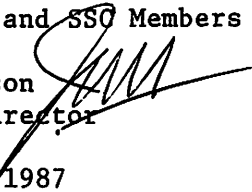


M E M O R A N D U M

TO: Council, AP and SSO Members

FROM: Jim H. Branson  
Executive Director 

DATE: December 3, 1987

SUBJECT: Reporting Requirements for At-sea Transfers

ACTION REQUIRED

Recommendation as to whether NMFS should implement an emergency rule to change the domestic catcher/processor, mothership/processor reporting requirements.

BACKGROUND

At its September meeting the Council adopted the recommendations of the Reporting Requirements Workgroup that reporting requirements for domestic catcher/processors and mothership/processors should include at-sea transfer information. The Council also recommended that these changes be implemented as soon as possible.

Amendment 16 to the Gulf of Alaska Groundfish Fishery Management Plan (FMP) and Amendment 11a to the Bering Sea/Aleutian Islands FMP, which include modifications to the reporting requirements, have been forwarded to the Secretary for approval (Regulations included as item C-8(a)). NMFS acknowledged receipt of the package on November 25, 1987 which means that final implementation of the regulatory change would occur on or about April 13, 1988 (if the 30-day cooling-off period is waived the relevant date would be March 14, 1988).

Since NMFS would like to have the new reporting requirements in place as early in the fishing year as possible, you are asked to consider directing NMFS to implement an emergency rule to amend the reporting requirements. If an emergency rule is recommended, the Regional Office will prepare and send the request to the NMFS Central Office about one week after the end of this meeting, which means the rule should be in effect by mid-January 1988.

As a separate issue, you should be aware that NMFS has added a discard section to the weekly catcher/processor report that you approved at the September meeting. NMFS regrets that the form was changed after the Council deliberations but notes that the problem only surfaced in October and that reporting of discards is already required in the Gulf of Alaska (Amendment 14).

If the Council concurs with the NMFS decision to augment the form, no action is necessary. However, if you wish to not include discard information NMFS will request amendment of the Gulf of Alaska regulations so as not to include this particular reporting requirement.

Background on the new discard section, the Region's rationale for inclusion, and the scope of Council and NMFS action are detailed in a letter from Bob McVey included as item C-8(b).

species catch (PSC) limits. Species listed in paragraph (b)(3) and Table 1 of this section as "prohibited species", species listed in paragraph (b)(4) of this section as "non-specified species", and species for which the TALFF is zero, including species for which a PSC limit has been specified, will be treated in the same manner as prohibited species under Section 611.11.

\* \* \* \* \*

(2) \* \* \*

(ii) \* \* \*

(A) [Replace TQ with TAC]

\* \* \* \* \*

[Insert Table 1]

PART 672 - [AMENDED]

3. The authority citation for 50 CFR Part 672 continues to read as follows:

AUTHORITY: 16 U.S.C 1801 et seq.

4. Section 672.5 is amended by revising paragraph (a)(3)(iv) and adding paragraph (a)(3)(v) to read as follows:

672.5 Reporting requirements.

(a) \* \* \*

(3) \* \* \*

(iv) Catch/receipt and product transfer report. After notification of starting fishing by a vessel under paragraph (a)(3)(i) of this section, and continuing until that vessel's entire catch or cargo of fish has been off-loaded, the operator of that vessel must submit a weekly catch/receipt and product transfer report, including reports of zero tons caught, or received, for each weekly period, Sunday through Saturday, GMT, or for each portion of such a period. The catch/receipt and product transfer report must be sent to the Regional Director within one week of the end of the reporting period through such means as the Regional Director will prescribe upon issuing that vessel's permit under Section 672.4 of this Part. This report must contain the following information:

\* \* \* \* \*

(E) The number of cartons of fish product, and the estimated unit net weight, in kilograms or pounds, of a carton of processed fish by species or species group produced by that vessel during the reporting period;

\* \* \* \* \*

(v) Cargo transfer/offloading log. For each transfer or off-loading of fish product in the EEZ, outside the EEZ, within any states' territorial waters, or within the internal waters of any state, the operator of each fishing vessel must record, in a separate transfer log, the following information within twelve hours of the completion of the transfer or off-loading:

(A) The time and date (GMT) and location (in geographic coordinates, or if within a port, the name of the port) the transfer or off-loading began and was completed;

(B) The product weight and product type, by species or species group of all fish products transferred or off-loaded to the nearest one-tenth of a metric ton (0.1 mt);

(C) The name and permit number of vessel receiving the product or, if off-loaded to a shoreside location, the name of the location and commercial facility receiving the product; and

(D) The intended port of destination of the receiving vessel if off-loaded to another vessel.

\* \* \* \* \*



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
National Marine Fisheries Service  
P.O. Box 21668  
Juneau, Alaska 99802-1668

AGENDA C-8(b)  
DECEMBER 1987

December 2, 1987

Mr. Jim Branson, Executive Director  
North Pacific Fishery Management Council  
P.O. Box 103136  
Anchorage, AK 99510

Dear Jim:

Your November 13 letter raises two questions about the proposed rulemaking for Amendment 16 to the Fishery Management Plan (FMP) for the Gulf of Alaska and Amendment 11a to the FMP for the Bering Sea/Aleutian Islands.

The first relates to reporting requirements and our inclusion on the revised form of a place for recording "Discards." We provided this reporting opportunity on the weekly catcher-processor report but not to the new cargo transfer/offloading log. I share your concern that the form was changed subsequent to extensive review by the Work Group, AP and SSC. We have had problems with some catch reports in which discards were reported as part of the retained catch; this undoubtedly resulted from the lack of a place for reporting discards on our forms. Continuation of this practice would increase the uncertainty about the accuracy of conversion factors between product and round weight and diminish the usefulness of the revised product log. Our staff says the problems surfaced in October, which precluded consideration at the September Council meeting. I have found that we can rather quickly delete the discards portion of the weekly catch reporting form as submitted, if the Council so desires. We are, however, on the horns of a dilemma if we do this, because as you noted, the reporting of discards is already a requirement in the regulations implementing Amendment 14.

Most of us would see the value of discard information in the context of considering total mortality in our management decisions. Although the discard information we now receive is fragmentary and unverifiable in the absence of observers, we have the expectation that some observer coverage will materialize in the future and discard data may well become an important aspect of catch reporting, as it has been in the foreign fisheries.

To summarize, we are prepared to delete the discards portion of the reporting form. If we do so, however, we should also amend the regulations to delete the requirement to report discards. This may not be desirable in light of the ultimate goal of



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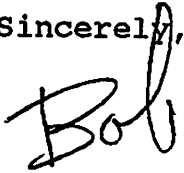
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managing based on knowledge of total mortality. While I appreciate how full the Council's December agenda is, I believe the discards issue merits some discussion leading to a recommendation on how we should proceed. I sincerely regret that it was not brought to the Council's attention sooner.

The second question relates to the clarification of language at 50 C.F.R. 672.20 to explicitly express existing authority to reapportion surplus domestic annual processing (DAP) to joint venture processing (JVP). We did not provide similar wording for reapportionments from JVP to DAP because DAP can legally fish into unutilized JVP and foreign allocations. Since priorities are clearly established, this clarification was not needed.

Thanks for the prompt handling of the FMP amendments on your side. We will strive to avoid future problems of the kind outlined above.

Sincerely,



Robert W. McVey  
Director, Alaska Region