AGENDA FOR JOINT SESSION

of the

North Pacific Fishery Management Council and International Pacific Halibut Commission

- I. NPFMC Chairman Welcoming Remarks
- II. IPHC Chairman Introductory Remarks
- III. Issues of Mutual Concern
 - a. Long-term management options

 Identification of options
 Schedule for analysis and implementation
 Draft Questionnaire
 - b. Fishing seasons in Regulatory Area 4B (Aleutian Islands).
 - c. IPHC Staff proposal for monthly catch limits
 - d. Sale of halibut bycatch to fund research
 - e. Other issues of mutual concern
- IV. Concluding Comments

OPTIONS FOR HALIBUT MANAGEMENT

Status quo - open access

A continuation of present management methods with the possible use of traditional measures. The following are a list of management measures which have been used for halibut management by the International Pacific Halibut Commission.

Area closures.
 # Season closures.
 # Size limits.

3. # Gear restrictions.
 4. Inseason lay-ups.
 8. Split fleet departures.
 9. # Trip catch limits.

5. Scheduled delivery dates. 10. # Vessel clearance requirements.

Those measures noted with a # were used for halibut management in the EEZ off Alaska during the 1988 season.

Limited access

Limited access systems can be two major forms either singularly or in a variety of combinations. The list below is derived from the draft Sablefish Management Plan and Future of Groundfish committee (FOG) deliberations.

<u>License limitation</u> (Under consideration for sablefish)

Limit the number of vessels or entities able to fish for halibut. Depending on the severity of such limitation, open access management measures would still be needed for effort control.

Individual Fishing Quotas (IFQs) (Under consideration for sablefish)

Issue harvest rights specified in a certain amount of halibut and restrict harvesting to entities controlling such rights and to the amounts of such rights. Theoretically, few if any traditional management measures would be required to control effort.

Combination systems

These systems can be constructed to combine open access, licenses and/or IFQs in a variety of combinations. Several of these combinations are listed below although others are possible.

IFQs and open access

- 1. IFQs could be issued to all qualified entities with the option of using them or fishing in a common pool. This option was referred to as Prochoice by the FOG committee.
- 2. A set amount of the total allowable catch could be assigned to an IFQ system with the remainder available for fishing from a common pool. This common pool could be fished competitively by only IFQ holders, by only non-IFQ holders, or by anyone.
- 3. IFQs could be sold to entities wishing to secure a guaranteed amount of harvest while the remainder of the fishery remained open access. Such a system would require changes to the Magnuson Act.

Licenses and open access

- Licenses could be issued to all qualified entities with a portion of the total allowable catch
 reserved for a common fishery for non-license holders. Such a system could allow for
 directed fishing only if a license was held.
- 2. Licenses could be sold to entities wishing to secure entry into a directed fishery while the remainder of the fishery remained open access for less desirable directed or bycatch only fishing. Such a system would require changes to the Magnuson Act.

Licenses and IFQs

- Qualified entities could be issued IFQs and licenses with the choice of using one or the other.
- 2. License and IFQ systems could run in parallel with licenses used for directed fishing and IFQs for bycatch or both for directed fishing at different times.

HALIBUT LIMITED ACCESS MANAGEMENT SYSTEM Schedule for Implementation

(Option 1. Optimistic, Fastest Possible)

1989 January 16 Council

Council decides on course of action and approves industry survey.

Early February

Council staff mails survey to halibut industry with assistance of IPHC.

Late March

Survey results compiled.

April 10

Council reviews initial survey results.

Council decides on further course of action.

Halibut Committee formed.

April - May

Committee begins work on technical points.

Work scoping session for staff.

Council, NMFS, and IPHC staff begin to analyze data.

June 19

Council decides on further technical points.

June - July

Committee continues to work on technical points.

September 25

Council finalizes choices for preferred system(s).

Final analysis begun.

November

Review of analysis by expert panel.

December 4

Council reviews analysis.

December

Document out for public comment.

1990 Ja

January

Council chooses preferred alternative.

Submission for Secretarial review.

Beginning in

April or May

Council notified of Secretarial decision.

Begin notification of fishermen.

Begin appeals procedure. Issue final IFQs or licenses.

1991

January 1

New management system takes effect.

HALIBUT LIMITED ACCESS MANAGEMENT SYSTEM Schedule for Implementation

(Option 2. More Realistic)

1989 January 16 Council decides on course of action and approves industry survey.

Early February Council staff mails survey to halibut industry with assistance of IPHC.

April 10 Halibut Committee formed.

April - May Committee begins work on technical points.

Work scoping session for staff.

Survey results compiled.

Council, NMFS, and IPHC staff collect data.

June 19 Council reviews survey results.

Council decides on further course of action. Committee begins to work on technical points.

September 25 Council decides on further technical points.

October Series of industry workshops begins.

Committee continues to work on technical points.

1990 January Council reviews analysis and decides on additional technical points.

April Council reviews analysis and workshop results.

Committee continues to work on technical points. Council decides on additional technical points.

June Council finalizes choices for preferred system(s).

Final analysis begun.

August Review of analysis by expert panel.

September Council reviews analysis.

October Document out for public comment.

December Council chooses preferred alternative.

Submission for Secretarial review.

1991 April Council notified of Secretarial decision.

Beginning in April Begin notification of fishermen.

Begin appeals procedure.

Issue final IFQs or licenses.

1992 January 1 New management system takes effect.

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL INTERNATIONAL PACIFIC HALIBUT COMMISSION

Draft HALIBUT MANAGEMENT SURVEY

1.	Have you been the owner or operator of a vessel that participated in the halibut fishery off Alaska?			
	<u>Vessel Owner</u> <u>Vessel Operator</u>			
	Year Vessel length Year Vessel length			
	;;;			
	;;			
	;;			
2.	In what IPHC Regulatory Areas have you made halibut deliveries? (please circle)			
	2C 3A 3B 4A 4B 4C 4D 4E			
3.	Home Port?			
4.	What percent of your fishing income in 1988 was from halibut?			
5.	Do you feel that some form of limited access should be considered for the halibut fishery?			
	YES NO			
	If so, what types of limited access programs could you support?			
6.	How do you feel such a limited access program for halibut would affect your ability to operate you overall business as a fisherman? (please circle)			
	BENEFIT IMPAIR NO EFFECT			
7.	Regardless of your views above, if a license limitation program were to be instituted, would you favor licenses to individuals or vessels?			
	If licenses went to individuals only, who should receive them?			
	Vessel owner only Vessel operator (permit holder) only Both vessel owner and vessel operator Other (please specify)			

	Should such licenses be:					
	Saleable?	Leasable?	Both?	Neither?		
	Should licenses be specified by	by vessel length?	YES	мо		
	If there were length specific licenses to make one larger of				aller	
	Should there be restrictions of	on the quantity of lic	enses one entity cou	ld control?		
	YES	NO				
	If so, how much?					
	Should licenses last for an in	Should licenses last for an indefinite period or should they be reallocated on a regular basis?				
	YES	NO				
	If they should be real	located, how often an	d on what basis?			
8.		Regardless of your views above, if an individual fishing quota (share quota) program were to be instituted, who should receive them?				
	Vessel owner only _ Vessel operator (per Both vessel owner an Other (please specify	mit holder) only nd vessel operator _	<u> </u>			
	Should such individual fishing	g quotas be:				
	Saleable?	Leasable?	Both?	Neither?		
	Should there be restrictions	Should there be restrictions on the quantity of individual fishing quotas one entity could control?				
	YES	NO				
	If so, how much?					
	Should individual fishing quo basis?	tas last for an indefin	-	·	gular	
	If they should be rea	allocated, how often	and on what basis?		<u></u>	

DRAFT PROPOSAL: Sale of Bycatch to Fund Observers

The domestic observer program has come to a virtual standstill. In 1988, less than 1% of the DAP was monitored by observers.

The key issue confronting us is to locate an adequate source of funding to conduct a statistically valid observer program. Existing funding is totally inadequate, and it is unclear whether proposed programs (even if successfully implemented) will address the issue in a comprehensive and timely manner.

<u>PROPOSAL.</u> An often-mentioned idea that merits study is to retain and sell bycatch species to help fund an observer program. While there may be possible concerns with this idea, we must also ask. What is the alternative?

Halibut will likely be one of the species considered for bycatch sale. Halibut is the most frequently caught bycatch species, and it is taken almost year-round. If we assume that the 6000 metric ton cap of halibut mortality in the Bering Sea and Gulf of Alaska would sell for \$0.75 per pound, that represents some \$10 million dollars being dumped overboard as dead halibut every year.

A study of this proposal would review marketing and enforcement aspects, including an overall accounting system to prevent flagrant abuse. It is also clear that the the sale of bycatch could not promote the targeting on bycatch species, nor could the fishermen or processors profit from their sale. A study team might recommend a pilot program whereby bycatch was sold at one port only, or bycatch could be retained only on vessels carrying observers, or there could be a "sunset clause" to insure periodic review of the program.

The proposed study may, upon reflection, generate widespread industry support. Halibut fishermen will be among those who have the most to gain because fishermen and fisheries managers have little knowledge about the current bycatch rates of halibut in other domestic groundfish fisheries. Fishery management has been seriously compromised by the lack of observer data.

RECOMMENDED ACTION. It is recommended that NPFMC and IPHC consider this matter during their January 1989 meetings and designate a study group to review it in detail.

MEMORANDUM

TO: Council, SSC, and AP Members

FROM: Clarence G. Pautzke

Executive Director

DATE: January 10, 1989

SUBJECT: Halibut Management

ACTION REQUIRED

(a) Explore long-term management alternatives with IPHC Commissioners.

(b) Review early season dates in proposed rule for Area 4B and other IPHC staff proposals.

(c) Review amendment cycle and allocation objectives.

BACKGROUND

(a) Joint Session with IPHC Commissioners

Last September the Council reviewed sixteen proposals on limited access from the public. Twelve requested share quotas and four requested license limitation. In reporting their recommendations, the Council's Halibut Management Team and Regulatory Amendment Advisory Group (RAAG) recognized the importance of the limited access proposals, but thought they should be analyzed and reviewed over a longer period than the Council's annual halibut cycle allows.

The Advisory Panel voted 7 to 5 to follow the team and RAAG recommendations on halibut limited access. The AP acknowledged an urgency in the current management of the fishery and recommended that the Council begin gathering information from the industry by questionnaires and/or workshops to assess their interests and ideas on limited access.

The Council then passed a motion incorporating the AP's recommendations on using questionnaires and/or workshops in a gradual exploration of industry interests in limited access using the same approach as was used for sablefish. If there was sufficient industry interest, then halibut limited access could be put on an extended amendment cycle.

In December the International Pacific Halibut Commission (IPHC) requested to meet jointly with the Council to explore methods for achieving long-term solutions to problems facing the halibut fishery. The Commissioners will meet with the Council the morning of January 16. Following opening remarks by the Chairmen of the Council and Commission, the members will discuss a schedule for exploring long-term management alternatives and other topics of mutual

concern. <u>Item C-2(a)</u>, to be available at meeting time, contains a joint meeting agenda, a draft schedule for examining solutions to the fishery, a draft questionnaire to determine industry interest in limited access, and other items of mutual interest.

(b) Early Season Openings in Regulatory Area 4B and IPHC Staff Proposals

At the December meeting the Council approved a proposal to establish a series of short, early fishing periods in Regulatory Area 4B (Aleutian Islands) within a 500,000 pound limit, before the later openings usually established by the IPHC. This action was taken to promote increased fishing opportunities for local fishermen in Atka. Because the IPHC normally sets season dates, in response to conservation and industry concerns addressed at their annual meeting, the Council's proposed rule purposely left the exact dates unspecified. Those dates will be specified in coordination with the IPHC and the public, through the public comment period provided during Secretarial review of the Council's actions. Item C-2(b) is a recommendation from IPHC staff for season dates in Area 4B that they believe will accommodate Council and Commission concerns. The Council now has the opportunity to discuss these specific dates with the IPHC Commissioners and to forward comments to the Secretary of Commerce before the final rule is implemented.

The IPHC staff has also distributed a copy of their proposals for managing the 1989 halibut fishery [item C-2(c)]. One proposal for fishing periods would allow fishing to occur for at least two weeks each month, but would require dividing the catch limit for each area into monthly limits and restrict each vessel's landings during each month to avoid exceeding the area limits. If the Council wishes to comment on any of the proposals, now would be the appropriate time because IPHC meets next week in Vancouver.

(c) Amendment Cycle and Policy Objectives

In December the Council deferred consideration of the halibut amendment cycle and allocative objectives until January. The Council had asked the Halibut Management Team to comment on the need to consider proposals every year. The team reviewed the issue and does not believe annual consideration is necessary. In considering how to the change annual cycle, the Council should determine whether the new cycle should be two years long to allow for more analysis, or remain the same length it is now but just take proposals every other year. There are two alternatives outlined in item C-2(d).

The Halibut Management Team also expressed concern regarding the Council's intent in considering allocative proposals. Currently there are general goals relating to allocation of the halibut resource off Alaska [item C-2(e)], but the team believes that more explicit objectives would help them evaluate the efficacy or desirability of various regulatory proposals. The Council may also wish to explore the definition of allocative objectives; for example, the specific purpose and intent of actions to promote increased opportunity for local versus non-local fishermen in various areas of Alaska.

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INTERNATIONAL PACIFIC HALIBUT COMMISSION

P.O. BOX 95009 SEATTLE, WA 98145-2009

ESTABLISHED BY A CONVENTION BETWEEN CANADA AND THE UNITED STATES OF AMERICA

TELEPHONE (206) 634-1838

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December 29, 1988

Clarence Pautzke North Pacific Fishery Management Council PO Box 103136 Anchorage, AK 99510

Dear Clarence:

The IPHC staff has revised recommendations for Area 4B fishing periods to comply with the allocation decisions of the Council as follows:

Dates -	Days	Dates -	Days
5/12-14	(2)	7/10-13	(3)
5/27-28	(1)	7/22–23	(1)
6/3-4	(1)	7/29-30	(1)
6/11-13	(2)	8/10-*	(-)
6/17-18	(1)	9/8-*	(-)
6/24-25	(1)	10/6-*	(-)

^{*}closing date to be determined

However, we anticipate taking more than 500,000 pounds during the 3-day opening, July 10-13. We think this season is needed to be sure that the catch limit is attained and to avoid fishing during September or October when weather is a problem.

I am concerned that a 500,000 pound catch limit could prevent this season and the following 1-day openings in July from taking place. I suggest that the Council exclude the 500,000 pound partial catch limit from their proposal or be sure that it only applies to 1- or 2-day openings.

Please let me know if our recommendation is in conflict with the Council decision.

Sincerely,

Stephen H. Hoag Assistant Director

cc: Jim Brooks, NMFS-AK Region Craig O'Connor, NOAA

jdf

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INTERNATIONAL PACIFIC HALIBUT COMMISSION

AGENDA C-2(a) JANUARY 1989 DONALD A MC CAUGHRAN

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ESTABLISHED BY A CONVENTION BETWEEN CANADA

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Dear Sir:

Enclosed is a summary of preliminary staff proposals for regulation of the 1989 Pacific halibut fishery.

If you have any questions about the proposals, please let me know. There will be full opportunity for discussion on these and other proposals during the Annual Meeting.

Sincerely yours,

Stephen H. Hoag

Assistant Director

SHH:ps Encl.

INTERNATIONAL PACIFIC HALIBUT COMMISSION DECEMBER 1988 Preliminary Stock Assessment

A current assessment of halibut stocks indicates the resource has peaked and begun to decline and that last year's assessment overestimated biomass. The decline in stock biomass is due in part to a continuing decline in the recruitment of young halibut to the fishery and in part to a decrease in the average weight of halibut. To compound matters, the bycatch of halibut in other fisheries has increased. The assessment continues to indicate a higher biomass in Area 3 (Central-western Gulf of Alaska) than in Area 2 (Southeast Alaska-Oregon) and Area 4 (Bering Sea-Aleutian Islands)

Details of the Commission's assessment will be available prior to the 1989 annual meeting which will occur from January 24-28.

Preliminary Recommendations for 1989

Catch Limits

The staff recommendations for catch limits (millions of pounds) for 1989 along with the 1988 catch limits and commercial landings are provided below:

Area	1988 Catch <u>Limit</u>	1988 <u>Catch</u>	1989 Staff Recommendation
2A*	0.75	.75	0.65
2B	12.5	12.5	10.0
2C	11.5	11.4	9.5
3A	36.0 ·	38.0	31.0
3B	8.0	6.2	8.5
4A	1.9	1.9	1.8
· 4B	2.0	1.6	1.9
4C	0.7	0.7	0.6
4D	0.7	0.5	0.6
<u>4E</u>	0.1	0.0	0.1
TOTAL	74.15	73.55	64.65

^{*}Includes recreational, treaty Indian and other commercial fisheries: .48 million pounds were landed in all commercial fisheries in 1988.

The assessment results suggest even larger reductions in catch limits than those recommended by the staff. The staff recommendations for 1989 are intended to phase in necessary reductions, and further reductions in catch limit are anticipated for 1990 and 1991.

Fishing Periods

The staff has developed two options for fishing periods in 1989. The first option represents status quo management and provides short fishing periods similar to those in 1988. The dates are shown in the attached table and were chosen to provide landings over an extended period while avoiding fishing on large tides and conflicts with other fisheries. Fishing periods in Areas 4B, 4C and 4E were designed to comply with allocation regulations by the North Pacific Fisheries Management Council.

The staff developed an "extended season" option which would allow fishing to occur for at least two weeks each month. This option would require dividing the catch limit in each area into monthly catch limits and restricting each vessel's landings during the month to avoid exceeding the catch limit. Each vessel's landing limit would be announced at the beginning of each month. An example of the extended season option is provided in the attached table.

Advantages to the extended season option include reduced wastage, the opportunity to land halibut as a bycatch in other line fisheries, better product quality, and improved safety. Disadvantages include a potential increase in fishing effort and greater enforcement and administrative problems.

Recreational Fishery

The staff does not recommend any changes for the recreational fisheries in areas other than 2A. Changes in the Area 2A regulations will be required to achieve the allocation approved by the Pacific Fishery Management Council. The

IPHC staff will be working with the various agencies and industry groups to develop a recommendation for Area 2A by January, 1989.

Other Proposals

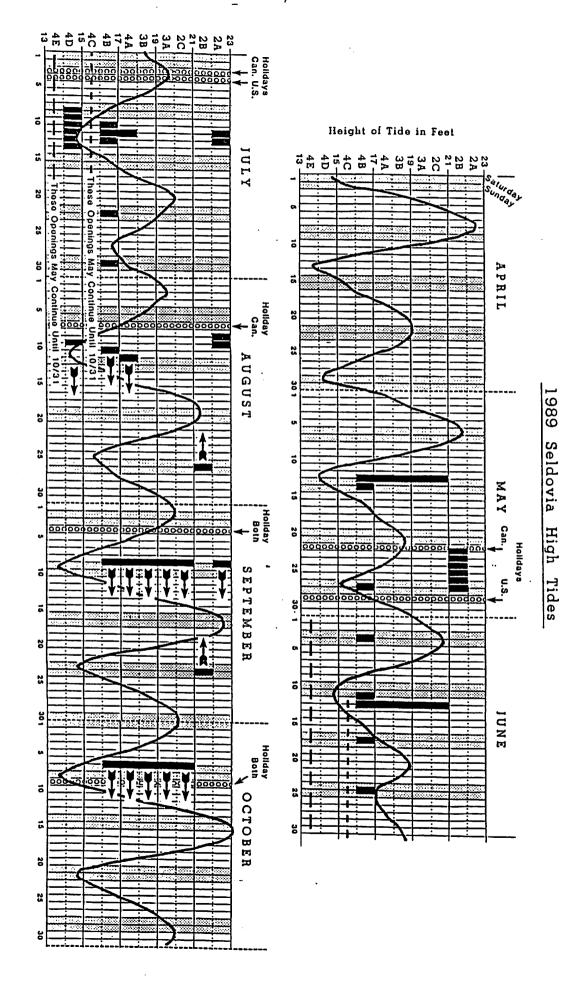
- (1) The staff suggests that the Conference Board again review the decision to prohibit "hook strippers" or "crucifiers". Recent studies suggest that while hook strippers may cause mortality of juvenile fish, "horning" or "gaffing" of juvenile fish may be even more destructive. Also, many vessels have devices that perform similarly to hook strippers, without actually being strippers.
- (2) The staff suggests a cut-off date (eg. May 1) for license applications to ease administrative and enforcement problems.
- (3) The staff suggests that the Commission discontinue paying for delegates to the Conference Board following this year's meeting. The Commission presently pays the expenses of seven delegates from each country. The Conference Board has grown since the Commission began paying delegate expenses, and paying expenses is no longer necessary and is at times contentious.

Option I:

Recommended 1989 Fishing Periods Under Status Quo Management

Area 2A	Dates 7/11-13 8/8-10 9/8- *	No. Days 2 2
2В	5/22-28 *-8/27 *-9/24	6
2C,3A,3B	5/12-13 6/12-13 9/18-* 10/6-*	1
4A	5/12-13 6/12-13 7/11-12 8/11-* 9/8-*	1 1 1
4B	5/12-14 5/27-28 6/3-4 6/11-13 6/17-18 6/24-25 7/10-13 7/22-23 7/29-30 8/10-* 9/8-* 10/6-*	2 1 1 2 1 1 3 1
4C	6/12-10/31	l day open/ l day closed
4D	7/8-7/14 8/9-*	6
4E	6/1-10/31	2 days open/ 1 day closed

^{*}Closing (or opening) date to be determined



Option 2: Example of the "extended season" option in Area 2C and 3A-3B.

	Area 2C	Area 3A-3B
Total catch limit (millions of lbs) No. of months in season monthly catch (millions of lbs)	9.5 5 1.9	39.5 5 7.9
Fishing Periods	May 1-15 June 1-15 July 1-15 Aug. 1-15 Sept. 1-15	May 1-15 June 1-15 July 1-15 Aug. 1-15 Sept. 1-15

*Vessel Period Limits (lbs)

Vessel Class	Vessel Length (ft.)	Area 2C	Area 3A-3B
A	0 - 25	500	700
В	26 - 30	600	1,000
С	31 - 35	1,000	2,400
D	36 - 40	1,400	3,300
E	41 - 45	2,300	4,300
F	46 - 50	3,000	6,900
G	51 - 55	3,000	9,300
H	56+	3,000	15,900

^{*}Limits will vary depending on expected fishing effort each month. Individual vessels will have to be restricted from fishing both Area 2C and 3A-3B during the same openings.

COUNCIL'S CURRENT HALIBUT REGULATION SCHEDULE

August 15	Publically announce cycle for halibut regulations and release a call for regulatory proposals (except for proposals specifically dealing with harvest quotas).
September 15	Deadline for receiving regulatory proposals. Initial

review by management team (MT).

September 17 Halibut RAAG (regulatory amendment advisory group,

september 1/ Halibut RAAG (regulatory amendment advisory group, similar to PAAG for groundfish plan amendment review) reviews proposals and team recommendations:

late September At the September Council meeting the Council reviews recommendations of the Halibut RAAG and team, and drops or approves regulatory proposals, and possibly adds proposals of their own.

mid-October MT submits a Notice of Availability (NOA). NOA is published in the <u>Federal</u> <u>Register</u> for 30-45 days of public comment.

At the December Council meeting the Council reviews public comments, further MT analyses, comments from IPHC, and takes final action on regulatory proposals. IPHC is notified of Council action and asked to consider any changes in their regulations that might be needed to implement Council measures.

Send final package to Secretary of Commerce for action. SOC reviews, pproves/disapproves/amends, and publishes a Notice of Proposed Rule Making (NPRM) in 30 days.

NPRM 30-day comment period begins. IPHC meets late January (1/24-27/89), can comment to SOC on Council actions. Bio/conservation regs they develop will be implemented at approximately the same time as Council regs -- mid-April.

SOC prepares a Final Rule Making package (FRM).

FRM is published in the Federal Register.

April 10 Regulations become effective; published in IPHC regulatory package.

early December

late December

late January

late February

March 10

PROPOSED TWO-YEAR HALIBUT REGULATION SCHEDULE

YEAR 1

September 1 Publically announce cycle for halibut regulations and

release a call for regulatory proposals (except for

proposals specifically dealing with harvest quotas).

October l Deadline for receiving regulatory proposals. Initial

review by management team (MT).

October-November Halibut RAAG (regulatory amendment advisory group,

similar to PAAG for groundfish plan amendment review)

reviews proposals and team recommendations:

YEAR 2

January At the January Council meeting the Council reviews

recommendations of the Halibut RAAG and team, and drops or approves regulatory proposals, and possibly adds

proposals of their own.

February-September Analysis by MT.

September Council reviews analysis and approves for public

review.

mid-October MT submits a Notice of Availability (NOA). NOA is

published in the Federal Register for 30-45 days of

public comment.

early December At the December Council meeting the Council reviews

public comments, further MT analyses, comments from IPHC, and takes final action on regulatory proposals. IPHC is notified of Council action and asked to consider any changes in their regulations that might

be needed to implement Council measures.

late December Send final package to Secretary of Commerce for action.

SOC reviews, approves/disapproves/amends, and publishes

a Notice of Proposed Rule Making (NPRM) in 30 days.

late January · NPRM 30-day comment period begins. IPHC meets late

January (1/24-27/89), can comment to SOC on Council actions. Bio/conservation regs they develop will be implemented at approximately the same time as Council

regs -- mid-April.

late February SOC prepares a Final Rule Making package (FRM).

March 10 FRM is published in the Federal Register.

April 10 Regulations become effective; published in IPHC

regulatory package.

GOALS ..

In developing regulations for the halibut fishery the Council will be guided by the following halibut management goals:

- 1. Promote conservation while providing for rational and optimal socioeconomic use of the resource.
- 2. Base management actions upon the best scientific data available.
- 3. Promote economic stability, growth, and self-sufficiency in maritime communities.
 - 4. In accordance with goals 1 and 3, promote efficient use of fishery resources with due consideration for existing social and economic structures.
 - 5. Assure that any resource allocation is fair and equitable to the fishermen concerned without assigning an excessive share of the privileges to any one fisherman or other entity.
 - 6. Adopt allocative measures that are flexible enough to account for unpredictable variations in resource and industry and are based upon the rights and obligations in existing federal law.