MEMORANDUM

TO: Council, SSC, and AP members

FROM: Jim H. Branson

Executive Director

DATE: September 18,/1986

SUBJECT: Contract, RFP

ACTION REQUIRED

(a) Approve for final payment to Alaska Department of Fish and Game, Groundfish Data Monitoring Contract.

(b) Approve for release the RFP for Survey on Groundfish Management Alternatives.

BACKGROUND

In August the contractor submitted a draft final report for Groundfish Data Monitoring. Copies of this report were sent to the SSC. They will make their recommendations to the Council. If approved, the final payment can be made and this contract will be closed.

A draft RFP for the Survey on Groundfish Management Alternatives is included in the book. Upon approval of this RFP by the Council it will be sent to potential bidders. These bids may be reviewed at the December meeting and the contract awarded at that time.

	,	1986
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To prospective bidders:

Enclosed is a request for proposals (RFP 86-1) for a survey to assist the North Pacific Fishery Management Council in considering management alternatives in the Gulf of Alaska and Bering Sea groundfish fisheries. This solicitation has been prepared by the Council for the purpose of providing a guideline to those who wish to submit proposals.

Proposals must be submitted to the North Pacific Fishery Management Council by 5:00 p.m. ______, 1986. We cannot guarantee consideration of incomplete proposals. If you have any questions concerning the attached solicitation, the role of the North Pacific Fishery Management Council, or the appropriateness of your proposal, contact the Council office directly by phone, in person, or by mail.

Sincerely,

Jim H. Branson
Executive Director

enclosure

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

SOLICITATION FOR PROPOSALS

TO CONDUCT A FISHING INDUSTRY SURVEY TO DETERMINE THE PREFERRED MANAGEMENT ALTERNATIVES FOR THE GULF OF ALASKA AND BERING SEA GROUNDFISH FISHERIES

RFP	86-1	٠

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RESPOND TO:

North Pacific Fishery Management Council P.O. Box 103136 Anchorage, Alaska 99510 (907) 274-4563

PROPOSALS	DUE:	

SOLICITATION FOR PROPOSAL

INTRODUCTION

This announcement constitutes a formal request for proposals to conduct a survey of the Gulf of Alaska and Bering Sea groundfish fleets to determine the management methods preferred by participants in those groundfish fisheries. The domestic groundfish fishery in the Gulf of Alaska is currently managed by annual catch quotas, gear restrictions, allocations of sablefish by gear group, and time and area closures. The domestic groundfish fisheries in the Bering Sea are managed by annual quotas and time and area closures. Rapid changes are occurring within some of the domestic groundfish fisheries in the Gulf of Alaska and Bering Sea, most notably the sablefish fishery. At the January 1986 Council meeting, the North Pacific Council directed a workgroup of Council members (the Sablefish Committee) to investigate those changes in order to determine if management regimes other than the status quo are needed.

The Council appointed the workgroup after announcing in December 1985 that anyone entering the sablefish fishery after September 26, 1985 would not be assured of future participation should a limited entry system be implemented in the fishery. Establishment of the September 26, 1985 cut-off date was recommended to the Council by the National Marine Fisheries Service in light of the fact the fleet, at that time, was of sufficient size to harvest the sablefish optimum yield. The Sablefish Committee was charged with reviewing non-access limitation systems (other than the status quo) and access limitation systems for applicability to the Gulf of Alaska sablefish fishery.

The Sablefish Committee met on March 19, 1986 in conjunction with the March Council meeting. After considering its charge from the Council, the workgroup decided that it should focus on alternate management systems for all Gulf of Alaska and Bering Sea domestic groundfish fisheries rather than just the Gulf of Alaska sablefish fishery. The workgroup recommended, as a first step, that a questionnaire or survey be drafted to solicit ideas from industry on the direction of groundfish management. The Council adopted the workgroup's recommendations at the March 1986 Council meeting and directed its staff to prepare a request for proposals for the questionnaire or survey. The results

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of the survey will be used by the Council to determine whether management methods other than the status quo are desirable or necessary for the management of the Gulf of Alaska and Bering Sea groundfish fisheries.

RELEVANT INFORMATION ABOUT THE FISHERY CONSERVATION MANAGEMENT ACT AND THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

The Fishery Conservation and Management Act of 1976 (Public Law 94-265 - hereinafter "the Act") established a Fishery Conservation Zone (FCZ) from 3 to 200 nautical miles offshore around the coast of the United States. In addition to establishing the FCZ the Act gave the United States management authority over all living fishery resources within that zone with the exception of tunas and U.S. origin anadromous fish species and fishery resources of the Continental Shelf that may occur outside 200 miles. The Act also created eight regional fishery management councils including the North Pacific Fishery Management Council to exercise primary fishery management authority within the FCZ. The North Pacific Council's area of jurisdiction is off the coast of Alaska.

The major functions of the Regional Management Councils as specified in the Act are:

- 1. To prepare and submit a fishery management plan for each fishery within its jurisdiction that requires conservation and management.
- 2. Prepare comment on any applications from foreign nations to fish within the FCZ.
- 3. Conduct public hearings.
- 4. Submit to the Secretary of Commerce such periodic reports as the Councils deem proper or as the Secretary may request.
- 5. Review and revise fishery management plans as necessary.
- 6. Perform any other activities required by the Act or which are necessary and appropriate to the above-stated functions.

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Fishery management plans developed by a Council are required by the Act to:

- 1. Contain conservation and management measures for both foreign and U.S. vessels.
- Describe the fishery, the cost likely to be incurred by management and enforcement measures under the plan, the actual and potential revenues to Federal and State governments and to the industry; recreational interests, foreign fishing and Indian treaty rights.
- 3. Specify present and future conditions of the resource, establish the maximum sustained yield (MSY) and an optimum yield (OY) which is derived from the MSY and may be influenced by social or economic as well as biological factors.
- 4. Specify the domestic annual harvest (DAH) and domestic annual processing (DAP) which is a measure of the capacity and ability of the U.S. fleet and industry to harvest, process and market the resource. The plan must then identify the surplus that is available, if any, for allocation to other nations.
- 5. Specify the data from the fishery that should be submitted to the Secretary of Commerce. This includes landing statistics, processing statistics and such other data as the Council feels is necessary for the management of the resource.

Discretionary provisions are allowed in any fishery management plan and may include provisions to:

- 1. require a permit to be obtained from, and fees paid to, the Secretary with respect to any fishing vessel of the United States fishing, or wishing to fish in the Fishery Conservation Zone, or for an anadromous species or Continental Shelf fishery resource beyond such zone;
- 2. designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of gear;

- 3. establish specific limitations on the catch of fish which are necessary and appropriate for the conservation and management of the fishery:
- 4. prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of the Act;
- 5. incorporate, consistent with the provisions of the Act and other applicable law, the relevant fishery conservation and management measures of the coastal States nearest to the fishery;
- 6. establish a system for limiting access to the fishery in order to achieve optimum yield;
- 7. assess and specify the effect which the conservation and management measures of a fishery management plan will have on stocks of naturally spawning anadromous fish in the region; and
- 8. describe such other measures, requirements or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of a fishery.

THE PROPOSED SURVEY SHALL BE DESIGNED AND CONDUCTED TO PROVIDE INFORMATION WHICH WILL ASSIST THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL IN DETERMINING THE MANAGEMENT METHODS PREFERRED BY THE CURRENT PARTICIPANTS IN THE GROUNDFISH FISHERIES OF THE GULF OF ALASKA AND BERING SEA, THE SURVEY SHOULD INCLUDE BOTH THE HARVESTING AND PROCESSING SECTORS OF THE INDUSTRY.

This survey does not require the contractor to recommend a course of action to satisfy the contract. The proposed survey is intended to more clearly identify those management methods other than the status quo the participants in the Gulf of Alaska and Bering Sea groundfish fisheries would choose for implementation in the groundfish fisheries.

STATEMENT OF WORK

 The Contractor shall draft a survey that reflects preferences for management methods other than the status quo, that may be implemented in the Gulf of Alaska and Bering Sea groundfish fisheries. The management

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options to be considered are non-access limitation systems, other than the specific regimes currently in place, and access limitation. Current management methods rely largely on annual quotas for various species in the groundfish complex. Some measures are in place to divide species quotas (e.g. sablefish) between participants based on the type of fishing gear used and area closures are used to reduce bycatches of some non-groundfish species. Other measures possible in the non-limited access category include restrictions on the gear used, such as the mesh size or overall size of nets, limited seasons without quotas, or measures tending to reduce the efficiency of the individual participants. Access limitation should include license limitation (transferrable or nontransferrable), individual quotas (transferrable or non-transferrable), landing taxes and/or high license fees. The Council will provide the contractor with data indicating the number and types of vessels that participate in the Gulf of Alaska and Bering Sea groundfish fisheries, an analysis of the catch distribution among the vessels, and other fisheries in which the vessels participate.

- 2. The Contractor shall administer, by telephone or in person, the survey to a scientifically established and randomly selected cross-section of the harvesting and processing sectors of the Gulf of Alaska and Bering Sea groundfish industry.
- 3. The Contractor shall conduct the survey in a manner that results in an error factor of no more than + or 5 percent.
- 4. The Contractor will report the preliminary results of the survey along with a description of methodology and number of surveys conducted to the Council staff before a final report is issued to the Council.
- 5. The Contractor will present, in person, the final results of the survey along with the description of methodology and the number of surveys conducted to the Council at its _____ meeting.

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TIME SCHEDULE		
(DATE)		(EVENT)
, 1986		Deadline for receiving proposals
, 1986		Contract awarded
, 1987		Final report due
•		·
LEVEL OF FUNDING		
\$40,000		
PROPOSAL SUBMISS	ION	
Submit a narrati	ve proposal, indicati	ng methodology and types of questions
be included in	the survey, manpower	r (in person months), other resourc
available, a res	ume of the principal i	nvestigators and a proposed budget to:
•	Jim H. Branson, Ex	ecutive Director
	North Pacific Fish	ery Management Council
	P.O. Box 103136	
	Anchorage, AK 995	10
no later than _	, 1986.	For additional information call Jim
Branson or Ron M	iller at (907) 274-456	3.
SPECIAL INFORMAT	<u>ION</u>	
	-	ntractor shall be provided by Nation
Marine Fisheries	Service, the Alaska C	ommercial Fisheries Entry Commission a

the Alaska Department of Fish and Game in an edited form.

INSTRUCTION FOR PREPARATION OF PROPOSALS

The Contractor shall be responsible for all aspects of this project and shall furnish all necessary services, materials, labor, supplies and equipment. Selection of a Contractor will be based primarily on the results of the technical evaluation with cost also being carefully considered. Selection of the Contractor will be in compliance with the North Pacific Fishery Management Council's Statement of Organization, Practices and Procedures.

A. General Instructions

Proposals should contain easily distinguishable sections dealing with technical aspects and with business management. The technical proposals should not make any reference to pricing data in order that evaluation may be made strictly on the basis of technical merit. The proposals must be specific on the technical approach proposed to satisfy the requirements and not merely paraphrasing the specifications in this RFP. Proposals should include the types of questions that will be included in the survey. Ten (10) copies of the technical proposal and ten (10) copies of the cost proposal will be required for submission and signed by someone authorized to legally bind the Offeror.

B. Receiving Date and Address

Proposals should be received at the address listed below no later than 5:00 p.m., Alaska Daylight Time, on ______, 1986:

North Pacific Fishery Management Council
Attn: Administrative Officer
P.O. Box 103136
Anchorage, AK 99510

30A/CK

If hand carried, the proposals shall be received no later than the time and date listed above, at:

North Pacific Fishery Management Council 411 W. 4th Avenue, Suite 2D Anchorage, AK 99501.

Proposals are guaranteed confidential. Outer envelopes should be marked with the appropriate RFP number.

NEGOTIATIONS AND AWARDS

A. Award

Dependent on funding approval by NOAA, award will be made to the responsible offeror in accordance with the criteria set forth in this RFP and consistent with the North Pacific Fishery Management Council's procurement standards. Issuance of this solicitation does not constitute an award commitment on the part of the government. This request does not commit the North Pacific Council to pay for costs incurred in submission of a proposal or for any other costs incurred prior to the execution of a formal contract unless specifically authorized in writing by the Executive Director. A contracting officer/Executive Director is the only individual who can legally commit or obligate the government to the expenditure of public funds should a contract result by reason of response to this request for proposals.

B. Criteria

All proposals will be reviewed by the Council staff, members of the Council's Scientific and Statistical Committee, members of the Council's Sablefish Committee, and members of the Council's Finance Committee.

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Each proposal will be ranked against all proposals according to the following four categories, listed in descending order of importance:

- 1) soundness of approach;
- 2) pertinent experience of staff;
- 3) capability of staff and past performance; and
- 4) price of contract.

In general, proposals will not be considered where there appears to be a problem with either "confidentiality of statistics" or a conflict of interest within the Gulf of Alaska or Bering Sea groundfish industry. Proposals in general will also not be considered which do not conform to the schedule or objectives listed in this RFP. Because of specialized nature of this project, proposals submitted should demonstrate sufficient local knowledge, prior pertinent experience and/or specialized key personnel. Reviewers will judge submissions based upon the completeness of proposals with an associated cost of \$40,000 or less.

PROPOSAL

To aid in the evaluation of the proposals all proposals should follow the same general format; therefore, your proposals shall at a minimum contain the information specified below in according with the following general format:

A. Technical

- 1. Table of Contents
- 2. List of Tables and Charts (if appropriate)
- 3. Short Introduction and Summary
- 4. Technical discussion of approaches
- 5. Survey Questions
- 6. Program organization
- 7. Program schedules
- 8. Facilities and equipment data
- 9. Personnel qualifications
- 10. Supporting data and other information
- 11. 10 copies of proposal

B. Cost

- 1. General cost proposal
- 2. Cost breakdown
- 3. Cost form
- 4. Direct labor

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ALASKA PROPOSALS

Surimi Import Quota

The current Japanese Import Quota (IQ) system, although revised from the earlier so called "98 Country Quota" continues to impede access to the Japanese surimi market. The IQ is divided into three categories, Showari (trader's allocation), Juwari (end user allocation) and Kaihatsu-wari (development allocations for fishing companies), with effective control of the marketplace remaining in the hands of the major fishing companies.

Alaska proposes the creation of a new category to be called the Alaska Pollock Development Quota (APDQ). This new category would be available to any Japanese trading, end-user, or fishing firm without restriction. A quota issued in this category would be effective for a period of one and one-half years. Hence firms could receive quotas for production scheduled to occur 18 months in advance. If used, the quota would automatically be available for an additional four years as long as acutal production/importation occurs. The quota would be available in the following amounts (finished weight):

10,000 metric tons 1988 20,000 metric tons 1989 25,000 metric tons 1990 30,000 metric tons 1991 35,000 metric tons

After 1991 production imported under the APDQ would fall into its appropriate existing category.

The APDQ will not be available for product produced by US companies with more than 25% constructive ownership by Japanese fishing companies or their constructively owned subsidiaries.

Pacific Cod Import Quota

To facilitate the development of the Pacific Cod fishery, Alaska proposes that the following amounts of Pacific Cod (finished weight) quota be set aside in an Alaska Cod Development Quota available to any Japanese importer without restriction:

1987 10,000 metric tons 1988 20,000 metric tons 1989 25,000 metric tons 1990 30,000 metric tons 1991 35,000 metric tons Alaska Proposal

The same restrictions and conditions outlined for the Alaska Pollock Development Quota will apply.

FGB/00540 092286



Senator Gorton
Senator Stevens
Senator Murkowski
Congressman Young
Congressman Lowry
Congressman Miller
Congressman Biaggi
Congressman Breaux

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Gentlemen:

The undersigned fishery organizations, representing a broad and substantial cross-section of the groundfish harvesting and processing industry in the Pacific Northwest and Alaska, hereby respectfully request your immediate help in introducing and passing legislation to close a loophole in U.S. law which if not corrected, would substantially subvert and cancel the efforts made in recent years by the U.S. fishing industry to bring about Americanization of our fishery resources for the maximum benefit of our nation.

Specifically, under present U.S. law it is possible for non-citizens to have 100 percent ownership of U.S. flag fishing and/or processing vessels. Furthermore, there is presently no prohibition against acquiring a foreign built, foreign flag vessel and re-documenting that vessel as a U.S. flag fish processing vessel to operate in the fisheries of the United States.

Although on the surface this may not appear as a major issue, the following recent events have underscored the critical and immediate basis for our concern:

- 1. The rapid increases in domestic harvests through joint venture fishing arrangements and domestic processing operations have drastically reduced foreign fishing quotas (TALFF). Consequently, the large foreign fishing fleets which have been operating in the U.S. fishing zone are now faced with the prospect of reduced utilization of these foreign-built vessels, many of which are fully amortized.
- 2. The American processing industry is now beginning to make the necessary investments to fully Americanize our fishery resources. Several new processing plants have been built in Alaska to process pollock into surimi and fillets. The U.S. flag factory trawler fleet continues to expand including the recent announcement of a large surimi factory trawler to be operational next year plus several others under serious consideration. U.S. flag at sea processing operations supported by U.S. harvesting vessels are growing and one large American shipbuilder recently announced plans to build and operate several large fish processing vessels in Alaskan waters utilizing alaska pollock.

Senator Gorton September 24, 1986 Page 2

3. To counter this growing Americanization threat certain foreign fishing companies are now aggressively pursuing plans to maintain their control and pre-eminence in the fisheries off Alaska by forming majority owned "U.S. citizen" corporations for the purposes of acquiring U.S. flag harvesting vessels and/or re-flagging their existing factory vessels as U.S. processing vessels. Several foreign fishing companies have already taken such action. We expect others to follow suit in the near future.

True Americanization of our fishery resources will be abruptly halted and our hard-earned gains set back severely if this activity is not halted immediately. The American fishing industry will have great difficulty competing with these lower cost, foreign processing vessels rolled over under the U.S. flag. Preventing this "Paper Americanization" of our fisheries now will go along way towards maintaining the present positive investment climate which is fostering true Americanization of our fisheries as intended by the Magnuson Act (MFCMA).

RECOMMENDATIONS

With an understandable sense of urgency the undersigned request that legislation be immediately introduced to accomplish the following changes in U.S. law in support of continued, orderly Americanization of our fisheries:

- 1. Require that a foreign built vessel cannot be documented as a "vessel of the United States" for purposes of processing U.S. harvested fish in the territorial sea of fishery conservation zone of the U.S.;
- 2. Require that any U.S. documented vessel engaged in harvesting or processing fish in the U.S. territorial sea or fishery conservation zone be majority-owned and controlled by U.S. citizens;
- 3. Establish 24 September 1986 as the effective date for these regulatory changes.

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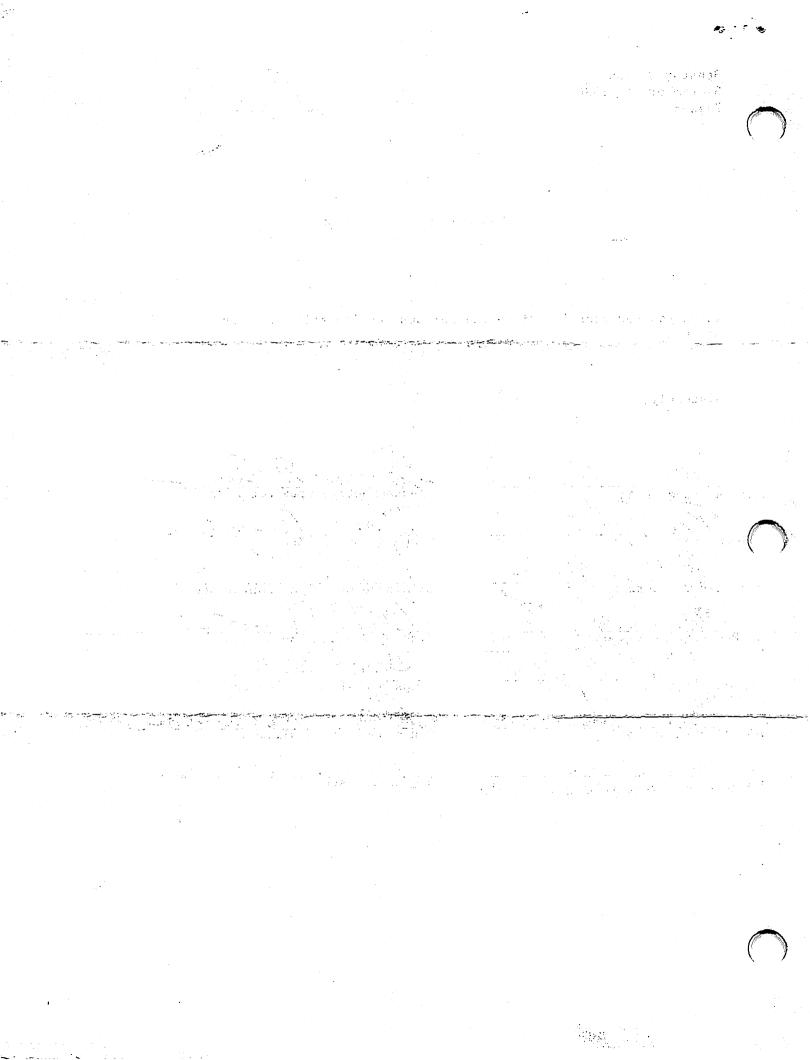
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Thank you for your immediate and serious consideration of this critical matters.

Sincerely,

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All Alaskan Seafoods	Concerned Crab Coalition
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Lode Star, Volume IV, No. 3 Summer, 1986

The editor's turn

Off the



By Krys Holmes

A threat now faces the Alaskan seafood industry which could put every processor and fisherman reading this out of business. It could mean the loss of millions of dollars and hundreds of jobs. That threat is the paper Americanization of the seafood industry.

While processors and resource management groups fight to eliminate foreign harvesting and processing within the U.S. 200-mile limit, a plan is afoot that could throw control of the North Pacific fisheries right back into the hands of the Japanese. Experts say that the major players in the Japanese industry plan to set up U.S. companies and then sell fleets of factory trawlers to those companies. Taking advantage of U.S. laws, those companies could re-flag the Japanese vessels with U.S. flags, staff them with Japanese crewmen, and lease the ships back to the Japanese for operation in the Bering Sea.

The result: the paper Americanization of the seafood industry. On paper, the industry would be controlled by domestic companies and the Americanization effort would be successful. But in reality, the industry power would be concentrated in the hands of two companies which now manipulate the gigantic Japanese seafood industry.

This simple, entirely legal plan would quietly create fully-integrated companies with enormous harvesting and processing capabilities, with open access to Japanese markets, and with the advantages of domestic status—all under the control of the major Japanese seafood powerhouses, Taiyo and Nippon Suisan.

The laws that allow this to happen—under which the Germanbuilt Golden Alaska was flagged with U.S. colors—were written to give domestic processors access to inexpensive hulls to further Americanization efforts. The Golden Alaska, a factory trawler now operating in the Bering Sea, has been an honest, laudable contribution to the industry. But what

happens when the Japanese, faced with losing a grip on the \$4 billion-a-year potential in the U.S. surimi industry, choose to take advantage of these simple laws instead?

What happens when it becomes more trouble to fight for joint venture allocations than it is to quietly spend a few million dollars setting up a U.S.based front company?

Domestic fishermen would face a buyer's cartel. U.S. processors would be edged out of the market. The Bering Sea would be full of huge, foreignbuilt trawler/processors legally and technologically capable of controlling not only the pollock fishery but the salmon, crab and herring fisheries as well. And consumers would face a seller's cartel of large processors who have cornered the market on the Bering Sea resource.

Silent ownership of the U.S. industry would bring Taiyo and Nippon Suisan many blessings: with U.S.-flagged ships, they would not have to compete with Korea for groundfish allocations in U.S. waters. Japanese processors also enjoy an import tax advantage over Americans on products processed in U.S. waters and sold in Japan. Most significantly, it would mean the Japanese could maintain a grip on the growing U.S. surimi industry while bolstering the declining Japanese surimi industry.

Paper Americanization has been called the single biggest threat to the industry today. One industry expert said, "If the Japanese aren't planning to do it, then why did Nissui just build a brand new mothership for the Bering Sea?"

In the past few weeks, fishermen and processors have quietly begun working to change the legislation that would allow paper Americanization to occur. The laws must be changed quickly. This is an issue around which the entire U.S. industry can and should join forces.



9/23/86

Surplus Available for TALFF

Species	D Projected	A P Needed *1/	Excess A	J Projected	V P Needed *2/	Excess B	Unalloc TALFF C			For Japan Ex0.77
	133,394	38,464	94,930	50,830	50,830	0	244	5,953	101,127	77,868
	119,794	67,000	52,794	783,804	780,204	3,600	487	0	56,881	43,798
Turbot	5,414	1,600	3,814	5,000	200	4,800	5,329	4,950	18,893	14,548
Y.Sole	1,030	60	970	144,300	134,300	10,000	39	0	11,009	8,47
Arrowtooth	1,805	50	1,755	1,667	1,667	0	0	3,000	4,755	3,66
Flounder Other	4,192	7,247	-3,055	98,850	92,250	6,600	0	5,000	8,545	6,58
Flatfish Total	265,629	114,421	151,208	1,084,451	1,059,451	25,000	6,099	18,903	201,210	154,93

(Actual catch)

(72,706)*3/

(870,078)<u>*4</u>/

Need 72, 300 to reach 525K this year. -

 $[\]pm 1$ / Estimation by NMFS (Pollock:estimation by Japan)

^{*2/} Estimation by Japan

^{*3/} Sep.10 1986 PacFIN

^{*4/} Best-Blend Joint Venture catch for period 1/1/86-8/23/86 (NMFS)