

Attachment #36

NORTH PACIFIC FISHING VESSEL OWNERS ASSOCIATION

BUILDING C-3, ROOM 133
FISHERMENS TERMINAL
SEATTLE, WASHINGTON 98119

February 3, 1977

FEB 3 1977

Mr. Elmer Rasmuson, Chairman
North Pacific Fisheries Management Council
c/o Mr. Jim Branson, Executive Director
P.O. Box 3136-DT
Anchorage, Alaska 99510

Dear Elmer:

The enclosure is the minority report written January 26th, after the Advisory Panel meeting, and pertains to the vote on motion to support the Board of Fisheries resolution, dated December 7, 1976.

Mr. Al Otness, the other dissenting vote, fully supports the position described, and has a carbon copy of the original handwritten version. His comments and corrections made in Anchorage are incorporated in this typewritten copy.

Our association Board of Directors met today, and unanimously re-affirmed and agreed that the enclosure reflects what we feel is a realistic and responsible position, in view of the constraints we must now operate under PS 94-265.

I did not insist on presenting this minority report at the last council session because:


- 1) It was clearly evident that the issues were passed for now in respect to the Tanner PMP, and this report would only add to and protract a painful subject.
- 2) Because of differences in Anchorage, I felt the need of re-confirming with my own Board of Directors that the report was an accurate reflection of our position.

The Board of Directors has instructed that the minority report be forwarded immediately to you for the record, as Chairman of the North Pacific Fisheries Management Council.

Further, that time allowing, permanent management plans for both tanner and king crab be developed under the aegis of the North Pacific Fisheries Management Council.

Please feel free to call or write if this letter or the enclosure is too synoptic or unclear.

Sincerely yours,


Sig Jaeger, Manager

SJ/tp
Enclosure

January 26, 1977

TO: Chairman, Advisory Panel

FROM: Sig Jaeger, Panel Member

SUBJECT: Minority report on dissent with the Advisory Panel motion to support "Alaska Board of Fisheries Resolution Regarding the Allocation of Tanner Crab in the Bering Sea" dated December 7, 1976. Recorded vote for: 11 Against: 2

My negative vote was against the two major points of the resolution with qualifications:

Item #1: No foreign fishing of tanner crab South of 58° North Latitude and East of 173° West Longitude.

Item #2: C. Bairdi tanner crab harvest restricted to male crab greater than 140 mm of carapace width.

The qualifications follow:

Item #1: The total abstention of foreign tanner fishing in the defined area is fully supported by all domestic crab producers in the Bering Sea, without exception, and further, as a goal, we fully support the eventual total harvest of all crab resources within the 200-mile zone by domestic producers. There is no dissent on this position, and the negative vote cast on the motion is not a disagreement with this goal. However, this objective was understood to take effect by an immediate decision of the North Pacific Fisheries Management Council, and was not qualified by a progressive time frame. This is the first point of disagreement; the non-existence of such a time frame.

The basis that the TAC was within the harvesting and processing capability of the industry is a justifiable estimate, but the major element closing the gap - market absorption of the domestic product - was not incorporated. Current estimates based on current ex-vessel prices make feasible a limited meat production and marketing, but these exclude the major product component contributing most to volume, and that is a competitive production cost for sections, which has been historically the major volume portion of the Bering Sea tanner harvest.

Last best estimates of a domestic tanner harvest level of 60 to 70 million pounds of round crab are not today as apparently viable because of market shrinkages, and the displacing of foreign production with domestic production in order to fully satisfy optimum utilization requirements does not now appear realistically possible.

Displacement of foreign production based on separation of the domestic and foreign fleets is a strong argument, the major points being:

- A. Preemption of grounds by foreign fleets saturating highly productive grounds with fishing gear, preventing domestic entry.
- B. In competing on the same grounds, foreign and domestic gear are conflicting modes which cause gear losses, to say nothing of the friction and animosities generated, and consequent gear claim litigation.
- C. Benefits of simplified enforcement procedures may also be a value potential, not yet to my knowledge fully analyzed by the appropriate area of competence.

Respecting Optimum Yield, the fuller development of the contributing socio-economic factors to this standard are in process but hampered by lack of applicable research results which will satisfy the existing scientific rigor presently demanded of this data, and such data does not ordinarily yield explicit results as readily as does the more direct or derived data from biologically oriented research. I respectfully suggest that since socio-economic research data is in large part philosophic and subjective, that the standards for such documentation may need to be modified, perhaps by a more consensual approach through expert judgements, along with the hard facts from available and observable phenomena.

My regretful conclusion is that the harvestable tanner available, and the present domestic capacity to use it more fully in production, processing, and marketing, is a gap that cannot be closed in the forth-coming year. Therefore a stepped phase-out plan for foreign fishing is presently the most certain and feasible alternative available. That problem must be immediately and vigorously resolved.

Item #2: There is sufficient doubt that the 140 mm carapace width minimum for male *C. Bairdi* may not be scientifically justified for this Bering Sea resource, and needs more research.

Second, the necessity for imposing such a minimum size at this time is not clear. This tanner fishery is near virginity and is still in early domestic development stages, and consequently of marginal value income-wise to the producer. The minimum size imposes an added economic burden of a massive measuring effort by each vessel crew, adding to labor costs during a critical developmental period of the fishery.

Third, since the average carapace width of record last year in the domestic catch was 154 mm - mainly because of processing standards on weight - the immediate need for a 140 mm minimum size was not provoked by the industry.

harvesting a marginal or critical size range.

In conclusion, a scientifically determined minimum size is an eventuality in any developed fishery, but superimposing a minimum size requiring an intensive measuring effort in addition to the present size selectivity required by the processor, appears premature and does not enhance the yet marginal stance of this Bering Sea fishery.

SJ/lh

Attachment