


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke  
Executive Director 

DATE: April 14, 1993

SUBJECT: Sablefish and Halibut IFQ Plan

**ACTION REQUIRED**

Review implementation process and schedule for sablefish and halibut IFQ program.

**BACKGROUND**

I thought the final rule for the IFQ program would have been published by now, but it hasn't. NMFS is putting the finishing touches on the details before shipping it off to Washington for publication. We will be prepared to give you a summary of the final rule at the June meeting. Also included in the June agenda item will be initial review of the block proposals and the 1,000 pound floor.

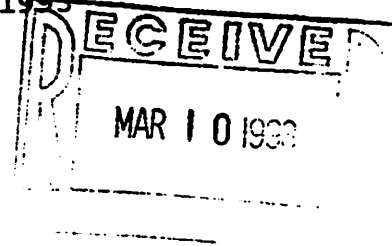
At this meeting, NMFS will update the Council on implementation schedules and procedures. It is apparent that the program will not be in place until 1995. Item C-2(a) in your notebook is a letter from NMFS outlining implementation issues and seeking Council clarification as to their intent for the CDQ portion of the IFQ program. Specifically, NMFS believes that the CDQ portion of the program could be implemented in 1994, ahead of the overall IFQ program if the Council desired. A comment on the proposed rule, received from the State of Alaska, encourages expedited implementation of the CDQ portion of the program.



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

AGENDA C-2(a)  
APRIL 1993

March 9, 1993



Mr. Richard B. Lauber  
Chairman, North Pacific Fishery  
Management Council  
P.O. Box 103136  
Anchorage, Alaska 99510

Dear Rick,

I thought it would be useful to update you and the Council on the status of the sablefish and Pacific halibut Individual Fishing Quota (IFQ) program; including our best estimate of the date for implementation. We are now nearing completion of work on the final rulemaking package, which will be forwarded to headquarters within the next several days for final review, approval and publication in the Federal Register. I am also continuing to work with the Central Office to secure the necessary funding to finance the development and administration the program. Staffing the program and building the infrastructure to bring it into operation is going to be a major undertaking and one that will take several months after positions are approved and funding received. Even assuming that funding is received within the next 30 to 45 days, I do not believe that the IFQ program will be ready to go until the 1995 fishing year.

The regulations establishing the IFQ program will also establish the sablefish and halibut Community Development Quota (CDQ) program. The regulations will stipulate that 20 percent of the fixed gear allocation for sablefish in the subareas of the Bering Sea and Aleutian Islands management area (BSAI), and variable percentages of halibut in International Pacific Halibut Commission Areas 4B, 4C, 4D, and 4E be made available as CDQ reserves (see attached example). Before being finally ready for implementation, a number of other actions must be taken. These are: (1) the International Pacific Halibut Commission regulations at 50 CFR part 301 must be amended to authorize CDQ halibut fishing in the BSAI during times other than specified halibut seasons, (2) the BSAI groundfish specification notice required by regulations at 50 CFR part 675 must specify the amount of sablefish CDQs that would be subtracted from the non-CDQ DAP fishery, and (3) sablefish and halibut Community Development Plans must be approved by the Governor of the State of Alaska in consultation with the Council, and approved by the Secretary of Commerce.

In terms of the timing for implementation of the sablefish and halibut CDQ program, I will be seeking clarification from the Council, at the April meeting, as to the Council's intent



regarding either sequential or simultaneous implementation of the CDQ and IFQ programs. In any event, I have determined that implementation of the sablefish and halibut CDQ program is not feasible this year. However, the CDQ could become operative in 1994, one year earlier than the IFQ, or in 1995, concurrent with implementation of the IFQ program, depending upon the Council intent.

I intend to provide the Council with another progress report at the April meeting.

Sincerely,



Steven Pennoyer  
Director, Alaska Region

**Example**

**Table of Sablefish and Halibut CDQ Reserves  
(Based on 1993 sablefish and halibut quotas)**

**Sablefish**

**1993 Initial Fixed gear quotas (mt)**

	Bering Sea	750	(50% of TAC)
	Aleutians	<u>1,950</u>	(75% of TAC)
	Total	2,700	
CDQ reserve		540 mt	(20% of fixed gear quota)
(x 2204)		1,190,160 lbs	(round weight)

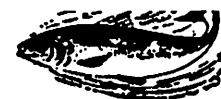
**Halibut**

1993 quotas (lbs)--Area		x	CDQ
4B	2,300,000	20%	= 460,000
4C	800,000	50%	400,000
4D	800,000	30%	240,000
4E	120,000	100%	<u>120,000</u>
	Total		1,220,000 lbs (dressed weight)

# United Fishermen's Marketing Association, Inc.

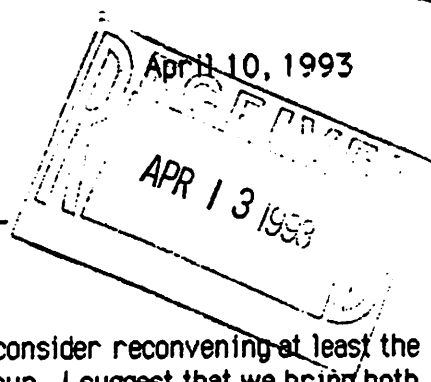
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Telephone 486-3453



Mr. Steve Pennoyer  
Director, Alaska Region  
National Marine Fisheries Service/NOAA  
PO Box 21668  
Juneau, AK 99802

SENT VIA FAX # 907-586-7131



Dear Steve,

I would like to suggest that NMFS (and/or the Council) consider reconvening at least the industry panel of the IFQ technical implementation working group. I suggest that we bring both the Industry and the Agency sides of this working group together.

I have recently spent considerable time reviewing various aspects of the Sablefish/Halibut IFQ plan with fishermen. We want this program to be carried out with the least amount of confusion and cost. I believe that the operational efficiency of this program can be advanced by bringing this working group together to discuss the technical/operational aspects of the program.

Regardless of what political positions may have been held in the past regarding the pros and cons of IFQ management for Sablefish and Halibut, I believe that most of us in the industry who must live under this program desire that it work as well as it can within the approved design.

We believe that it is prudent to begin the discussion of the details. Additionally, this process may shed some light on the development of the Comprehensive Rationalization Plan that is now in the early stages of development.

We do not suggest that there is an immediate urgency regarding this matter. However, depending on the schedule for implementation, sometime during the next 3 to 6 months is probably appropriate in our opinion.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey R. Stephan".

Jeffrey R. Stephan

copy: Mr. Richard Lauber, Chairman, NPFMC  
✓ Mr. Clarence Pautzke, Executive Director, NPFMC

**PROPOSED CHANGES TO OBSERVER REPORTS AND TRAINING**  
Submitted by NMFS Observer Program

At the March 16, 1993 meeting of the NPFMC Ad Hoc Observer Committee several recommendations were made regarding observer reports. It was proposed that some of the questions be deleted and others be modified so that the reports would reflect primarily the observer's sampling on a particular vessel or plant. Dr. Aron also suggested that a video could be produced by fishing industry representatives to be used as a part of observer training. On April 1, 1993, Janet Wall, Russ Nelson and Angela Dougherty met to discuss what changes could be made to accommodate the Committee's requests while still collecting information in such areas as safety and fishery violations.

Observers carry with them a letter of introduction which they are instructed to give to the skipper of any vessel they board. The letter in its current form gives only a broad outline of observer duties and requirements, and does not address observer needs specific to each type of vessel and/or fishery. It has been suggested that this letter be revised and expanded to include such specific details. This would serve the purpose of informing all skippers in a standardized format of the needs and expectations observers have, and would clarify observer duties which are not always well understood.

The proposed training video would accomplish the same objectives, but from the vessel operator's point of view. It would be shown to all training classes so that all observer would be given the same standardized information. There has been a positive response from industry groups as well as observer contractors for the production of this video. The subjects addressed could include information on life at sea, different gear types and vessel types, and the ways that skippers and other vessel personnel complete their jobs. The video will give observers the perspective of those in the fishing industry with whom they will be working.

**Proposed changes to observer reports**

**Vessel Reports**

**Section IV - Safety**

There were no objections to the first three sections of the vessel report, which cover general information on vessel operations and observer sampling. There were many objections to the content of the fourth section (Safety) as well as to the essay question on safety. One recommendation was eliminating or modifying many of these questions, and developing instead a checklist which would require the observer to locate safety equipment with the skipper of the vessel.

Questions 1-10 ask specifically about the condition of safety equipment on the vessel. Questions 11-12 ask if the observer was given a tour of the safety equipment on board, and if so, by whom. These questions could be modified to read something like this:

"Did any vessel personnel show you the location of the following safety equipment?" This would be followed by a list of the required equipment, and the observer would indicate "yes" or "no" for each item. This would eliminate the need for the observer to make a judgement on the condition of the

equipment, and it would also serve as a reminder to the observer to seek out this information with the help of the skipper or crew member.

Questions 13-14 ask if the observer was shown what to do in case of emergency, and if so by whom. These questions can be left in their present form.

Questions 15-16 address the frequency and content of safety drills. Question 15 could be reworded from asking "How many drills were held" into a question of "Were drills held?". Question 16 could remain unchanged in asking which emergency situations were covered in the drills.

Question 17 asks if the observer felt unsafe due to the use of drugs or alcohol by vessel personnel. It was not decided what would become of this question. If vessel owners do not have serious objections to the question, it would be kept. Currently the only use of this information is for observers scheduled to board the vessel. The boarding observer must request this information.

Questions 18-19 ask about the frequency of illness or injuries to crew members. Since there is no distinction between illnesses or injuries that would indicate a safety problem aboard the ship and those that bear no relation to shipboard conditions, these questions are of little use in keeping observers informed of potential safety problems. These can be deleted.

Question 20 asks who on board actually performed medical treatment. This question should be retained, but it should be reworded to ask if there is a designated person on board who would provide emergency medical services as needed. This is a better way of making sure the observer knows what to expect.

Questions 21-22 ask about any injuries or illnesses that the observer suffered. The Observer Program would like to keep these questions.

Question 23 provides information on the frequency of fatalities on observed fishing vessels. This question could be deleted if the Committee has objections to it.

Question 24 provides information on the types and frequency of safety problems on observed vessels. This is useful to the Program from a training standpoint. By identifying the most common kinds of occurrences observers can be forewarned to be alert for these accidents. The Program would like to retain this question.

Question 25 asks if the Coast Guard boarded the vessel while the observer was on board. If this question is retained, it could be moved to the Miscellaneous section and reworded to ask about the extent of the observer's involvement in the proceedings.

#### **Section V - Vessel Logbook**

All questions in this sections will be retained. Question 6 asks whether or not the observer tried to find the reasons for any observed discrepancies in the logbook. This question will be reworded to ask if the observer spoke to the skipper about any observed discrepancies.

#### **Section VI - Prohibited Species Handling**

All these questions will be retained as they have to do with observer sampling and vessel operations. One additional question can be added after #16, which asks if the observer saw any retention or

consumption of prohibited species. The additional question would ask the observer whether or not any observed retention or consumption was discussed with the skipper.

### **Section VII - Miscellaneous**

Questions 1-7 ask about any impediments the observer was subjected to in his or her performance of duties. Again, a question can be added to ask the observer if any problems encountered were discussed with the skipper.

Questions 8-9 ask about the observation of certain violations, and whether or not the observer discussed any observed violations with vessel personnel. Question 8 may be revised to remove questions about MARPOL violations if it is decided that reporting such observed occurrences is not appropriate for observers. Question 9 may be reworded to ask if the observer spoke to the skipper about any observed potential violations.

### **Written answers**

The essay questions which have provoked the most objections from the Committee are questions 5, and 8-10. Question 5 asks observers to summarize any safety concerns, and to describe any injuries incurred by the observers or crew members on their vessels. This information is very important in order to inform future observers of potential safety problems. The Program proposes continuing its policy of having one designated staff member who reads the reports for safety concerns, collects the descriptions of potentially serious problems, and makes the information available to the trainers and other Program staff. When observers in training are given their vessel assignments, they can request safety information for their vessels from a member of the training staff.

In the future, the staff member designated to track safety issues could phone or write the vessel owner if an observer reported a potentially serious problem. The owner would then have the opportunity to respond and provide the Program with his or her perspective of the problem. Observers would be given a more balanced representation of vessel conditions. Also, vessel owners could keep the Program up to date on repairs or modifications which could potentially affect the observers' abilities to complete their duties.

Questions 8-9 ask the observer to describe sanitary conditions on board, as well as observer quarters, number of women on board, and general living conditions. These could be combined into one question which asks the observer to describe accommodations for the next observer, and also asks if the possibility exists for an observer to be assigned quarters with members of the opposite sex. This would eliminate all direct references to the numbers and status of women on board, but would still give the next observer an idea of what to expect.

Question 10 asks the observer to write down any additional information and comments that they feel the Observer Program or NMFS should know about the vessel. It also asks the observer to record any comments from vessel personnel which may be of interest to NMFS and/or the Observer Program. The second part of this question could be eliminated by providing skippers with a questionnaire in which they could evaluate their observers' performances, as well as write down their own suggestions and comments for the Observer Program. The first part of the question could be reworded to ask observers to summarize information from their daily notes which would be of use to future observers. If the Committee has strong objections to these revisions, the question could be eliminated.



## **Plant Reports**

Several of the same concerns about the vessel reports exist for the plant reports. In general, the same solutions will be tried. There will be an indication that the reason plant personnel names are requested is for future observer use. Observers will also be asked if and when they spoke with plant personnel for any problems they encountered or any potential violations they witnessed (logbook problems, prohibited species handling, safety, difficulties in sampling).

The essay question on safety (#3) can be reworded to ask specifically about problems of which the next observer should be aware.

The last "question" (not numbered) asks for additional comments the observer feels should be brought to the attention of NMFS. This could be eliminated, and a phrase added to question 5 asking observers for input they have for improving plant sampling.