

Itemized List of Comments and Requests

presented by

THE NORTH PACIFIC LONGLINE AND

GILLNET ASSOCIATION

(Japan)

on

PROPOSED FISHERY MANAGEMENT PLAN

GROUND FISH OF THE GULF OF ALASKA

and

50 CFR Part 611, Amendments to Regulations

on Gulf of Alaska Trawl Fishery and the

Sablefish (Blackcod) Fishery

70 FAC and 611.92(b) (1)

1. Sablefish Quota - maintain at least level of FAC of 8,000 MT as in PMP.
2. Increase in Pacific Cod quota as recommended and adopted by RC.

8.3.21 D(1) (a) and 611.92(c)

3. Opening of the proposed closures:
 - (1) Reopening of Davidson Bank (PMP).
 - (2) Area between 169-170° West, within 3 miles and 12 miles (PMP).
 - (3) Opening of the area east of: 140° West (FMP); 141° West (Regulation); 137° West (PMP).

8.3.21 A and 611.92(b) (1)

4. Discontinuation of using INPFC Statistical Areas.

8.3.21 B and 611.92(b) (2) (iii)

5. Lift the limit in taking national quota less than 25% of the total from December 1 - May 31.

8.3.23 A and 611.92(b) (2) (i) (A) (B)

6. Withdrawal of the provision to the effect that if a foreign nation has caught its allocation of any species apportioned to each major statistical area, all further fishing by that nation be terminated in the area for the remainder of the calendar year.

8.3.21 D(3) (b) and 611.92(d) (3) (ii)

7. Relaxation of restriction on fishing in the waters landward of 500 m. contour to, for example, 400 m., east of 157° West.

23

Statement by
H. NAKAMURA
Vice-Chairman
of
North Pacific Longline-Gillnet Association
(Japan)

at North Pacific Fishery Management
Council's 15th Plenary Session

May 25 - 26, 1978

Mr. Chairman, Distinguished Members
of the Council, Ladies & Genelemen:

My name is H. Nakamura, and I represent the Japanese Longliner's Association, its membership's livelihood solely dependent upon fishery resources in this part of the Pacific Ocean, within the Fishery Conservation Zone of the United States.

Nevertheless, on reviewing the contents of the Federal Register issued on April 21, this year, which publisizes proposed rules for FMP on the Groundfish of the Gulf of Alaska and its supporting regulations, the members of the Association felt

they simply must bring several points which cause their serious concern to the attention of the Council here, as well as the Competent Authority of NFMS, Department of Commerce, in Washington, D.C.

7.0 FAC (FMP), 611.92(b)(1) Talffs and National Allocation (Reg.)

In order for orderly development of our fishing plan, we need to share equitably such catch quota with reasonable leetime.

This year we made plans around PMP and regulations implementing the plan for foreign fishing that were issued on November 28, 1977, and allocation received in mid-May. Even that required considerable adjustments for the members of the Association and we are now threatened with further adjustments because of the imposition of FMP which affects the catch quota and regulations, as well as areas of operation.

(1) Sablefish (Blackcod)

We are aware that MSY for Sablefish for 1978 was estimated in the range of 22,000 to 25,000 mt., and EY between 17,400 and 19,800 mt., while OY is set far below this level. We are not really convinced of the validity of reducing the OY from that level down to 13,000 mt., and in this regard we seriously doubt whether such large departure from the level of EY for setting

OY would really be the true intent of the Fishery Conservation and Management Act. Therefore, we would request (1) that FAC of Sablefish for 1978 be maintained at least at the level of 8,000 mt., as has been determined under PMP instead of reducing it further, down to 6,400 mt. as indicated in FMP regulations; (2) Sablefish FAC for 1979 be increased to 19,500 mt., the same as that of 1977.

(2) Pacific Cod

At the 14th Council meeting, it was unanimously agreed and recommended by the Council to work out technical adjustments to the Gulf of Alaska Groundfish FMP for accomplishment of an increase in the combined TALFF and reserve from 6,230 mt. to 7,600 mt., by:

- (a) making the reserve and TALFF from all of Chirikof and Shumagin available to the longline fishing west of 157° West;
- (b) immediately releasing the reserve for Pacific Cod in these two areas for allocation to the foreign longline fishery;
- (c) assign shortfall, if any, of DAH for Pacific Cod after reassessment of DAH in August.

Finally, the Council noted that certain species that occur at depths greater than 500 m. that, by domestic action, could be made available to Japanese longliners to further help them replace our lost herring and sablefish catches.

It is our sincere wish that these adjustments recommended by the Council will be taken into account at Federal Governments so enough Pacific Cod and other species to cover the loss in our fishing be made available to us.

One other concern is that right in the area designated for Pacific Cod longlining, west of 157° West, shallower than 500 m. isobath, lies one of the closures proposed in FMP and Regulations, such as "Davidson Bank".

(3) Closed Areas

8.3.21 D(1) and 611.92(d)(i)(iv)

A. The forthcoming FMP regulations close all foreign fishing year-round in the areas specified which, to the Japanese longliners, means losing just about 40 percent of their fishing ground prior to 1977 in the Gulf.

"Davidson Bank," between 163°04' & 166°00' W. Long., north of 53°0' N. latitude, has recently been made open to longliners with the amendment to PMP and its implementing regulations on January 18, 1978, and we would like to see that in FMP; also, the current amendment for opening this area continues to be effective on the grounds that:

(1) Planning has already proceeded around the PMP which authorized Davidson Bank, but now the danger exists of the area being closed because of the Sanctuary.

(2) Longlining being the best method for conservation of fishery resources, the opening of this area to longliners

would not affect the future development of U.S. fishing industry.

8.3.21 D(1) (a) and 611.92(c)

B. Under PMP and its Regulations, the area "In the Gulf of Alaska between 169°00' W. longitude and 170°00' W. longitude between three and twelve nautical miles from the base line used to measure the territorial sea" is open for foreign fishing. Since (1) the location in the Gulf involves little gear conflicts, and (2) beyond 12 miles in the area the bottom is too deep for longlining; therefore, between 169° W. and 170° W., we request permission to operate in the four to twelve mile zone as was permitted in PMP.

8.3.21 D(3) (a) and 611.92(d) (3) (i)

C. Southeastern: Whereas, east of 141° W. longitude is closed to foreign longline fishing year-round, we would request that, as in the years prior to 1977, this area be opened for foreign longlining.

(4) Area Allocation According to Statistical Areas

8.3.21 A and 611.92(b) (1) 3

According to the FMP, OY's are apportioned by five statistical areas in the Gulf of Alaska; that is, Shumagin, Chirikof, Kodiak, Yakutat, and Southeast. The wording on area allocation reads "The FMP and proposed regulations establish

OY's and TALFF's for each groundfish species in each of five major statistical areas. The purpose of allocation by statistical areas is to avoid the overfishing of local stocks which has taken place in the past."

We wish to express the following views on this topic, both from biological and operational perspectives:

Biological Perspective: According to Japanese scientists, the blackcod resource in the Northeastern Pacific and the Bering Sea are related and of one unit stock. For the Gulf of Alaska alone, we do not see the need to apportion blackcod OY by areas. Even the FMP does not say that there are several stocks in the Gulf of Alaska. There is apparently mixing of blackcod between all the areas. Also, from past catch trends, the Japanese longline fishery has operated in most areas of the Gulf and has spread out its fishing effort. The CPUE data by small statistical blocks for the past few years show that local overfishing has not been occurring. We will continue to spread out our longline fishing effort to avoid local overfishing and, from an operational point of view, in order to avoid gear conflicts.

Operational Perspective: The longline gear we use are spread over a very long distance and wide area. Therefore, when catch quotas are imposed by the five statistical areas, it will make it operationally difficult to fish.

(5) 8.3.21 B and 611.92(b)(2)(iii)

The FMP and regulations limit catches of allocation for all species combined by foreign nations to less than 25% during the periods from Jan. 1 - May 31 and Dec. 1 - Dec. 31 combined, in the Gulf of Alaska. (1) In view of existing stringent regulatory measures to protect and rehabilitate halibut resources through area-time, depth contour restrictions, no additional restriction seems to be required; (2) our past records (1975 - 1977) show the catch during December 1 to May 31 comprise more than 40 percent of annual catches. It would therefore be unthinkable to limit our catch to less than 25 percent by our vessels during the corresponding period. What is more, wouldn't such restriction lead to catches far short of FAC? We request that Japanese longline be exempted from the provision

(6) Sections 8.3.21 D(3)(b) and 611.92(d)(3)(ii) close "East of 157° W. longitude and landward of the 500 meter depth contour." We request relaxation of the depth contour closure to, for example, 400 meter depth contour, which we believe would involve low incidental catch rate of halibut and, of course, little gear conflict with U. S. fishermen. We might point out, further, that incidentally-caught halibut are released at the boatside, and mortality is kept extremely low.

(7) In Section 611.92, Regulation (2)(ii)(A) reads that "The taking of any species for which a nation has an allocation is permitted, provided that optimum yield (OY) has not been reached." It further stresses that "if the Regional Director determines that the OY for any species in any statistical area has been reached, all fishing in that statistical area by any vessel subject to this section must terminate even if national allocations or OY's for other species have not been reached."

According to this regulation, we can envision the following situation:

If rockfish quota of, say, 1,000 mt. was reached by a trawl fishery by March, then the blackcod fishery will not be permitted in the same statistical area, even if (a) blackcod fishing has not started, and (b) blackcod quota has not been reached. If we keep in mind that the blackcod line fishery is quite different from the trawl fishery, then this will be an unreasonable restriction on the blackcod line fishery. It is obvious that this type of regulation accomplishes no conservation objectives.

I hope it is not the intent of the North Pacific Regional Fisheries Council to have the regulation implemented this way. Therefore, we propose (1) that the Council clarify the intent of its regulation so that the wording of the regulation can be properly written. Furthermore, we propose (2) that the

Council distinguish between the longline and the trawl fisheries, and allocate fish catches according to these fisheries, for we believe, not only in conservation, but also in full utilization of the resources.

500,000
 .10

50,000.00