Tanner Crab Fishing Industry

With respect to the operation of the Japanese mothershiptype crab fishery in 1979, we request that in the sea area south of 58°N, the region west of Long. 171°W. be opened for our fishing operation including C. Bairdi.

(Reason)

1. As is seen from the result of fishing operation in 1978, the fishing ground in which a commercial catch can be realized north of 58°N, is restricted to a very narrow range. This fact not only makes a mothership-type fishery there extremely difficult, but also requires increasingly large fishing efforts for this fishing ground and, as a result, the fishery resources within a specific sea area only are heavily exploited. On the other hand, in the sea area south of 58°N a tremendous tanner crab resource will be left unutilized. According to FMP of 1978, M.S.Y. of C.opilio is 102,000 metric tons, while its D.A.H. is only 10,000 metric tons.

We consider that a full use of such unutilized resources agrees with the benefits of both Japanese and U.S. fishermen.

2. In the sea area west of Long. 171°W. it is anticipated that there will be no fishing gear conflicts occurring between Japanese and U.S. vessels. We learn that in 1978 only one U.S. fishing boat carried out fishing in the waters west of Long. 171°W.

3. On C. bairdi

- (a) The present catch of C. bairdi is presumed to be at a level far below that of the allowable catch. Furthermore, C. bairdi living in the waters west of Long. 171°W. are greatly different in size and distribution density from those living in the waters east of Long. 171°W., and can be regarded to be an ecologically different stock. Therefore, also from the standpoint of the conservation of resources, it is not considered that the catch of C. bairdi west of Long. 171°W. will have a great influence on the resources of large-sized C. bairdi distributed in high density in the sea east of Long. 168°W., which is the main fishing grounds of the U.S. tonner crab fishery. Thus, there is no reason at all why the Japanese fishing for C. bairdi should be prohibited in the waters west of Long. 171°W.
- (b) C. bairdi living west of Long. 171°W. are generally small-sized as compared with those living east of Long. 171°W. Going further to northwest, the size of C. bairdi becomes smaller. Even if the Japanese fishery catches C. bairdi in the waters to the northwest, their commercial value is approximately the same as that of C. opilio and has no influence on the price of C. bairdi which U.S. fishermen catch.
- 4. Fortunately in 1978, owing to an abnormal meteorological phenomenon, no floating ice went southwards and our fishing operation could be conducted in safety. But if the weather is as usual, there will inevitably be the southward flow of floating ice. Therefore, if the fishing ground is limited to the sea north of 58°N., it will

become impossible to conduct operation in the important fishing season in early spring. This will strike a death blow against the Japanese tanner crab fishing fleet.

In case F.M.P. for 1978 becomes effective, our fishing grounds for tanner crabs will be limited, even though for a short period, to the waters north of 58°N. Therefore if the above F.M.P. must come into effect this year, we demand that its contents be altered similarly to those of P.M.P. which have been changed this time.

We strongly urge you to the full examination of our above-mentioned requests, and demand that necessary measures be taken so that the traditional Japanese crab fishery may continue its fishing operation in the future.

JAPANESE TANNA CRAB MOTHERSHIP

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MARCH

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North Pacific Fishery Management Council

Harold E. Lokken, Chairman Jim H. Branson, Executive Director

Suite 32, 333 West 4th Avenue Post Office Mall Building



Mailing Address: P.O. Box 3136DT Anchorage, Alaska 99510

Telephone: (907) 274-4563

FTS 265-5435

AGENDA ITEM #8 AUGUST 1978

August 21, 1978

MEMORANDUM

To : Council, Scientific & Statistical Committee, and Advisory Panel

From

: Jim H. Branson

Executive Direct

Subject: Action Regarding Tanner Crab FMP

The FMP for the Commercial Tanner Crab Fishery Off the Coast of Alaska must be:

1. Formally amended for the 1979 season.

This may be accomplished in one of two ways:

- (a) The plan may be rewritten and submitted through the full review process. (Appendix A)
- (b) The plan may be accepted "as is" for the 1979 fishery. (Appendix B)

If the plan is accepted "as is" for 1979 fishing, then either:

- (i) no further changes are necessary, or
- (ii) further changes can be considered for the 1979 plan.

The decision to pursue either (a) or (b) must be made during this Council meeting—although the mechanics of either (a) or (b) will likely involve the September meeting as well!

APPENDIX A

If the plan is amended before being approved and implemented for 1979, a formal rewrite and resubmission of the plan would be scheduled as follows:

Date	Event
Sept. 5	Revisions to Council staff, then mailed to Council, SSC and AP.
Sept. 28, 29	In-house review by Council, SSC, and AP. Approved for public review.
October 9	Notice in Federal Register.
Oct. 29-Nov. 23	Public Review and Comment Period.
Nov. 30-Dec. 1	Council, SSC, and AP review and approve.
Dec. 11	SOC - 60-day review begins.
Feb. 12	End of SOC review (Pipedream I).
Feb. 26	Notice of Proposed Rule Making (45 days).
April 11	Plan in Effect (Pipedream II).

The decision to amend the FMP before implementation would hinge on three main themes:

- (1) The requested amendments by the Japanese to allow them to fish south of 58° N. and west of 171° W. and allow them to retain C. bairdi in that area.
- (2) The OY for <u>C. bairdi</u> (89,000,000 lbs) in the current FMP is higher than the predictions by NWAFC for 1979.
- (3) The OY, DAH, and TALFF for <u>C</u>. <u>opilio</u> north <u>and</u> south of 58° N. latitude should be reevaluated in light of (a) a major <u>C</u>. <u>bairdi</u> stock decline, (b) increasing U.S. capacity, (c) world market conditions, and (d) the difficulty the Japanese had catching their quota of <u>C</u>. <u>opilio</u> north of 58° N. this year.

APPENDIX B

Accept the plan "as is" for 1979; the following changes would be required in the plan and implementing regulations.

- 1. An amendment to the plan changing all 1978 notations to 1979 to make the plan applicable for the 1979 fishery. (Appendix C).
- 2. Additional changes are necessary to make the FMP regulations complement the current Alaska regulations:
 - (a) Establish a pot storage area in the Bering Sea.
 - (b) Provide for a bio-degradable 'escape panel' in all crab pots.

The FMP has enough material in it to allow both changes to be made in the regulations. No change should be necessary in the plan itself.

If the plan is accepted "as is" for the 1979 fishery, the following time schedule would be used:

Date	Event
August 24-25	Plan approved "as is" with 1978-79 notation changes (1979 FMP).
Sept. 4	Notice of "notation" amendments in Federal Register.
Sept. 4-Oct. 30	Public comment on 1979 FMP.
Nov. 1	Plan implemented if \underline{no} 30 day (APA) cooling off period required.
Dec. 1, 1978	Plan implemented if 30 day (APA) cooling off period required.

If after approving the plan as a 1979 FMP, amendments are deemed necessary, the process could be initiated at the September Council meeting. It is important to note, however, that nothing in this particular amendment process should interfere with the rapid approval of the "1978-1979 notations" amendments.

Any foreign fishing amendments to that 1979 plan could generally be:

- o surfaced in September (28,29)
- published in the Federal Register and put out for public review in October and November
- o submitted for Council approval in December
- o submitted for SOC review in January
- o submitted for FR Notice of Regulations in March .
- o Implemented in April 1979

APPENDIX C

Changes required of the Tanner Crab Fishery Management Plan and its implementing regulations if approved by the Council.

I. An amendment to the plan changing all 1978 notations to 1979 to make the plan applicable for the 1979 fishery would require changes on the following pages:

```
Page vii, Section I.C., first paragraph, line 9, delete 1978.
Page vii, Table A, Title, delete "...for the 1977/78 season" and
          add "...for the 1978/79 season."
          Table A and Table 11, delete "...for the 1977/78
Page 4
          season and add "...for the 1978/79 season."
Page 58
          Table 11, delete "...1977/78..." add "...1978/79..."
          Section 7.0 - first paragraph - line 15, delete
Page 62
          "for the 1978 fishing season..."
          Section A.5.3 - 4th paragraph - line 3, delete
Page 96
          "during the 1977/78 season."
          Section A.5.3 - 8th paragraph - line 3, delete
Page 97
          "during the 1977/78 season."
          Section B.6.3 - 1st paragraph - line 2, delete
Page 116
          "...1977/78..."
Page 135
          Section C.6.3 - 1st paragraph - line 2, delete
          "for the 1977/78 season..."
          Section D.7.0 - 1st paragraph - line 1, delete
Page 149
          "...for 1977/78..."
Page 162
          Section E.4.7.1 - 1st paragraph - line 8, delete
          "...has..."
Page 164
          Section E.5.3 - 1st paragraph - line 6, delete
          "...1977/78..." and add "1978/79..."
                                          line 9, delete
          "...for the 1977/78 season..."
          Section E.7.0 - 1st paragraph - line 1, delete
Page 165
          "for 1977/78..."
          Section F.6.2.d. - 2nd paragraph - line 4, delete
Page 187
          "...during the 1977/78 season..."
Page 188
          Section F.6.2.f - 2nd paragraph - line 1, delete
          "...1978..." and add "...1979..."
```

Similar changes would be required of the proposed regulations.

MIH

North Pacific Fishery Management Council

Harold E. Lokken, Chairman Jim H. Branson, Executive Director

Suite 32, 333 West 4th Avenue Post Office Mall Building



Mailing Address: P.O. Box 3136DT Anchorage, Alaska 99510

Telephone: (907) 274-4563

FTS 265-5435

August 10, 1978

AGENDA ITEM #8

TO: COUNCIL, SSC and AP

FROM: Jim H. Branson, Executive Direct

SUBJECT: Amendments to the Fishery Management Plan for the

Tanner Crab Fishery Off Alaska (Background - Recommended

Action)

-BACKGROUND-

Domestic

We have studied the process of amending the Tanner Crab Fishery Management Plan and after conferring with members of the Management Plan Drafting Team, the Chairman of the Alaska Board of Fisheries and members of the SSC and AP, suggest that no formal amendments are needed at this time to the FMP to implement it for the 1979 fishery: except to change all 1978 notations to 1978/79 and 1979 as appropriate.

The plan as approved has been reviewed for changes which could be made in terms of substantive numbers and editorial background. Consideration of the plan is simplified if viewed in terms of two fisheries: (1) the Bering Sea fisheries, and (2) all other fisheries.

The best available information indicates that there are no changes necessary in any of the estimates for MSY, OY, and DAH for the Southeastern, Prince William Sound, Cook Inlet, Kodiak and South Peninsula--Aleutian Regions.

In the Bering Sea, three issues are important to consider in discussing the need to change the Fishery Management Plan: the OY for C. bairdi, the OY for C. opilio, and boundary lines separating the foreign and domestic fisheries. Given the precedent of an expanded domestic fishery which is capable of taking the entire OY this year, but fell short of the OY because of biological and economic reasons, we recommend that the OY not be changed and that the same rationale as used this year be used for whatever downward deviation in the catch occurs because of biological and economic factors in 1979. For C. opilio, the OY, DAH, and foreign allowable catch are considered appropriate. The boundary line as presented

in the plan is also acceptable to this working group, recognizing that the Council may wish to consider the changes requested by the Japanese crab industry; i.e., allow them to fish south of 58° N west of 171° or 173° West.

Foreign

If the Council approves changes in the OY for <u>C</u>. <u>opilio</u> and the foreign fishing boundary line, amendments to the plan would be necessary. Amendments of this scope would probably require a full Secretarial review. If new amendments are approved in August, February 15 would be the earliest date we could expect them to be implemented.

Accepting the plan as is for the 1979 season protects the stocks and the developing U.S. Tanner crab fishery. Necesary changes in the regulations to bring them into line with State regulations are identified in the existing plan so regulatory amendment is possible without amending the FMP. Examples are the pot storage area and the escape panel requirement in pots.

We are preparing an errata package which will update all background material in the FMP so that the revision process can begin as soon as the FMP is implemented. This will become an annual process by the Council staff with input from the Management Plan Drafting Teams.

-RECOMMENDED ACTION-

1. Action:

Accept (or reject) an amendment to the Tanner Crab FMP which would implement the plan -as is- for most of 1979.

Changes Required:

No major changes required. All 1977/78 and 1978 notations must be editorially changed to 1978/79 and 1979.

Time:

With this change the plan could go to the Federal Register on September 1 and run through October 15. A NMFS/NOAA review would likely take an additional 2 weeks and depending upon NOAA's interpretation of the Administrative Procedures Act a 30-day cooling off period may be required. November 1 or December 1 would therefore be the implementation date.

2. Action:

For the September Council Meeting. Accept (or reject) proposed foreign amendments to our newly amended FMP.

Changes Required:

The proposed amendments deal with (a) foreign fishing areas and (b) a request to fish for C. <u>bairdi</u> west of 171° W. Longitude. This would likely constitute major changes to the plan... necessitating a full amendment review schedule.

Time:

If the proposed foreign amendments are accepted then the formal review process (if initiated in September) would not be finished until February or March.

MIH

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