to be charged to every marine recreational fisherman in the U.S. with the program to be administered by the coastal states. Half of all license fees would be returned by the coastal states to the Federal General Fund. After considering the proposal the Council voted to send a letter to Representatives Jones and Carney in opposition to the fee.

Marine Insurance and Safety Legislation

The Council was briefed on H.R. 5013, a bill entitled, "The Commercial Fishing Vessel Liability and Safety Act of 1986" that is currently in the House Committee on Merchant Marine and Fisheries. The legislation would provide limitations on liability for personal injury on fishing, fish tender, and fish processing vessels, set safety standards for, and require safety equipment on those vessels (the equipment to include exposure suits, EPIRB's, lifeboats or rafts, visual distress signals, and communications equipment). The legislation would also require insurance underwriters for fishing, fish tender, and fish processing vessels to submit statistics on marine casualties to the Secretary of Transportation.

Repeal of Marine Fisheries Grants Programs

The Council voted to send a letter in opposition to a Department of Commerce proposal that would repeal the Commercial Fisheries Research and Development Act of 1964 and the Anadromous Fish Conservation Act. Both programs currently provide grants to the states for fishery research, development, and conservation.

Domestic Observer Program

The Council received a briefing on the status of the State of Alaska's program for placing observers on domestic fishing vessels. During the last session the Alaska Legislature passed and the Governor signed into law H.B. 355 which empowers the Commissioner of the Alaska Department of Fish and Game to implement onboard observer programs authorized by the Alaska Board of Fisheries.

The Council also received word that NMFS-Alaska Region's request for \$250,000 to fund a pilot domestic observer program off Alaska will probably not be approved because of budgetary restraints in NOAA.

The Council received a report from its Domestic Observer Committee outlining the committee's intended course of action between now and the September meeting. The committee intends to pursue all available sources of funding for domestic observer programs and better define Council policy on placement of observers on domestic vessels.

Funding of Commercial Research Charters

The Council voted to support NMFS's attempts to use catches to support research charters by U.S. fishing vessels. The Council believed it was necessary to search for alternative means to fund needed fisheries research because current foreign research cruises may be terminated and federal fishery research funds have been reduced. Sale of catch by private U.S. vessel under a research contract to NMFS may be one of those methods.

Joint Venture Policy Approved for 1987

Earlier this year the Council requested its Permit Review Committee to examine the Joint Venture Policy for possible revisions for 1987 and also asked a small executive committee to review the types of issues that should come under the purview of the Permit Review Committee. A third workgroup was established to review procedures for developing and validating estimates of U.S. processing needs (DAP).

The combined committees reported to the Council in Kodiak and, in general, recommended business as usual for the Permit Review Committee with their focus limited to foreign permits, joint ventures, and foreign allocations. DAP projections would be reviewed separately by the full Council. Minor changes were made to the joint venture policy to conform it to how the fishery is operating this year: pooled target JVP and company bycatch guidelines. No further public review of the policy was thought necessary. DAP estimation problems were referred back to NMFS and the Regional Director was encouraged to meet with the industry to discuss the survey questionnaire and ways to validate processor projections.

The Council endorsed the Committee recommendations and will send its revised policy to all joint venture operators. The Council intends to review joint ventures in December for 1987 and will pay particular attention to how well each country minimized bycatch of fully utilized groundfish species and prohibited species. The Council may go a step further and recommend that NMFS deny permits for individual joint venture operators with excessive bycatch.

Salmon Plan to be Amended

The Council reviewed several alternatives to their present role in salmon management, including a complete withdrawal from management, revisions to the current plan, and closing all fishing outside three miles. They decided to take the middle ground and begin work on an amendment to the Salmon FMP which will set annual catch levels based on Pacific Salmon Commission recommendations and seasons and inseason management measures compatible with the state's. The Salmon FMP is badly outdated and this will be a major amendment. However, the intent is to reduce the amount of time and money spent on salmon management by relying on the strong leadership of the state and Commission in this area.

Input Requested on Future Federal Role in Crab Management

In March the Council voted to suspend Tanner crab regulations until further notice because the Tanner Crab Fishery Management Plan (FMP) was no longer providing the operational authority to effectively manage the fishery.

The Council reviewed a plan team discussion paper in Kodiak describing several long-term alternatives for Council/federal Tanner crab management, including no FMP, an FMP that delegates management to the state, and a revised FMP. Other options discussed included the development of a joint statement of principles between the Council and the Alaska Board of Fisheries with continued state management of the fishery.

Alaska has just declined delegation of king crab management authority because of a requirement for greatly increased federal oversight, which suggests that formal delegation of management authority may not be a real alternative. The Bering Sea/Aleutian Islands King Crab FMP, approved by the Council in September 1983, delegated management authority to the State of Alaska and adopted state regulations as federal regulations, subject to subsequent review for conformity to the Magnuson Act. However, the regulations finally approved by the Secretary of Commerce in December 1984 differed from the Council's plan by requiring an extensive federal review of any state regulation before they could take effect in federal waters. The requirement for regulatory review before implementation could only lead to extensive delays, a condition unacceptable to the state, particularly in this period of extremely short king crab seasons.

The Council has released the team's discussion paper for public review. Public comments on these alternatives will provide important information to the Council as they deliberate this issue later this year. A 30-day public review period will begin sometime around July 9. A notice of availability will be sent to the Council's king/Tanner crab mailing list and the discussion paper will be available upon request. Comments received will help the Council determine its future role in crab management in general, not just in Tanner crab.

Council Approves Gulf Groundfish Amendment for Public Review

The Council approved Amendment 15 to the Gulf of Alaska Groundfish Fishery Management Plan for public review. Originally intended to include a complete revision of the Gulf plan, the amendment was condensed to include just those items that are considered critical for management in 1987. Those items are:

1. New goals and objectives for management of groundfish.
2. An administrative framework procedure for setting harvest levels without a plan amendment.
3. Redefinition of catcher/processor and mothership/processor vessels for purposes of compliance with reporting requirements.
4. Establishment of a time/area closure scheme to protect king crab around Kodiak Island.
5. An expanded field order authority for inseason adjustments.

The remaining items of the original amendment require further development and will be presented to the Council in early 1987. These items include: reformatting the plan, revising and updating the descriptive sections, developing a framework approach for the management of bycatch and a framework for setting seasons, and developing a comprehensive management program for rockfish.

The public review package which includes an amendment summary, a Draft Environmental Assessment (DEA), and a Draft Regulatory Impact Review/Initial Regulatory Flexibility Analysis (DRIR/IRFA) will be available on July 9 when a notice of availability is issued. The amendment package will be available from the Council office upon request. The comment period will end at 5:00 p.m. (Alaska time) on August 22, 1986. The Council is seeking any additional information available on the issues and alternatives so that the DEA and the DRIR/IRFA can be expanded and improved prior to final Council consideration in September.

Directed Bering Sea Sablefish Fishery to Close

This year's directed sablefish fishery in the Bering Sea is especially strong and in March the Council was warned that the directed quota might be exhausted by early June. The Council recommended that the Regional Director increase the sablefish total allowable catch (TAC) and the directed quota as necessary within the limits of equilibrium yield to keep the fishery open until NMFS implements a single species closure authority. The Bering Sea must be closed to all fishing when TAC for one species is reached under current regulations. The new authority will allow the Regional Director to close a directed fishery and leave a nonretainable bycatch for other fisheries. NMFS expects to have it in place by late July.

In Kodiak NMFS reported that reserves had been used to increase the sablefish TAC to 2,750 mt. However, the directed catch was estimated at 2,500-2,900 mt, again threatening to exceed TAC. To prevent a total closure of the Bering Sea, the Council recommended that NMFS release some additional reserves but stipulated that the additional tonnage be for BYCATCH ONLY. The Council's action will prevent targeting on sablefish but allow retention of bycatch amounts until single species management authority is in place. In the interim, TAC may be increased in small amounts to as high as 3,750 mt.

Bering Sea Crab Bycatch Emergency Rule to be Extended

The Emergency Rule took effect June 6 and imposed the first restrictions on prohibited species bycatch by the domestic fleet in the Bering Sea. Zone 1, east of 165°W. longitude and south of 58°N. latitude, was closed to U.S. trawling for flatfish on June 13 when it became apparent that the 80,000 crab bycatch limit for C. bairdi Tanner crab had been exceeded. In Kodiak the Council recommended extending the Emergency Rule for an additional 90 days to further protect crab.

Representatives of the U.S. factory trawler fleet expressed interest in a rock sole fishery late in 1986 that would be precluded by the closure of Zone 1.

Therefore, the Council recommended that the Regional Director use his discretionary authority in the Emergency Rule to allow this fishery. The Council also supported the regulatory language in the Emergency Rule requiring scientific data gatherers on U.S. vessels that process their catch or deliver to U.S. processors.

Additional Comments Invited on Bering Sea Groundfish Amendment 10

Public comments received on proposed Amendment 10 to the Bering Sea and Aleutians Groundfish Plan asked for more specific proposals and analysis of their impacts. Therefore, the Council delayed action on the amendment and instead reviewed four specific alternatives for controlling bycatch that were prepared by the Bering Sea groundfish plan team. Three were approved for further analysis and public review:

1. Implementation of the crab and halibut bycatch restrictions approved by the Council in their emergency rule recommendation of January and March 1986.
2. Year-round closure of the Bristol Bay Pot Sanctuary.
3. Implementation of the Council's emergency rule recommendations with a framework to annually adjust PSC limits.

Field order authority and reallocations of groundfish between U.S. and foreign joint venture processors will also remain in the amendment, as will a modification of catcher/processor reporting requirements previously approved under Amendment 9. A new Draft Environmental Assessment and Regulatory Impact Review (DEA/RIR) will be prepared and released for public comment as soon as possible, probably in early August. The Council has rescheduled final action on Amendment 10 for the September meeting.

The DAP priority proposal was severed from Amendment 10 and will be included in Amendment 11. The Council will review it in September and release it for public comment. Final action is scheduled for December, though it may be delayed until the 1987 amendment cycle beginning in January.

Salmon and Sablefish

The winter troll salmon season from October 1, 1985 to April 14, 1986 took 23,000-25,000 chinooks, about the same as last year. The summer troll season opened June 20, 1986, with an estimated 187,000 chinook salmon, not including Alaskan hatchery contributions, available for harvest.

The southern Southeast sablefish season opened June 15 for seven days and the harvest was expected to be approximately 200 metric tons. This fishery came under Alaska's limited entry program this season and a total of 25 permits were issued.

In the rest of the Gulf of Alaska and Bering Sea and Aleutians the total sablefish catch is 17,432 mt, distributed as follows (Source, NMFS):

<u>Area</u>	<u>Harvest Limit</u>	<u>Catch Through July 1</u>	<u>Season</u>
S.E./E. Yakutat	3,450	3,426	Closed
W. Yakutat	2,550	2,221	Closed
Central Gulf			
LL (55%)	3,382	4,663	Closed
Pot (25%)	1,538	1,077	Open
Twl (20%)	1,230	1,593	Closed
Western Gulf			
LL (55%)	1,567	1,046	To Close 7/3
Pot (25%)	713	714	Closed
Twl (20%)	<u>570</u>	<u>203</u>	Open
	15,000	14,943	

Bering Sea	2,326	2,074	Open
Aleutian Islands	<u>4,159</u>	<u>415</u>	Open
	6,485	2,489	

With the closure of the Western Gulf longline fishery effort is expected to move into the Aleutians. As explained elsewhere in this newsletter, the Bering Sea directed sablefish fishery will be reduced to bycatch amounts only in the near future. When NMFS implements a new emergency rule about mid-July, retention of sablefish will be prohibited in the Bering Sea.

U.S. Processing of Groundfish Comes on Strong

The amount of Alaska groundfish processed by U.S. industry was about 86,000 mt through mid-June. Over 90% was pollock, cod, and sablefish. By this time last year only about 42,000 mt had been processed by U.S. industry. Based on a recent survey it appears that during 1986 over 330,000 mt of Alaskan groundfish will be handled by U.S. processors. This represents a 16% share of the projected harvest with another 58% going to joint ventures and the remaining 26% to foreigners. In 1985 U.S. processors garnered only 6% or about 133,000 mt of the groundfish harvest off Alaska.

Joint Venture Update

The total joint venture catch off Alaska through June 11 was 609,992 mt, 53,536 mt in the Gulf and about 556,000 mt in the Bering Sea and Aleutians. Pollock, yellowfin sole, flatfish, and Pacific cod have accounted for most of the catch. Twenty-three different operations representing arrangements with Japan, South Korea, U.S.S.R., Poland, and China have employed about 96 U.S. trawlers so far this year. Based on the most recent NMFS survey, joint ventures are projected to harvest about 1,240,930 mt or about 58% of the total groundfish harvest expected off Alaska this year, up from 884,000 mt in 1985.

Foreign Fisheries Update

By June 20, foreign fleets off Alaska harvested 48,480 mt of groundfish. The catch in the Gulf of Alaska reached 15,655 mt, almost all Pacific cod by the Japanese longline fleet. Foreign fisheries in the Gulf are finished for the rest of 1986. In the Bering Sea and Aleutians foreign fleets harvested 32,825 mt, mainly pollock, cod and flatfish, far below last year's catch by June 20 of about 135,000 mt.

The number of foreign vessels off Alaska increased from less than 150 in April and May to around 250 after June 10 as the Japanese salmon fleets entered the area. The 248 vessels present on June 18 included 201 from Japan, 21 from the Soviet Union, 24 from Korea, and 2 from China.

The foreign fleets are feeling the pinch of drastically reduced allocations. The Council's best estimate of foreign catch for 1986 is about 550,000 mt, or 26% of the projected groundfish harvest off Alaska. Last year foreigners took over 1.076 million tons, or 52% of the total harvest.

Coast Guard Reports on Enforcement Activities

The Coast Guard began monitoring the Japanese landbased high seas salmon fleet operating south of the Aleutians and met with Japanese enforcement officials aboard the Japanese patrol vessel TOKO MARU. Routine Coast Guard surface patrols began June 4 and surveillance flights commenced June 5. Only one vessel has been sighted east of the 174°E. boundary. Photos were obtained and forwarded to Coast Guard headquarters for further evaluation before being sent to the State Department.

Since the beginning of March the Coast Guard has issued 54 reports of violation and 26 written warnings to foreign fishing vessels and 10 reports of violation and 2 written warnings to U.S. fishing vessels. The U.S. violations included failure to submit catch and activity reports, failure to have a groundfish permit on board, failure to return prohibited species to the sea in a timely manner, unsafe boarding ladders and failure to facilitate boarding.

The majority of foreign violations were concerned with failure to maintain accurate and appropriate catch logs and reports, unsafe boarding ladders, failure to return prohibited species in a timely manner, failure to report when entering or leaving a specific zone, interfering with an observer's species sampling, and failure to submit the required activity message 24 hours prior to beginning or ceasing fishing operations within the U.S. FCZ. Japanese vessels were issued a total of 23 reports of violations and warnings; South Korea, 19; the Soviet Union, 12, the Peoples' Republic of China, 5; and Poland, 1.

Commander Richard Clark of the Coast Guard told the Council that they will continue to cite vessel owners for unsafe boarding equipment to protect the safety of Coast Guard personnel.