


MEMORANDUM

TO: Council and AP Members

FROM: Clarence G. Pautzke  
Executive Director 

DATE: June 10, 1995

SUBJECT: Sablefish and Halibut IFQ Program

ESTIMATED TIME 3 hours
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ACTIONS REQUIRED:

- (a) Receive status report of IFQ fisheries.
- (b) Receive IFQ Industry Implementation Team Report.
- (c) Initial review of regulatory amendment for early sablefish opening in the Aleutian Islands.
- (d) Discuss omnibus amendment package for 1996.
- (e) Discuss halibut Area 4 suballocations.

BACKGROUND

Status Report of IFQ Fisheries

The NMFS Restricted Access Management will provide a report on the IFQ halibut and sablefish fisheries through early June.

Implementation Team Report

The IFQ Industry Implementation Team met on April 5-6, 1995 to discuss a number of issues that have arisen as a result of implementation of the IFQ fisheries for halibut and sablefish. Their minutes are attached as Item C-4(b). Their recommendations are included in the discussion paper for the omnibus amendment package in Item C-4(d).

Sablefish Season Opening

In May 1994, Alaska Sablefish, Inc. requested the Council continue the January 1 sablefish opening in the Aleutian Islands. They made the request on behalf of the freezer/longliner *Judi B* and the 6 to 8 vessels fishing at the start of the year, noting that the participants typically took 10 to 11 months to harvest their allocated quota. A delayed opening of March 15 would limit their ability to harvest their quota. Typically 20 to 30% of the allocated quota is taken in the first three months of the year. But with higher prices at the start of the fishing year, 50% or more of their gross income is realized then.

In June 1994, the Council initiated a regulatory amendment to open the Aleutian Islands for 1995 on January 1 for sablefish on 25% of the preliminary TAC specified in September. In September 1994, NMFS reported that they had not proceeded with the amendment, citing the complexity of the changes to the regulations, the small

number of beneficiaries, and the lack of concurrence by IPHC. The Council indicated continued interest in an early sablefish opening for the Aleutian Islands for future years. The draft RIR is included as Item C-4(c):

- Alternative 1. Status quo. Sablefish and halibut seasons would remain concurrent throughout the range.
- Alternative 2. Allow a reopening of the IFQ sablefish fishery in the Aleutian Islands, beginning January 1 after the regular IFQ fishery.
- Alternative 3. Allow a year-round IFQ sablefish fishery in the Aleutian Islands, beginning with the regular IFQ fishery.
  - Option A. Retention of halibut would be prohibited.
  - Option B. Retention of halibut would be permitted by halibut IFQ holders.

The IPHC discussed this issue at their 1995 annual meeting, noting, "Data from a limited number of vessels in the Aleutian Islands sablefish fishery during winter months (November - March) show a halibut bycatch rate that ranges up to 19%. This rate amounts to a minor quantity of halibut mortality with the current fleet of one or two vessels. However, the Commission is concerned that an increase in the number of vessels will occur if the fishery is opened in the winter, as other fishing activities are limited at that time. Halibut mortality would increase as a result, which conflicts with the Commission goals for reductions in halibut bycatch mortality. As an example, the BSAI sablefish fishery caused 38 mt of halibut mortality in 1994, of which 13 mt occurred in the winter. We expect higher bycatch rates and more total mortality if a winter fishery expands. Halibut are distributed in deep water for spawning in winter, and competition among vessels for prime fishing grounds would increase." (excerpted from Item C-4(c), Appendix 1)

The Commission's Conference Board recommended that the Council allow sablefish fishing, with no halibut retention, in the Aleutians starting January 1. The Commission took no formal action, but did offer to assist the Council in evaluating the effects of a winter fishery. Their report is attached as Item C-4(c), Appendix 2.

The IFQ Industry Implementation Team first reviewed this proposal in May 1994. They did not support any changes to the sablefish season opening. In April 1995, the Team stated that the issue was market-oriented, and that both sablefish and halibut market conditions were likely to change under the IFQ program. The Team listed a number of factors related to their recommendation for the status quo: (1) the extended IFQ harvesting season; (2) vessels hiring out to harvest additional CDQ along with their IFQ; (3) general concern over sablefish stock decline; (4) marketing advantages for early landings; (5) concerns over early fishing on migrating sablefish stocks; (6) interest in a concurrent opening with halibut, while recognizing (7) the Council's intent on preserving historical fishing practices; and (8) anticipated low halibut bycatch. They recommended reevaluating this proposal at the end of 1995 and supported Alternative 2, reopening in January after the regular IFQ fishery (rather than advancing 25% of estimated IFQ), only if the Council chooses to proceed with the proposed action.

In November 1994, the Enforcement Committee agreed that an earlier opening in the Aleutian Islands was enforceable, but that catch must be deducted from the IFQ quota share. At their April 1995 meeting, they stated, "The Committee discussed that the TAC would not yet be determined nor would the IFQ, certificate, and card be issued under an early sablefish opening. They expressed concern over the lack of weighing and reporting requirements in the IFQ program, particularly in this fishery. They identified concerns related to inconsistency between State and Federal management restrictions on sablefish including avoidance of the 2% Research Plan fee by claiming State water landings and emphasized that inconsistency between the two programs hampers enforcement."

Final action in September 1995 makes it unlikely that regulations for an early IFQ sablefish season in the Aleutian Islands could be in place by January 1, 1996.

## Omnibus Amendment

A number of changes to the halibut and sablefish IFQ programs have been suggested by industry and managers. Regulatory changes from the original omnibus amendment became effective on May 5, 1995. However, additional modifications continue to be discussed by the Council and industry. The IFQ Industry Implementation Team reviewed these issues at their April 1995 meeting. Their comments, as well as those of the Enforcement Committee, are included in an options paper (Item C-4(d)) which addresses these issues in three parts: (1) plan amendments; (2) regulatory amendments; and (3) additional industry comments.

The Council should review and discuss these proposed changes to the IFQ programs and decide which issues are of highest priority, given other staff tasking. The staffs from both the Council and NMFS will attempt to estimate the time required to complete the analyses of those issues approved for further development.

## Area 4 Suballocations

The staff of the International Pacific Halibut Commission recently reported that they were reassessing their methods to apportion halibut TAC among subareas of Area 4. In mid-1994, the habitat area of each halibut regulatory subarea was assessed and weighted with CPUE to estimate percent biomass in those areas. The Area 4 TAC was apportioned with the percent biomass to attain proportional harvest recommendations for each subarea. In a discussion of the IPHC's new methodology at their January 1995 meeting, the Council urged the IPHC to phase in over several years any changes to area TACs if no significant risk to the resource would occur by delaying reapportionment of the resource among subareas. Such a reapportionment would have significantly changed the poundage equivalents of IFQs and CDQs in the respective areas at the onset of the IFQ and CDQ program if implemented in 1995 (Table 1). Commission staff recommended phasing in this new strategy over three years to minimize its impacts. The Commission set the catch limits based on the historical proportions of the past few years and has suggested referring future BSAI allocations among subareas to the Council.

Table 1. Area 4 biomass distributions and resulting 1995 TAC calculations (Source: IPHC)

Area	Habitat Area (nm <sup>2</sup> )	CPUE (lb/skate)	Biomass (%)	Area CEY Method (millions of pounds)	IPHC Method	Historical Method
4A	8,183	386.85	41.3	2.44	2.0	1.95
4B	6,118	246.24	19.6	1.16	1.6	2.31
4C	561	225.25	1.6	0.09	0.5	0.77
4D	5,605	423.76	30.9	1.83	1.5	0.77
4E	4,910	100.50	6.4	0.38	0.3	0.12
Total	25,377	224.50	100	5.92	5.9	5.92

Item C-4(e) reviews the history of Area 4 halibut allocations, stock assessment implications on future allocations, and management alternatives for Bering Sea allocations.

## IFQ INDUSTRY IMPLEMENTATION MEETING MINUTES APRIL 5-6, 1995

The IFQ Industry Implementation Team (Team) met April 5 - 6, 1995 to discuss the issues identified below. Present for the meeting were Kris Norosz (Chair), Don Iverson, Harold Thompson, Perfenia Pletnikoff, Jr., Linda Kozak, Drew Scalzi, John Woodruff, Jack Phillips, and John Bruce. Jack Knudsen and Jeff Stephan were absent.

Also present were Jane DiCosimo (Council staff), John Lepore, Jay Ginter, Phil Smith, Jesse Gharett, Shawn Carey, Frank Pfeiffer, Steve Meyer, Jeff Passer (all of NMFS), Heather Gilroy (IPHC), Earl Krygier and Bruce Simonson (ADF&G), Capt. Bill Anderson and Lt. Cmdr. Walt Hunnings (D17 USCG), Dick Tremaine and C.J. Zane.

- IFQ fishing in multiple areas. The Team discussed enforcement and biological concerns of vessels fishing their IFQ in one area and moving to another area to fish that associated IFQ. They discussed that this problem is more prevalent in the Bering Sea, observers are not on all vessels, and vessels have incentives (e.g., time, money, fuel) to fish in one area and report the catch as coming from another; however, the disincentive was potential loss of their QS.

**MOTION:** Recommend to the Council a 2-year exemption from § 676.16(d) for all vessels, except for halibut in Area 4, requiring vessels to keep logbooks on a timely basis and notification of NMFS prior to a trip where multiple regulatory areas will be fished. (Passed 7:2)

**MOTION:** Recommend to the Council that an options paper be developed for potential IFQ changes, and to include the above recommendation as a preferred option for one of the management actions. (Passed unanimously)

- Offloading of freezer boats between areas. The Team expressed concern over a requirement for freezer boats to offload when transiting between areas. Freezer vessels generally would not come ashore and offload until a full van or container was been caught. See above actions.
- Coordinate between registered buyer permit and Federal processor permit (IFQ Program and Research Plan). The Team discussed at length the required procedure for tracking IFQ product through to the final purchaser. Industry commented that the required paperwork for tracking each sale was burdensome.

**MOTION:** Recommend that the regulations be clarified so that the first recipient of IFQ landings be designated the registered buyer in transactions between two registered buyers. (Passed unanimously)

- QS caps. The Team discussed the QS use cap, the vessel cap, and the restriction on holding more than two blocks which applies to "persons, individually and collectively." This provision's limitation on ownership, particularly when coupled with the block restriction, should be reviewed. An individual who was a member of multiple corporations and was at his/her block cap would limit all his/her corporations from increasing their QS. The Team agreed that the block cap was the most restrictive to fishermen. A change would require a regulatory amendment.

**MOTION:** Recommend to the Council a review of block caps, changing "individually or collectively" language to "person" as written in the FMP. (Failed 4:5)

- Vessel caps and use caps. The Team agreed that these caps may be set too low to allow efficient use of IFQ, especially for specific IFQ regulatory areas (e.g., halibut regulatory areas 4A through 4E). This situation is exacerbated further by the deduction of the CDQ allotment from the total amount, rather than the gross total, used to determine the cap. A significant economic disadvantage occurs to those at their vessel or use caps; many blocks are too small to be harvested. An interpretive rule may clarify the ambiguity regarding the CDQ deduction in calculating vessel/use caps.

**MOTION:** Recommend to the Council including a review of ownership caps of ½, 1, and 2 percent (and their 1995 poundage equivalent) in a discussion paper, with the preference of the Team reestablishing historic catch levels as an upper limit. (Passed unanimously)

The Team also expressed concern that vessel limits are currently calculated with the CDQ allocation removed, resulting in a lower percentage to the QS holder. The Team felt that the regulation should be changed to deduct the CDQ allocation prior to calculating vessel limits.

**MOTION:** Recommend to the Council that § 676.22(h) be clarified so that vessel limitations be based on combined total catch limits, with CDQ apportionments removed from the calculation. (Passed unanimously)

- **Eliminate certified mail requirements.** The Team agreed with Restricted Access Management's request to eliminate the requirement that certain routine mailings (e.g., IFQ crewmember certificates, etc.) be sent certified to reduce costs.

**MOTION:** Recommend to the Council that certified mail requirements be eliminated. (Passed unanimously)

- **Prohibit sub-leasing of QS or IFQ.** The Team discussed the current regulations (§676.21(g)) which could be construed to allow a lessee to become a sub-lessor. The regulations could be clarified regarding the issue of leasing QS (as provided in the regulations) and receiving the resulting IFQ, as opposed to leasing IFQ (which is not provided for in the regulations).

**MOTION:** Recommend to the Council that: (a) only a QS holder can lease QS (i.e., no sub-leasing); and (b) clarify leasing of QS, not IFQ. (Passed unanimously)

- **Adjustment policy** The Team discussed using the "Canadian System" for overages, particularly a fixed pound exception. Changes to the regulations would allow underages of 10 % of a person's total IFQ and overages up to 10 % of a person's remaining IFQ account prior to their final landing.

**Recommendation:** The Team agreed with changing the overage application.

- **Fair start provision.** Capt. Anderson raised whether the fair start continues to be necessary under the IFQ program. The Team discussed the need for the 72 hour fair start provision with the extended IFQ season, but reiterated that they supported continuation of the provision since the original reasons for concern remained. They acknowledged that the penalty schedule, requiring a penalty of foregoing the remainder of the IFQ season, now ten months, needs revision.

**MOTION:** Recommend to the Council that the fair start provision be maintained, and direct staff to adopt language similar to IPHC language requiring offloading or hold inspection if a vessel chooses to fish in the 72 hours prior to the start of the IFQ season. (Passed unanimously)

- **Discretion to allow temporary transfers for emergency circumstances.** The Team discussed the need for temporary emergency transfers of QS due to death or serious injury to QS owner; currently there is no administrative discretion to grant a temporary transfer to alleviate an emergency circumstance. The Team expressed great concern that flagrant abuses of the CFEC system should be avoided under the IFQ program; however, they recognized that genuine emergencies do arise.

**MOTION:** Recommend to the Council that in concurrence with CFEC rules, a surviving spouse or immediate family member may get transfer rights of QS for up to three years with the broadest allowance (e.g., leasing, hiring skipper). (Passed unanimously)

The Team subsequently appointed a subcommittee of Drew Scalzi, Harold Thompson, and Perfenia Pletnikoff to produce a statement of intent in regards to emergency transfers.

**MOTION:** Recommend to the Council the following policy statement:

"If a person can demonstrate to the Regional Director that due to some unforeseen accident, injury, or illness, he has been rendered incapacitated in his ability to longline, he may be allowed a one-time medical transfer provided the RD feels there is insufficient time before the season's closure for recovery to harvest all or part of his quota share. Consideration by the RD will take into account vessel size and fall weather limitations, accordingly.

Medical documentation shall be satisfactory to NMFS in making impairment determination. Chronic injuries such as "bad backs," or aging ailments such as arthritic crippling, loss of vision or hearing, do not constitute grounds for medical transfer. Incarceration does not constitute grounds for medical transfer. The one-time transfer provision may last for a period of no more than two fishing seasons. Decisions by the RD to allow transfers are final and not subject to further appeal.

Justification: The integrity of the IFQ system. If we can not produce a mechanism for medical transfer that has clear legitimacy, then the Council should consider either no transfer of QS or revisit leasing as a provision." (Passed unanimously)

**MOTION:** Recommend that the emergency transfer involve IFQ and not QS. (Passed unanimously)

- Early season opening for sablefish. The Team spent considerable time discussing this item and listed a number of factors related to an early sablefish opening: extended IFQ harvesting season, hiring out to harvest additional CDQ along with their IFQ QS, general stock decline concerns, marketing advantage to first fish in, concerns of fishing in spawning stock early in the season, Council's intent on mimicking historical fishing practices, anticipated low halibut bycatch, and interest in concurrent opening with halibut. The Team ultimately recommended no action on this item, deferring to their previous motion of not supporting this amendment. They recommended tabling this item, and reevaluating it at the end of the first season. They noted that Alternative 3 in the issues paper would allow for an extension of the fishing season so that if the Council chooses, the BSAI fleet would be allowed sufficient time to harvest their QS.

The Team expressed concern over the general decline of sablefish stocks in the Gulf of Alaska and Bering Sea/Aleutian Islands. Team members cited the current low catches in the eastern Bering Sea, which are well below historical levels of the 1960s. The low catch levels since 1977 have been attributed to low stock abundance and catch restrictions placed on foreign fishing. The Team requested that NMFS provide a briefing on the sablefish decline and potential effects of an early season opening at the next Team meeting.

- Crew members using QS on vessels The Team discussed situations where a crew member acquired QS, but was unable to use it on his regular fishing vessel because the vessel was at its cap. The Team acknowledged that he was free to use his QS on another vessel and that the system was working to prevent consolidation.

Recommendation: No change.

- Vessel ownership requirements for leasing The Team discussed the ability for an individual to take part ownership in a vessel (say, for as little as \$10) in order to hire a vessel and skipper to fish his QS. The Team discussed "controlling interest" (e.g., 51%) or other requirements to prevent "paper" ownership to circumvent Council intent. They recognized a potential problem where these transactions are currently legal, and would negatively impact numerous individuals who are currently in such arrangements.

**MOTION:** The Team is concerned that a loophole exists which allows leasing in perpetuity by initial recipients due to inexact language related to ownership of vessels on which QS is fished. (Passed 7:1:1)

- **Shipping reports** The Team discussed issues related to shipping reports, i.e., being legally responsible for IFQ fish that are no longer within the physical control of the initial recipient. Currently, the entity that completes and files the shipping report, i.e., the initial recipient of the IFQ product, is responsible for that IFQ product, no matter how many hands it passes through while in the State of Alaska. The Team discussed the need to monitor sales as a deterrent to cheating. They recommended that notification be given to Enforcement prior to shipping to monitor incoming and outgoing shipments; and original shipping report accompany shipments as a tie back to original shipper. The Team discussed the difficulty of these requirements on shippers who make changes to shipping manifests due to unforeseen changes in plane or container capacities or buyer needs. The Team discussed the possibility of using a weekly summary of sales, in lieu of individual shipping reports for each sale, to notify Enforcement of IFQ shipments.

**MOTION:** Report to the Council that Enforcement and processors will meet to address shipping reports prior to the April Council meeting. (Passed unanimously)

- **Transshipments** The Team discussed delivery of processed product between vessels.

**MOTION:** Report that the Team had no changes to the 24 hour notice of transshipments to Enforcement, but recommended clarification of language and procedures (including FAX) whereby agents can notify Enforcement on behalf of the owner/operator and captain of the transshipping vessel. (Passed unanimously)

- **Sweep-up provisions** The Team discussed revising the sweep-up provisions since too many small pieces in all vessel categories have been found to be unfishable and unmarketable. Alternatives to be considered include analyzing a range of 1,000 - 10,000 lb for all categories or different levels for each category. A review of the database of unused QS at the end of the season should be undertaken to determine other appropriate levels for analysis.

**MOTION:** Recommend that the Council initiate a review to increase the sweep-up provision for halibut and sablefish in an options paper. (Passed unanimously)

- **Block Program** The Team discussed whether to recommend exempting Area 4 from the block provisions. A motion was made and withdrawn.
- **The Team received as information items, reports on:**

The need to clarify and distinguish between the “prelanding written clearance” and the “preclearance report” has been changed in the omnibus final rule. § 676.17(a) is expanded to 3 separate paragraphs for clearer information on meeting the requirements and the “preclearance report” is renamed the “departure report.”

An explanation has been added to the omnibus final rule (§ 676.17(a)) that clarifies that waters in or adjacent to the State of Alaska refers to the waters inside Alaska, the territorial sea of Alaska, and the EEZ that extends beyond the waters inside and the territorial sea of Alaska.

§ 676.16(o) will need to be deleted (or revised) for Amendments 33/37. This prohibition currently provides that a vessel cannot act as a catcher vessel and a freezer vessel during the same trip. Amendments 33/37 will allow limited processed product to be onboard while sablefish catcher vessel IFQ is being used.

More specificity was added to the omnibus final rule concerning transshipment reports § 676.14(e). The regulations provide that a person must receive authorization from a clearing officer for each instance of transshipment by at least 24 hours.

**DRAFT FOR COUNCIL REVIEW**

**REGULATORY IMPACT REVIEW  
FOR A  
REGULATORY AMENDMENT  
TO ALLOW AN  
EARLY OPENING OF THE SABLEFISH IFQ FISHERY  
IN THE ALEUTIAN ISLANDS**

prepared by the staff of the  
**North Pacific Fishery Management Council**

**JUNE 1995**



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## EXECUTIVE SUMMARY

The management action presented in this document addresses the need for an extended season for the sablefish IFQ fishery in the Aleutian Islands. This amendment addresses an industry request to harvest IFQ in the first quarter of the calendar year to mirror their traditional harvesting season under open access which is closed under the current sablefish IFQ program.

The proposed alternatives would allow IFQ sablefish fishing in the Aleutian Islands during the first quarter of the calendar year, following the regular IFQ fishery season. This would allow vessels to harvest their IFQs at the beginning of the year, but on currently issued IFQs rather than on a projection of the next season's IFQs.

This regulatory amendment addresses three alternatives:

- Alternative 1. Status quo. Sablefish and halibut seasons would remain concurrent throughout the range.
- Alternative 2. Allow a reopening of the IFQ sablefish fishery in the Aleutian Islands, beginning January 1 after the regular IFQ fishery.
- Alternative 3. Allow a year-round IFQ sablefish fishery in the Aleutian Islands, beginning with the regular IFQ fishery.

Alternative 2 would redress the imposition of a shorter fishing season on the Aleutian Island sablefish fleet than was traditionally fished under open access. Industry has reported that this shortened season has caused them economic harm. Since the first IFQ season has not yet ended, economic losses to the fleet by the shortened season can not be assessed.

At most, 14 hook-and-line vessels participated in the Aleutian Islands sablefish fishery in any one month during the first quarter of 1993 and 1994. The highest landings of 143 mt were reported by 14 vessels in March 1993.

Alternative 3 would allow a year-round IFQ sablefish fishery for the Aleutian Island fleet (e.g., no closure from November 16 through December 31 in 1995). The less restrictive no-closure alternative would allow IFQ sablefish fishing during an additional six week period. No additional mortalities are expected under the IFQ fishery.

Option A. Retention of halibut would be prohibited.

Under Option A, Aleutian Island sablefish fishermen would be prohibited from retaining halibut during the early sablefish opening period. Increased halibut bycatch mortality is expected under this option.

Option B. Retention of halibut would be permitted by halibut IFQ holders.

Option B would allow retention of halibut by halibut QS holders during early season IFQ fishing in the Aleutian Islands. This option minimizes halibut bycatch mortality by allowing retention of legal catch by IFQ holders. It would not increase total halibut mortality since those allowed to retain halibut would already possess halibut QS. No additional amounts of halibut would be allowed to be retained above existing IFQ amounts. Regulations pertaining to IFQ overages and underages would apply.

## 1.0 INTRODUCTION

This document is the draft Regulatory Impact Review for a Regulatory Amendment to the Bering Sea and Aleutian Islands (BSAI) Groundfish Fishery Management Plan (FMP). It addresses the need for an extended season for the sablefish IFQ fishery in the Aleutian Islands.

The groundfish fisheries in the Exclusive Economic Zone (EEZ) (3 to 200 miles offshore) of the Aleutian Islands are managed under the FMP for the Groundfish Fisheries of the BSAI. The FMP was developed by the Council under the Magnuson Fishery Conservation and Management Act (Magnuson Act) and became effective in 1982.

Actions taken to amend FMPs or implement amendments to regulations governing the groundfish fisheries must meet the requirements of Federal laws and regulations. Among the most important of these are the National Environmental Policy Act (NEPA), the Endangered Species Act, the Marine Mammal Protection Act, Executive Order (E.O.) 12866, and the Regulatory Flexibility Act (RFA).

NEPA, E. O. 12866, and the RFA require a description of the purpose of and need for the proposed action, as well as a description of alternative actions which may address the problem. This information is included in Section 1 of this document. Section 2 contains information on the biological and environmental impacts of the alternatives as required by NEPA. Impacts on endangered species and marine mammals are also addressed in this section. Section 3 contains a Regulatory Impact Review (RIR) which addresses the requirements of both E.O. 12866 and the RFA to consider economic impacts of the alternatives. Section 4 contains an Initial Regulatory Flexibility Analysis (IRFA) to assess those individuals to be affected by bearing the direct or indirect costs of regulations.

### 1.1 MANAGEMENT BACKGROUND

The opening date for the sablefish IFQ fishery is not specified in the FMP and the Council may annually specify the sablefish IFQ season. For initial implementation of the sablefish IFQ fishery, the Council has tied the opening of the sablefish IFQ fishery to that of the Pacific halibut IFQ fishery. For 1995, the fishing season for halibut was set by the International Pacific Halibut Commission (IPHC) as March 15 - November 15.

The annual halibut catch limits are not specified by the IPHC until late January. The principal reason for timing the halibut and sablefish IFQ programs concurrently was to reduce bycatch by allowing retention of both species by appropriate QS holders. The 10 week delay of the season opening also affords administrative time for the actions required by the IFQ programs: (1) official publication of the final sablefish specifications usually in late January or early February; (2) calculation of each IFQ by area and permit holder; and (3) notification of QS holders of IFQ amounts.

Several factors should be evaluated before choosing an alternative:

**Logistical factors.** To legally harvest sablefish under the current IFQ program a person must possess an IFQ card, along with other required documents. An IFQ card, however, can be issued only after the determination of the IFQ amount a person is to receive. For this, the total allowable catch (TAC) must be known. The TAC is not final until sometime in February each year, due to the TAC setting procedure in the groundfish FMP. Under a January 1 "early" opening, harvesters would, therefore, be fishing without IFQ cards until the TAC is final. Early season fishing could be accommodated, however, by estimating the TAC and advancing a certain percentage (e.g., 25%) to an IFQ holder. The amount actually caught by each person could be subtracted from their pending IFQ account. In effect, they would be fishing on credit against their IFQ allocation for the next season.

Under Alternative 2, the Council could decide to partially maintain the closure, with a January 1 reopening to minimize bycatch and fishing on migrating stocks. Alternative 3 would extend the fishing season beyond the regular closure date (November 15 in 1995) to the day prior to the next season opening. Aleutian Islands fishermen would be allowed to fish their IFQs during the regular closure (e.g., November 16, 1995 through March 14, 1996). They could also choose not to fish until the following January or February to optimize market prices and fish availability (they would defer fishing their 1996 IFQ until January 1997). This alternative would create a year-round Aleutian Islands sablefish fishery.

**Biological factors.** Consideration must be given to the potential bycatch and discard of halibut during an early or extended sablefish season fishery. Current estimates of sablefish harvests, halibut bycatch, and corresponding mortality are listed in Table 1 for January through March in 1993 and 1994. Even if these amounts are not significant, under an extended season, any person with Aleutian Islands IFQ could fish during the early season (and perhaps would, if the market was favorable) which would increase halibut bycatch. However, increased participation is not anticipated since any incentive to fish in the first quarter was greater under open access than under the current IFQ program.

Halibut IFQ could not be used as a safeguard against this bycatch unless the Council allows retention of halibut during the closed season. Furthermore, if the bycatch ratio is high, there may be insufficient halibut IFQ in that subarea--especially for freezer vessels where the ratio of the amount of sablefish to halibut is disproportionate.

Table 1. Vessels participating in the early sablefish fishery in 1993 and 1994 (Source: NMFS blend data).

Month	Vessels #	Sablefish Harvested (mt)	Halibut Bycatch (mt)	Halibut Mortality* (mt)
Jan 93	3	42	23	3
Jan 94	4	67	26	4
Feb 93	11	116	81	12
Feb 94	5	109	77	11
Mar 93	14	143	273	36
Mar 94	8	116	159	22

\*halibut bycatch mortality assumed to be 13.75% (from weekly production reports)

**Socioeconomic factors.** Aleutian Islands fishermen have historically harvested sablefish under open access beginning January 1 since prosecution of the fishery was unlike derby fishing in the Gulf of Alaska. This allowed fishermen to harvest sablefish under favorable sablefish distributions and market conditions. CDQ groups awarded sablefish in this subarea may also wish to participate in the sablefish fishery at the beginning of the year; however, the Council has so far considered this allowance only for the IFQ fishery. The limited number of potential participants and the minimal impacts expected from them was a major factor in this decision.

Industry presented two potential benefits of an early season fishery to the Council. One reason was the favorable market conditions for sablefish during the beginning of the calendar year. A second reason was to allow the harvest of the total allocated IFQ, which has been anticipated by industry to be in such amounts as to make it unharvestable in its entirety during the current eight month IFQ season. These reasons were presented to the IFQ Industry Implementation Team. The Team responded that the IFQ program would likely change market

conditions so that advantages currently enjoyed by early harvesters would probably be eliminated and did not support an early opening. The Team indicated that if the Council did favor an early fishery, they recommended a reopening on January 1 for a "mop-up" fishery on unused IFQs, rather than an "early" opening with an advance of the next season's IFQ, card, etc..

## 1.2 PURPOSE AND NEED FOR ACTION

The management action presented in this document addresses the need for an extended season for the sablefish IFQ fishery in the Aleutian Islands. This amendment addresses an industry request to harvest IFQ in the first quarter of the calendar year to mirror their traditional harvesting season under open access, which is closed under the current sablefish IFQ program.

Alternative 2 would reopen the sablefish fishery in the Aleutian Islands beginning January 1 following the regular IFQ fishery season. This would allow the fleet to harvest their IFQ at the time of year they choose, but on currently issued IFQ, rather than on a projection of next season's IFQ. This alternative responds to the industry's request to harvest their IFQ in the first quarter of the calendar year to mirror their traditional harvesting season under open access.

In May 1994, Alaska Sablefish, Inc. made a request for a January 1 opening on behalf of the freezer/longliner *Judi B* and other catcher vessels and catcher/processors who traditionally fished at the start of the year, noting that the participants typically took 10 to 11 months to harvest their allocated quota. The request indicated that a delayed opening of March 15 would limit their ability to harvest their quota. Typically 20 - 30% of the allocated quota is taken in the first three months of the year; but 50% or more of their gross income is realized then due to higher prices at the start of the fishing year (M. Standaert, pers. commun.).

In June 1994, the Council initiated a regulatory amendment to open the Aleutian Islands sablefish fishery on January 1, 1995 on 25% of the preliminary TAC. NMFS reported in September that they had not proceeded with the amendment due to the complexity of the regulatory changes, the small number of beneficiaries, and the lack of concurrence by the IPHC. The Council reiterated their intent to analyze an early sablefish opening for the Aleutian Islands for future years.

The IPHC discussed this issue at their 1995 annual meeting, noting, "Data from a limited number of vessels in the Aleutian Islands sablefish fishery during winter months (November - March) shows a halibut bycatch rate that ranges up to 19%. This rate amounts to a minor quantity of halibut mortality with the current fleet of one or two vessels. However, IPHC is concerned that an increase in the number of vessels will occur if the fishery is opened in the winter, as other fishing activities are limited at that time. Halibut mortality would increase as a result, which conflicts with IPHC goals for reductions in halibut bycatch mortality. As an example, the BSAI sablefish fishery caused 38 mt of halibut mortality in 1994, of which 13 mt occurred in the winter. We expect higher bycatch rates and more total mortality if a winter fishery expands. Halibut are distributed in deep water for spawning in winter, and competition among vessels for prime fishing grounds would increase" (Appendix I).

The IPHC's Conference Board recommended that the Council allow sablefish fishing with no halibut retention, in the Aleutians starting January 1. The IPHC took no formal action, but did offer to assist in evaluating the effects of a winter fishery. Their report is provided as Appendix II.

The IFQ Industry Implementation Team first reviewed this proposal in May 1994 and again in April 1995. They did not support any changes to the sablefish season opening. The Team decided the issue was market-oriented, and that both sablefish and halibut market conditions were likely to change under the IFQ program. The Team listed a number of factors related to their recommendation for the status quo: (1) the extended IFQ harvesting

season; (2) vessels hiring out to harvest additional CDQ along with their IFQ; (3) general concern over sablefish stock decline; (4) marketing advantages for early landings; (5) concerns over early fishing on migrating sablefish stocks; (6) interest in a concurrent opening with halibut, while recognizing (7) the Council's intent on preserving historical fishing practices; and (8) anticipated low halibut bycatch. They recommended reevaluating this proposal at the end of 1995 and supported a reopening in January after the regular IFQ fishery (rather than advancing 25% of estimated IFQ) only if the Council chooses to proceed with the proposed action [IIT minutes, April 5-6, 1995].

Two options regarding halibut retention are also presented. Option A would prohibit retention of halibut during the extended fishing season. The IPHC Conference Board made this recommendation and an industry representative indicated this would be acceptable at that meeting. Option B would allow retention of halibut during the extended season only by halibut IFQ holders.- This option would address IPHC bycatch concerns by retaining all halibut caught by IFQ holders.

### 1.3 MANAGEMENT ACTION ALTERNATIVES

**Alternative 1.** Status quo. Sablefish and halibut seasons would remain concurrent throughout the range.

**Alternative 2.** Allow a reopening of the IFQ sablefish fishery in the Aleutian Islands beginning January 1, after the regular IFQ fishery.

**Alternative 3.** Allow a year-round IFQ sablefish fishery in the Aleutian Islands, beginning with the regular IFQ fishery.

**Option A.** Retention of halibut would be prohibited.

**Option B.** Retention of halibut would be permitted by halibut IFQ holders.

## 2.0 NEPA REQUIREMENTS: ENVIRONMENTAL IMPACTS OF THE ALTERNATIVES

One part of the package is the environmental assessment (EA) that is required by NOAA in compliance with the National Environmental Policy Act of 1969 (NEPA). The purpose of the EA is to analyze the impacts of major federal actions on the quality of the human environment. The EA serves as a means of determining if significant environmental impacts could result from a proposed action. If the action is determined not to be significant, the EA and resulting finding of no significant impact would be the final environmental documents required by NEPA. An environmental impact study (EIS) must be prepared if the proposed action may be reasonably expected to: (1) jeopardize the productive capability of the target resource species or any related stocks that may be affected by the action; (2) allow substantial damage to the ocean and coastal habitats; (3) have a substantial adverse impact on public health or safety; (4) affect adversely an endangered or threatened species or a marine mammal population; or (5) result in cumulative effects that could have a substantial adverse effect on the target resource species or any related stocks that may be affected by the action. Following the end of the public review period, the Council could determine that the proposed changes will have significant impacts on the human environment and proceed directly with preparation of an EIS.

National Oceanic and Atmospheric Administration Administrative Order (NAO) 216-6 provides the policies and procedures to be followed by NMFS when assessing environmental issues. Under NAO 216-6, certain Federal actions that individually or cumulatively do not have the potential to pose significant threats to the human

environment are exempt from further analysis and the requirement to prepare environmental documents. This exemption, known as a categorical exclusion, applies to specific actions and general categories.

Section 6.02b.3.(b)(ii) of NAO 216-6 categorically excludes “[a]ctions which do not result in a significant change in the original environmental action.” Included within this general category are “minor technical additions, corrections, or changes to a management plan or regulation.”

Alternative 1 (status quo) does not require further environmental assessment. The environmental impacts of Alternative 1 was analyzed in a series of environmental documents produced for the Pacific halibut and sablefish IFQ program.<sup>1</sup> Alternative 1 would not require any changes to the program as analyzed in the above documents.

Alternative 2, the proposed action for reopening sablefish fishing on January 1 would not result in a significant change in the original environmental assessment. Options A and B which affect halibut mortality would also not significantly affect the original EA.

The foregoing analysis supports the decision that Alternative 1 and Alternative 2 should be categorically excluded from further environmental assessment under NAO 216-6, § 6.02b.3.(b)(ii)(aa).

### **3.0 REGULATORY IMPACT REVIEW: SOCIAL AND ECONOMIC IMPACTS OF THE ALTERNATIVES**

This section provides information about the economic and sociological impacts of the alternatives including identification of the individuals or groups that may be affected by the action, the nature of these impacts, quantifying the economic impacts if possible, and discussion of the trade-offs between qualitative and quantitative benefits and costs.

A Regulatory Impact Review (RIR) is required by NMFS for all regulatory actions or for significant Department of Commerce or NOAA policy changes that are of significant public interest. The RIR: (1) provides a comprehensive review of the level and incidence of impacts associated with a proposed or final regulatory action; (2) provides a review of the problems and policy objectives prompting the regulatory proposals and an evaluation of the major alternatives that could be used to solve the problems; and (3) ensures that the regulatory agency systematically and comprehensively considers all available alternatives so that the public welfare can be enhanced in the most efficient and cost effective way.

Executive Order 12866, “Regulatory Planning and Review,” was signed on September 30, 1993 and established guidelines for promulgating new regulations and reviewing existing regulations. While the order covers a variety of regulatory policy considerations, the benefits and costs of regulatory actions are a prominent concern. Section 1 of the order describes the regulatory philosophy and principles that are to guide agency development of regulations. The regulatory philosophy stresses that, in deciding whether and how to regulate, agencies should assess all costs and benefits of all regulatory alternatives. In choosing among regulatory approaches, the philosophy is to choose those approaches (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity) that maximize net benefit to the nation.

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<sup>1</sup>(1) Draft SEIS/RIR/IRFA regarding sablefish [November 16, 1989]; (2) revised supplement to the Draft SEIS/RIR/IRFA [May 13, 1991]; (3) Draft SEIS/RIR/IRFA regarding halibut [July 19, 1991]; (4) Draft SEIS/RIR/IRFA regarding sablefish and halibut [March 27, 1992]; and (5) Final SEIS/EIS/FRFA [September 15, 1992].

The regulatory principles in E.O. 12866 emphasize careful identification of the problem to be addressed. The agency is to identify and assess alternatives to direct regulation, including economic incentives, such as user fees or marketable permits, to encourage the desired behavior. When an agency determines that a regulation is the best available method of achieving the regulatory objective, it shall design its regulations in the most cost-effective manner to achieve the regulatory objective. Each agency shall assess both the costs and benefits of the intended regulation and, recognizing that some costs and benefits are difficult to quantify, propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs. Each agency shall base its decisions on the best reasonably obtainable scientific, technical, economic, and other information concerning the need for, and the consequences of, the intended regulation.

The preparation of a RIR is required for all regulatory actions that either implement a new FMP or significantly amend an existing FMP. The RIR is part of the process of preparing and reviewing FMPs and provides a comprehensive review of the changes in net economic benefits to society associated with proposed regulatory actions. The analysis also provides a review of the problems and policy objectives prompting the regulatory proposals and an evaluation of the major alternatives that could be used to solve the problem. The purpose of the analysis is to ensure that the regulatory agency systematically and comprehensively considers all available alternatives so that the public welfare can be enhanced in the most efficient and cost-effective way. The RIR addresses many of the items in the regulatory philosophy and principles of E.O. 12866.

Executive Order 12866 requires that the Office of Management and Budget review proposed regulatory programs that are considered to be "significant." A "significant regulatory action" is one that is likely to:

- (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;
- (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- (3) Materially alter the budgetary impacts of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or
- (4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

A regulatory program is "economically significant" if it is likely to result in the effects described in item (1) above. The RIR is designed to provide information to determine whether the proposed regulation is likely to be "economically significant."

### 3.1 IDENTIFICATION OF THE ISSUES TO BE RESOLVED BY THE PROPOSED ACTION

As explained in detail in the introduction, the Pacific halibut and sablefish IFQ season openings are currently linked. The Aleutian Islands sablefish fleet has requested the Council to continue the January opening they had in the Aleutian Islands under open access so that the fleet would have their traditional 10-11 months they stated they need to harvest their QS. Under open access, 20 - 30% of the allocated quota in the Aleutian Islands has been taken in the first quarter of the year.



### **3.2 IDENTIFICATION OF THE INDIVIDUALS OR GROUPS THAT MAY BE AFFECTED BY THE PROPOSED ACTION**

All 132 QS holders participating in the sablefish IFQ fisheries in the Aleutian Islands would be affected by the proposed management action. Twenty-six freezer vessel QS holders own 1,528,000 lbs of sablefish IFQ out of the total 2.9 million lb TAC for 1995. Fourteen vessels in 1993 and eight vessels in 1994 participated in the early season sablefish fishery. Landings and effort increased between January and March for both 1993 and 1994. Landings and effort were greater in 1993 than 1994 (Table 1). Additional vessels are not expected to enter the fishery under the proposed action since the resulting economic benefits were potentially greater under open access and those vessels would have already been participating in the early season sablefish fishery.

### **3.3 MANAGEMENT ACTION ALTERNATIVES**

#### **Management Alternatives**

**Alternative 1.** Status quo. Sablefish and halibut seasons would remain concurrent throughout the range.

Under Alternative 1, no action would be taken. Sablefish and halibut seasons would remain concurrent throughout the range. This alternative affords the greatest biological protection to the stocks of Pacific halibut and sablefish.

**Alternative 2.** Allow a reopening of the IFQ sablefish fishery in the Aleutian Islands, beginning January 1 after the regular IFQ fishery.

Alternative 2 would redress the imposition of a shorter fishing season on the fleet than was traditionally fished under open access. Industry has reported that this shortened season will cause the fleet unspecified economic harm. Since the first IFQ season has not yet ended, it is impossible to estimate economic losses to the Aleutian Island fleet by the shortened season, or if in fact the fleet will be unable to harvest their sablefish IFQ during the regular IFQ season. Additional fishing activity, including fishing in other groundfish and CDQ fisheries, would be expected affect their ability to harvest their IFQ in the regular eight month season.

Alternative 2 extends the fishing season through the first quarter of the calendar year identified by the Aleutian Island fleet as critical, allowing fishing during the traditional season under open access and the early season marketing period. This alternative does not require additional administrative procedures to "advance" their IFQ during the extended season. Current regulations pertaining to overages would apply.

**Alternative 3.** Allow a year-round IFQ sablefish fishery in the Aleutian Islands, beginning with the regular IFQ fishery.

Under Alternative 3, a less restrictive approach would extend the fishery year-round for the Aleutian Island fleet (i.e., no closure). No additional sablefish or halibut mortalities would be expected under IFQ fishing. Current regulations pertaining to overages would apply. This alternative would be less burdensome to the fishery and administrative agency since a closure and reopening would not occur.

**Option A. Retention of halibut would be prohibited.**

Under Option A, sablefish fishermen would be prohibited from retaining halibut during the early sablefish opening period. Increased halibut bycatch mortality is expected under this option.

**Option B. Retention of halibut would be permitted by halibut IFQ holders.**

Option B would allow retention of halibut by halibut QS holders during early season IFQ fishing in the Aleutian Islands. This option minimizes halibut bycatch mortality by allowing retention of legal catch by IFQ holders. It would not increase total halibut mortality since those allowed to retain halibut would already possess halibut QS. No additional amounts of halibut would be allowed to be retained above existing IFQ amounts. Regulations pertaining to IFQ overages and underages would apply.

**3.4 QUALITATIVE ANALYSIS OF THE EXPECTED BENEFITS AND COST OF THE PROPOSED ACTIONS**

As explained above, the proposed action would extend the regular IFQ season for sablefish in the Aleutian Islands. This provision would maximize the time available for the fleet to harvest their IFQs in this area. The expected benefits of this exemption from the regular IFQ season are not expected to be significant. The 1995 season extends from March 15 -November 15. The eight month IFQ season begins about eleven weeks later than under open access, which in the Bering Sea and Aleutian Islands began January 1.

The 1993 and 1994 fishing histories of 11 of the 14 vessels that fished in the Aleutian Islands during the first quarter of 1993 and 1994 is depicted in Figure 1. Data from fish tickets and weekly processor reports for all fishing activity in 1993 and 1994 were used to create a calendar of an individual vessel's fishing year for all fisheries. Weekly fishing activity for individual vessels (numbered 1-11) is depicted for 1993 by a triangle above the horizontal line and for 1994, below the line. This information is presented to address the stated need for the proposed action (that the eight month IFQ season is insufficient to harvest a vessel's sablefish IFQ in the Aleutian Islands). While fish availability, market conditions, and weather contribute to the decision of when and where to fish, this information indicates that the eight month IFQ season is insufficient due to fishing in other fisheries for at least five vessels.

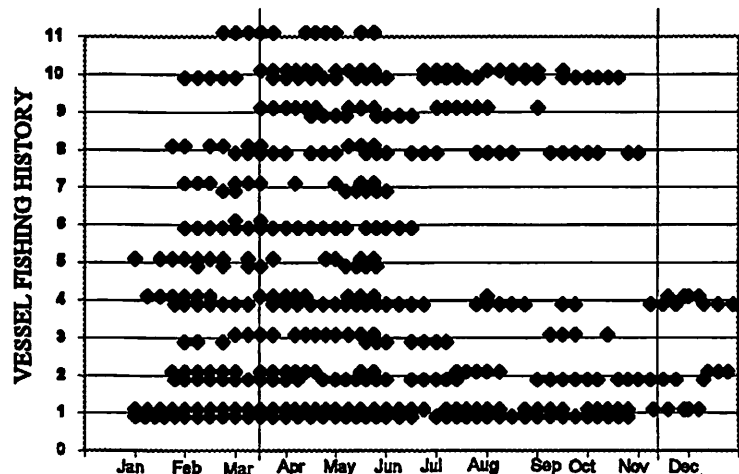


Figure 1. Vessel fishing history for all fisheries and areas for 1993(above) and 1994 (below) from fish tickets and weekly processor reports.

A direct comparison of vessel fishing activity can not be made between open access (1993 and 1994) and the IFQ fishery (1995) since the current IFQ season is still underway. A complete comparison could be made at the end of the 1995 IFQ season (November 15), and the need for the proposed action could then be evaluated based on the portion of unused IFQs for each of these vessels. The proposed alternatives are designed to reopen or extend IFQ sablefish fishing on unused IFQs for these vessels in 1996, depending on Council approval and the speed of implementation.

Direct costs of the proposed action would be minimal with a reopened or extended season on current year's IFQs. Costs of issuing advanced IFQ certificates, cards, etc. on an "early" opening on the following year's IFQ would be higher, but still small for the approximately 14 vessels which might participate in the program. Implementation of an "early" opening may be less likely than a reopening or extension of the 1995 season due to increased administrative changes needed to advance 25% of 1996 IFQs, cards, etc.

### **3.5 ADMINISTRATIVE, ENFORCEMENT AND INFORMATION COSTS**

No significant additional administrative, enforcement, or information costs are expected from the proposed action. Delaying the reopening to after the current year's IFQ season (Alternative 2) minimizes the administrative burden of advancing documentation of legal pre-season activity (e.g., temporary IFQ cards or account balances). An extended season (Alternative 3) is even less burdensome, since a closure and reopening of the fishery would be avoided.

### **4.0 INITIAL REGULATORY FLEXIBILITY ACT**

The objective of the Regulatory Flexibility Act is to require consideration of the capacity of those affected by regulations to bear the direct and indirect costs of regulation. If an action will have a significant impact on a substantial number of small entities an Initial Regulatory Flexibility Analysis (IRFA) must be prepared to identify the need for the action, alternatives, potential costs and benefits of the action, the distribution of these impacts, and a determination of net benefits.

NMFS has defined all fish harvesting or hatchery businesses that are independently owned and operated, not dominant in their field of operation, with annual receipts not in excess of \$2 million as small businesses. In addition, seafood processors with 500 employees or less, wholesale industry members with 100 members or less, not-for-profit enterprises, and government jurisdictions with a population of 50,000 or less are considered small entities. A "substantial number" of small entities would generally be 20% of the total universe of small entities affected by the regulation. A regulation would have a "significant impact" on these small entities if it resulted in a reduction in annual gross revenues by more than 5%, annual compliance costs that increased total costs of production by more than 5%, or compliance costs of small entities that are at least 10% higher than compliance costs as a percent of sales for large entities.

If an action is determined to affect a substantial number of small entities, the analysis must include:

(1) description and estimate of the number of small entities and total number of entities in a particular affected sector, and total number of small entities affected; and

(2) analysis of economic impact on small entities, including direct and indirect compliance costs, burden of completing paperwork, or record keeping requirements, effect on the competitive position of small entities, effect on the small entity's cash flow and liquidity, and ability of small entities to remain in the market.

#### 4.1 ECONOMIC IMPACT ON SMALL ENTITIES

All 132 QS holders participating in the sablefish IFQ fisheries in the Aleutian Islands could be affected by the proposed management action. Twenty-six freezer vessel QS holders own 1,528,000 lbs of sablefish IFQ out of the total 2.9 million lb TAC for 1995. Fourteen vessels in 1993 and eight vessels in 1994 participated in the early season sablefish fishery. The expected impact on any of these small entities by the proposed action is expected to be positive.

In 1994 under open access, the last GOA sablefish opening extended from September 12-14, BSAI trawl landings occurred from January 1 through May 23, through August 1 for the Bering Sea, and all year for fixed gear sablefish landings. The Aleutian Islands fleet benefitted from the higher market value of their freshly frozen product due to their proximity to the year-end Japanese market when competing sources were at low supply. Ex-vessel prices for sablefish at the beginning of the 1995 season were good, although lower than expected (Talley 1995). In Southeast, prices were reported as \$3.30/lb for all sizes, \$3.50/lb for 4-ups, \$3.30/lb for 3-4s, and \$2.80/lb for under-3s.

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#### 6.0 FINDING OF NO SIGNIFICANT IMPACT

For the reasons discussed above, implementation of any one of the alternatives to the status quo would not significantly affect the quality of the human environment, and the preparation of an environmental impact statement on the final action is not required under Section 102(2)(c) of the National Environmental Policy Act or its implementing regulations.

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Date

## **7.0 REFERENCES**

**IFQ Industry Implementation Team. 1994. Minutes from the June 1994 Meeting. NPFMC, P.O. Box 103136, Anchorage, AK 99510.**

**IFQ Industry Implementation Team. 1995. Minutes from the April 1995 Meeting. NPFMC, P.O. Box 103136, Anchorage, AK 99510**

**Talley, J. 1995. Seafood Report. Pacific Fishing XVI, 5:10-11.**

## INFORMATION ON THE BERING SEA/ALEUTIAN SABLEFISH FISHERY AND HALIBUT BYCATCH DURING WINTER MONTHS

by

Gregg H. Williams  
January 19, 1995

### Introduction

IPHC staff have proposed a closure of the IFQ halibut fishery off Alaska during winter months. If adopted, a similar closure for the IFQ sablefish fishery is likely. A significant hook-&-line fishery for sablefish occurs in the Aleutian Islands subarea of the BSAI region and has historically been a year-round fishery. Fishermen that participate in this fishery would be affected by a winter closure and have requested an exemption from the closure for this area, with the justification that halibut bycatch and subsequent mortality occurs in minimal amounts. Additionally, to reduce discards and waste, they propose that retention of halibut bycatch be allowed by those fishermen holding halibut IFQ.

This report documents available information on the winter fishery for sablefish in the Bering Sea/Aleutians, estimates the potential magnitude of halibut retained, with a comparison to current bycatch levels.

### The Bering Sea/Aleutians Sablefish Fishery

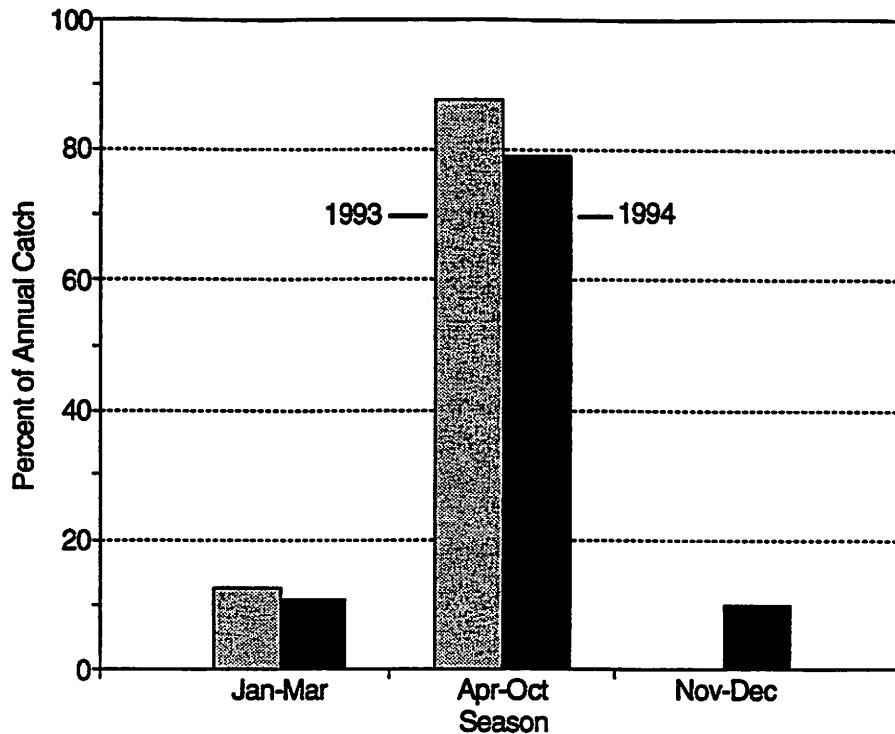
Vessel Effort Since 1990, the sablefish fishery in the Bering Sea/Aleutian Islands region has opened on January 1 and, with the exception of 1992, has remained open through December. Vessel effort is traditionally low during winter months, picking up in March. June and July usually see the greatest number of vessels:

**Number of Vessels by Month in the Bering Sea/Aleutians Fishery**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1993	1	1	6	9	7	10	10	2	4	2	0	0
1994	0	1	5	5	2	10	8	5	0	4	3	3

Groundfish Catch The sablefish TAC is allocated between trawl and fixed gear, but the hook-&-line fishery is the only directed fishery. The majority of the fixed gear sablefish TAC is apportioned to the Aleutian subarea: in 1994, the Bering Sea subarea received a 270 mt apportionment, whereas the Aleutian subarea was apportioned 2,100 mt. The Aleutian subarea is traditionally apportioned the greatest share of the TAC, because the sablefish resource is largest in that subarea.

Sablefish are primarily fished during April-October, but minor amounts are taken outside of this time period, usually in January-March. Before 1994, catches in November-December hardly occurred. In 1994, for the first time, 10% of the BSAI catch was taken in November-December. The seasonal breakdown of the catch in 1993 and 1994 is shown in the following:



### Halibut Bycatch

Bycatch Rates NMFS observer data (NORPAC data) indicates large variability in halibut bycatch rates during winter months in the Aleutians. This is probably a consequence of many factors, including (1) the bottom topography prevalent in the Aleutian Island subarea, where the continental slope drops off quite severely in many places, and (2) the swift currents around the islands, which can carry hook-&-line gear away from the intended grounds.

Halibut bycatch rates, in number of fish per mt of groundfish and in kg per mt, are shown in Table 1. In general, bycatch rates are low, much lower than has been documented in the Gulf of Alaska sablefish hook-&-line fishery. During 1990-1993, rates averaged 2.5 halibut per mt of groundfish and 34.9 kg per mt of groundfish in winter months. The latter is equivalent to a 3.5% bycatch rate.

Halibut Viability and Discard Mortality Rates Very little data on halibut viability were collected by observers during the winter months in the Aleutian subarea. Although data may suggest some

small seasonal or area differences in viability, other factors (e.g., fisherman skill and experience at release) have a greater influence on halibut viability. In all probability, halibut viability and discard mortality rates are consistent across seasons. Williams (unpub.)<sup>1</sup> recently recommended a discard mortality rate of 17% for 1995, an average of data collected by observers during 1992-1993. In comparison, NMFS has been using 12.5% and 15% for observed and unobserved vessels, respectively, in the Bering Sea/Aleutian sablefish fishery.

**Size Composition of Bycatch** Observer data indicates that the majority of halibut caught as bycatch in the sablefish fishery in the Aleutian Islands subarea are legal-size fish, i.e., greater than the minimum legal size allowed for the halibut fishery (32 inches, or 82 cm). The amount of data collected during 1990-1993 is small (Table 2), so I aggregated all available data and determined that 29% of the number of halibut caught as bycatch were sublegal, while 71% were of legal size. In terms of weight, the fraction of sublegal pounds was 13%, with 87% of legal size.

**Impact of Proposed Exemption from Closure on Halibut Bycatch Mortality**

In examining this proposal for its impact on bycatch, one must look at what happens to the bycatch of sublegal and legal-size halibut during the winter under two scenarios, one that allows retention, and a scenario without retention. This can be represented in the following fashion:

Size Group	Without Retention	With Retention
Sublegals ( < 32 inches)	Discarded (bycatch mortality)	Discarded (bycatch mortality)
Legals ( > 32 inches)	Discarded (bycatch mortality)	Retained by IFQ holders (attributed to IPHC catch limit)

In concept, allowing retention of legal halibut to IFQ holders shifts halibut from bycatch to directed harvest, thereby reducing bycatch.

Let's use 1994 as an example. NMFS estimates 79 mt of halibut bycatch during January-March and November-December in the Bering Sea/Aleutian fishery. If the sublegal/legal proportions by weight presented earlier are applied, then there were 10 mt of sublegal halibut and 69 mt of legal halibut caught.

Bycatch mortality for each size group can then be estimated by applying a discard mortality rate. Assume the 17% rate calculated by Williams (unpub.)<sup>1</sup> for the Bering Sea/Aleutian sablefish

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<sup>1</sup>Williams, Gregg H. Unpublished. Pacific halibut discard mortality rates in the 1993 groundfish fisheries off Alaska. Int'l. Pac. Halibut Comm. Report of Assessment and Research Activities 1994: 153-166.



hook-&-line fishery, and full retention of all legal halibut.

Size Group	1994 Bycatch (mt)	With Winter Fishery, Without Retention		With Winter Fishery, Allowing Retention		
		Discard Mort. Rate	Bycatch Mort. (mt)	Discard Mort. Rate	Bycatch Mort. (mt)	Directed Catch (mt)
Sublegals	10	17%	1.7	17%	1.7	0.0
Legals	69	17%	11.7	(100%)	0.0	69.0
<b>Total</b>	<b>79</b>	-	<b>13.4</b>	-	<b>1.7</b>	<b>69.0</b>

Bycatch of halibut during the winter period of the Bering Sea/Aleutian sablefish fishery was 79 mt in 1994, with mortality estimated at 13.4 mt. If the fishery is closed during the winter, fishing effort may shift to an open period, assuming total sablefish effort remains constant. The bycatch will be taken during another part of the year, thereby causing no reduction in bycatch.

With the winter fishery operating and retention allowed, removals in the 1994 Bering Sea/Aleutian fishery would have increased significantly, perhaps as much as 5-fold. The increase is attributed to the retention of legal-size halibut which would otherwise be discarded and survive. But bycatch mortality in the winter fishery would decrease almost 90%, from 13.4 mt to 1.7 mt, if all legal halibut could be retained by IFQ holders.

These results are based on two key assumptions. First, all vessels fishing are assumed to have sufficient halibut IFQ to enable full retention. In reality, some vessels will not have halibut IFQ, and will discard as is usual. This would serve to reduce the estimate of halibut retention without the closure. Also, freezer longliners may find it impractical to retain halibut bycatch with present freezer configurations and/or lack of holding capacity, given the larger size of halibut in comparison to cod. Thus, the estimate of 69 mt of legal retention is probably a best-case.

Second, the results are based on the conditions within the 1994 sablefish fishery. Marketing factors within the sablefish fishery may expand winter fishing, if allowed, and thus increase winter retention of halibut. This could lead to conflicts in the perception of marketing advantage by halibut fishermen.

If the Bering Sea/Aleutian sablefish fishery is closed during November-March, fishing effort would presumably shift to other time periods when bycatch rates are different from those experienced during the winter. Halibut and sablefish distributions have greater overlap during the winter, as halibut are deep for spawning. With the spatial separation of the summer, bycatch rates should be lower, but absolute levels of bycatch may not decline if vessel effort experiences a greater increase. In any event, minor increases or decreases in the small amount of bycatch shown to occur in the winter would not have a significant impact on overall bycatch mortality.

**Table 1. Summary of halibut bycatch rates in the 1990-1993 hook-&-line sablefish fishery in the Aleutian Islands subarea. Source: NORPAC database, NMFS Domestic Observer Program.**

Year	Jan	Feb	Mar	Nov	Dec	Jan	Feb	Mar	Nov	Dec
	<i>Number of halibut per mt</i>					<i>Kg of halibut per mt</i>				
1990	-	-	4.7	2.6	-	-	-	70.2	14.3	-
1991	-	0.8	1.0	-	-	-	5.3	17.8	-	-
1992	-	7.1	1.6	-	-	-	115.7	27.6	-	-
1993	9.5	3.4	10.6	-	-	48.4	22.0	131.9	-	-
AVG	9.5	3.7	4.5	2.6	-	48.4	47.7	61.9	14.3	-

**Table 2. Size breakdown of halibut bycatch in the 1990-1993 hook-&-line sablefish fishery in the Aleutian Islands subarea. Source: NORPAC database, NMFS Domestic Observer Program.**

Year	Jan	Feb	Mar	Nov	Dec	Jan	Feb	Mar	Nov	Dec
	<i>Number of sublegal/legal halibut</i>					<i>Kg of sublegal/legal halibut</i>				
1990	-	-	30/72	-	-	-	-	85/548	-	-
1991	-	2/6	6/4	-	-	-	7/20	19/27	-	-
1992	-	-	-	-	-	-	-	-	-	-
1993	-	-	8/32	-	-	-	-	35/340	-	-

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## INTERNATIONAL PACIFIC HALIBUT COMMISSION

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

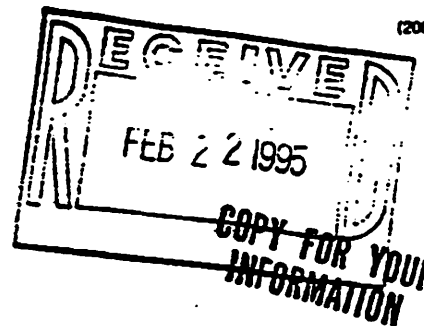
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February 17, 1995



Dr. Clarence Pautzke, Executive Director  
North Pacific Fishery Management Council  
P.O. Box 103136  
Anchorage, Alaska 99510

Dear Clarence:

The International Pacific Halibut Commission, at its 1995 Annual Meeting in Victoria, B.C., discussed two issues associated with bycatch mortality of halibut during the winter closed period of November 15 through the following March 14. The first issue is sablefish fishing in the Aleutian Islands during winter, and the second is retention of halibut by hook and line fisheries for other groundfish species.

The Commission's Conference Board recommended that the Council allow sablefish fishing, with no halibut retention, in the Aleutians starting January 1, and that the Council and Commission staffs evaluate the benefits and costs of limited halibut retention during the winter hook and line groundfish fisheries. The Commission identified several concerns that should be addressed if the Council decides to further analyze these issues, but took no other action on them.

Data from a limited number of vessels in the Aleutian Islands sablefish fishery during winter months (November - March) shows a halibut bycatch rate that ranges up to 19%. This rate amounts to a minor quantity of halibut mortality with the current fleet of one or two vessels. However, the Commission is concerned that an increase in the number of vessels will occur if the fishery is opened in the winter, as other fishing activities are limited at that time. Halibut bycatch mortality would increase as a result, which conflicts with Commission goals for reductions in halibut bycatch mortality. As an example, the BSAI sablefish fishery caused 38 mt of halibut mortality in 1994, of which about 13 mt occurred in the winter. We expect higher bycatch rates and more total mortality if a winter fishery expands. Halibut are distributed in deep water for spawning in winter, and competition among vessels for prime fishing grounds would increase. The Commission staff will be available to assist the Council in evaluating the effects of a winter sablefish fishery in the Aleutian Islands.

In other hook and line groundfish fisheries retention of halibut bycatch during winter could be authorized, for example, as a percentage of the groundfish (by species or in aggregate). Such retention could reduce halibut bycatch mortality during the winter halibut closure. However, the

Clarence Pautzke  
February 17, 1995  
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Commission has identified four potential problems that need analysis as part of an evaluation of retention. 1) The amount of halibut harvested could be substantial given the observed bycatch rates and groundfish harvest. 2) Distribution of halibut IFQ cannot occur until the Commission sets halibut catch limits, which would be after these other fisheries would start. 3) Harvest during the closed period would present a market advantage to those fishermen able to retain halibut. 4) The halibut retention allowance would be difficult to enforce and could interfere with the detection of illegal halibut from other sources.

If the Council decides to proceed with these issues, the Commission staff will be pleased to assist in the analysis.

Sincerely yours,



Donald A. McCaughran,  
Director

cc: Commissioners

## ISSUES PAPER

### POTENTIAL CHANGES TO THE PACIFIC HALIBUT AND SABLEFISH IFQ FISHERY REGULATIONS

A number of changes to the halibut and sablefish IFQ programs have been suggested by industry and managers, even prior to program implementation. Regulatory changes from the original omnibus amendment became effective on June 1, 1995. However, additional modifications continue to be discussed by the Council and industry. The IFQ Industry Implementation Team reviewed these issues at their April 5-6, 1995 meeting. The Enforcement Committee reviewed the Team's recommendations at their April 18, 1995 meeting. This options paper addresses these issues in three parts: (1) plan amendments; (2) regulatory amendments; and (3) additional industry comments.

#### PLAN AMENDMENTS

(1) **Ownership/use caps in the BSAI** (a) Current regulations [§676.22(h)] restrict second generation ownership to ½% of the Bering Sea TAC and the amount of fish that can be harvested per vessel to 1% of the Bering Sea TAC, even for initial recipients. Based on the 1995 BSAI TAC, a person or entity who receives greater than 47,220 pounds (1% of the TAC) would not be able to fish the poundage on his own vessel. New QS owners would also be restricted to a harvest level less than would be economically efficient. In June 1994, the Council approved initiating an analysis to examine ownership caps ( i.e., status quo, 1%, and 2% caps of BSAI quotas for second generation ownership of IFQs in the BSAI). This amendment may not be necessary since vessel owners are grandfathered in the initial allocation. The 1995 season may provide evidence to determine whether to proceed with this plan amendment [GOA FMP 4.4.1.1.5 (6)/BSAI FMP 14.4.7.1.5(6)].

(b) Caps may be set too low to allow efficient use of IFQ, especially for the BSAI. This is further exacerbated by the deduction of the CDQ apportionment from the total catch limit used to determine the vessel cap. The IFQ Industry Implementation Team recommended analyzing ownership caps of ½, 1, and 2% (and their poundage equivalents), with a preferred option of reestablishing historic catch levels as an upper limit. The Team also expressed concern that vessel limits are currently calculated with the CDQ allocation removed, resulting in a lower percentage to the QS holder. The Team also recommended that §676.22(h) be clarified so that vessel caps be based on combined total catch limits, excluding CDQ apportionments from the calculation, to mirror the methodology used by NMFS to derive the vessel caps. This would require a regulatory amendment.

(c) The QS use cap, the vessel cap, and the restriction on holding more than two blocks apply to persons, individually and collectively [§676.22(j)]. An individual who was a member of multiple corporations and was at his/her block cap would limit all his/her corporations from increasing their QS. The Team agreed that the block cap was the most restrictive to fishermen and that this provision's limitation on ownership, particularly when coupled with the block restriction, should be reviewed. This would require a regulatory amendment.

(2) **Vessel ownership requirements for leasing** Current regulations allow an individual to take part ownership in a vessel in order to hire a vessel and skipper to fish his QS. NMFS current policy is to verify ownership with names listed on the abstract of title. The Team expressed concern that a loophole allows leasing in perpetuity by initial recipients due to inexact language related to ownership of vessels on which QS is fished. They discussed requiring a "controlling interest" (e.g., 51%) or other methods to prevent "paper" ownership. These transactions are currently legal, but circumvent the intent of the Council. [GOA FMP 4.4.1.1.3(A)/BSAI FMP 14.4.7.1.3(A)]

**(3) Sweep-up provisions** Numerous suggestions have been received by the Council to relax the sweep-up provisions and block program. Many small pieces in all vessel categories have been found to be unfishable and unmarketable. The Team recommended analyzing alternatives ranging from raising the sweep-up limit from 1,000 to 10,000 lb for all categories to different levels for each vessel category and fishery. The Team recommended reviewing unused QS at the end of 1995 to determine other appropriate levels for analysis. [GOA FMP 4.4.1.1.4(6)/BSAI FMP 14.4.7.1.4(6)]

**(4) Block Program** The restrictions of the block program have caused hardship on the industry. The Team suggested reviewing unused blocks of IFQ at the end 1995 to determine the need for modifying the program. Suggestions include ending the block program in the Bering Sea and eliminating limits on the possession of blocks. [GOA FMP 4.4.1.1.3(C) & 4.4.1.1.5(10)/BSAI FMP 14.4.7.1.3(C) & 14.4.7.1.5(10)]

## **REGULATORY AMENDMENTS**

**(5) IFQ fishing in multiple areas** Current regulations [§676.16(d) and §676.17(a)(5)] restrict a vessel to retain only as much IFQ fish onboard for a particular area as is currently held by all IFQ card holders onboard a vessel. This prevents a vessel from fishing in multiple IFQ regulatory areas unless sufficient IFQ is available onboard or the vessel lands all catch prior to entering a new regulatory area. This problem is more prevalent in the Bering Sea, where observers are not on all vessels and vessels have incentives (e.g., time, money, fuel) to fish in one area and report the catch as coming from another; however, the disincentive is potential loss of QS. The Team recommended a two year exemption from §676.16(d) for all vessels, except for halibut in Area 4 due to IPHC regulations, and as a preferred option for analysis, requiring vessels to keep logbooks on a timely basis and notify NMFS prior to a trip where multiple regulatory areas will be fished.

*In their review of the Team's recommendations, the Enforcement Committee emphasized the need to identify catch on board with location of fishing activity for stock assessments and TAC setting. Enforcement has liberally interpreted "operating" in §676.16(d) to mean "fishing" to accommodate vessels transiting from fishing areas to landing points. They were concerned that under the IFQ program, fishermen have an economic incentive to fish illegally in areas near their home port for small amounts of IFQ in distant areas. They supported the current program of offloading prior to fishing in another fishing area.*

*Easing the §676.16(d) restrictions would result in groundfish/halibut logbooks and catcher/processor reports being used to verify that locations of IFQ fishing are consistent with issued quotas. However, halibut logbooks are not required to be filled out until 24 hours after the fishery each day fished and prior to offloading. The additional management requirements currently placed on processors (e.g., processor reports, logbooks, observer coverage) in the sablefish fishery provide increased ability to verify fishing locations with IFQ catch. Another alternative for sablefish would be to examine the differences between processor and catcher requirements.*

**(6) Offloading of freezer boats between areas** Concern has been raised over a requirement for freezer boats to offload when transiting between areas. Freezer vessels generally would not unload until a full load has been caught. Logbooks and observers, along with filing notification of starting and stopping of fishing activity, should obviate the need for this requirement. The Team expressed concern over the requirement for freezer boats to offload when transiting between areas [§676.16(d)]. See recommendation for (5) IFQ Fishing in Multiple Areas.

*The Enforcement Committee discussed hold inspections for freezer vessels to certify poundage onboard*

*before vessels move to fish in another area. Hold inspections are laborious and time-consuming, particularly for vessels with large quantities of product onboard. The committee agreed that dockside inspection, an alternative to offloading, is impractical.*

**(7) Coordinate between registered buyer permit and Federal processor permit** Modifying the definition of Registered Buyer may reduce duplication of effort and paperwork so that the same persons would be both a Registered Buyer (IFQ Program) and a Federal Processor (Research Plan). Industry has commented that the required paperwork for tracking each sale is burdensome. The Team recommended that the regulations [§676.13(c)(2) and §677.14] be clarified so that the first recipient of IFQ landings be designated the registered buyer in transactions between two registered buyers.

**(8) Fair start provision** The necessity of the 72 hour fair start provision under the extended IFQ season should be reviewed. The Team recommended that the fair start provision be maintained, and that language be adopted similar to IPHC regulations requiring offloading or hold inspection if a vessel chooses to fish in the 72 hours prior to the start of the IFQ season. They recommended revision of the penalty schedule, which currently requires the loss of the remainder of the IFQ season, now eight months.

*The Enforcement Committee indicated that the fair start provision may no longer be necessary based on observations of the 1995 IFQ program; however, industry reports that 1995 may not have provided a true indicator of need because of bad weather. If retained, the regulations should be made consistent with the IPHC halibut regulations whereby no vessel using set gear in the BSAI/GOA areas 72 hours prior to the IFQ season may be used to conduct directed fishing for sablefish during such season until that vessel has removed all set line gear from the water and has either made a landing or completely offloaded.*

**(9) Eliminate certified mail requirements** Restricted Access Management has requested elimination of the requirement that certain routine mailings (e.g., IFQ crew member certificates, etc.) be sent by certified mail as this is not possible in some rural areas [§676.20(f)(3) and §676.21(c)(3)]. Eliminating this requirement will reduce costs. The Team recommended that certified mail requirements be eliminated.

**(10) Discretion to allow temporary transfers for emergency circumstances** Current regulations [§676.21] do not allow discretion to grant temporary transfers to alleviate an emergency circumstance. Persons either must totally divest themselves of the QS, or are restricted to leasing only 10% of their QS. The Team expressed great concern that flagrant abuses of the State CFEC system should be avoided under the IFQ program; however, they recognized that genuine emergencies do arise. They recommended that in concurrence with CFEC rules, a surviving spouse or immediate family member may get transfer rights of QS for up to three years with the broadest allowance to use the QS (e.g., leasing, hiring skipper). The emergency transfer should involve IFQ and not QS. They developed a policy statement which is contained in their minutes.

**(11) Shipping reports** Shipping report requirements [§676.14(c)(1)] should be reviewed to address legal responsibility for IFQ fish that are no longer within the physical control of the initial recipient. The entity that completes and files the shipping report (i.e., the initial recipient of the IFQ product) is responsible for that IFQ product, regardless of additional transactions while in the State of Alaska. This tracking is needed to monitor sales as a deterrent to misreporting. The Team discussed the difficulty of these requirements on shippers who make changes to shipping manifestos due to unforeseen changes in plane or container capacities or buyer needs, along with the use of weekly sales summaries, in lieu of individual shipping reports for each sale, to notify Enforcement of IFQ shipments. The Team recommended that Enforcement be notified prior to shipping to monitor incoming and outgoing shipments with original shipping reports accompanying shipments as a tie back to the original shipper.

**(12) Transshipments** The omnibus regulations [§676.14(e)] provide that a clearing officer must authorize a person for each individual transshipment, with the request for authorization preceding the intended transshipment by at least 24 hours. The Team recommended clarifying the language and procedures whereby agents can notify Enforcement on behalf of the owner/operator and captain of the transshipping vessel.

**(13) Prohibit sub-leasing of QS or IFQ** Current regulations [§676.21(g)] only address leasing of QS and could be construed to allow a lessee to become a sub-lessor. The regulations could be further clarified regarding the issue of leasing QS (as provided in the regulations), and thereby receiving the resulting IFQ, as opposed to leasing IFQ (which is not provided for in the regulations). The Team recommended that: (1) only a QS holder can lease QS (i.e., no sub-leasing); and (2) clarify leasing of QS, not IFQ.

**(14) Crew members using QS on vessels** Crew members with QS are sometimes unable to fish their QS on fishing vessels which are at the vessel cap. The Team acknowledged that the IFQ program was designed to prevent consolidation, and a crew member was free to use his QS on another vessel. They did not recommend a change.

**Additional issues from industry were not received in time for review by IFQ Industry Implementation Team:**

(1) Exempt vessel size categories for original QS recipients only, with no transfer across vessel category when sold. This would redress situations where an individual no longer owns a vessel in the size category of originally issued QS or crew purchases IFQ to fish on current vessel and his own (smaller) vessel in the future.

(2) Eliminate restriction for vessel owner/QS holder to remain with the vessel until unloading is completed. Industry reported that this requirement is burdensome.

(3) Modify IFQ reporting form to allow reporting of IFQ landings by IPHC regulatory area rather than NMFS statistical grid. Since the grids do not align with regulatory areas, it is not clear to which regulatory area to report fish in the 3A-3B area which transects the statistical grid.



## DISCUSSION PAPER FOR AREA 4 SUBALLOCATIONS

### INTRODUCTION

The staff of the International Pacific Halibut Commission recently reported that they were reassessing their methods to apportion halibut TAC among subareas of Area 4. In mid-1994, the habitat area of each halibut regulatory subarea was assessed and weighted with CPUE to estimate percent biomass in those areas. The Area 4 TAC was apportioned with the percent biomass to attain proportional harvest recommendations for each subarea. In a discussion of the IPHC's new methodology at their January 1995 meeting, the Council urged the IPHC to phase in over several years any changes to area TACs if no significant risk to the resource would occur by delaying reapportionment of the resource among subareas (Appendix I). Such a reapportionment would have significantly changed the poundage equivalents of IFQs and CDQs in the respective areas at the onset of the IFQ and CDQ program if implemented in 1995 (Table 1). Commission staff recommended phasing in this new strategy over three years to minimize its impacts. The Commission set the catch limits based on the historical proportions of the past few years and has suggested referring future BSAI allocations among subareas to the Council (Appendix II).

The IPHC stock assessment for Area 4 is conducted on the combined 4A through 4E areas due to the lack of historical data for Area 4 subareas, unlike assessments for Areas 2 and 3 which are done for individual subareas. Commission staff recommended phasing in proportional harvests for Areas 4A and 4B for 1995 and will likely do so for 1996. The Commission noted that historical catch limits in Areas 4C, 4D, and 4E were not based on conservation and that their policy of distributing harvest in proportion to biomass for each regulatory area would suggest that they begin to set area quotas accordingly now that habitat data is available to revise subarea biomass abundances.

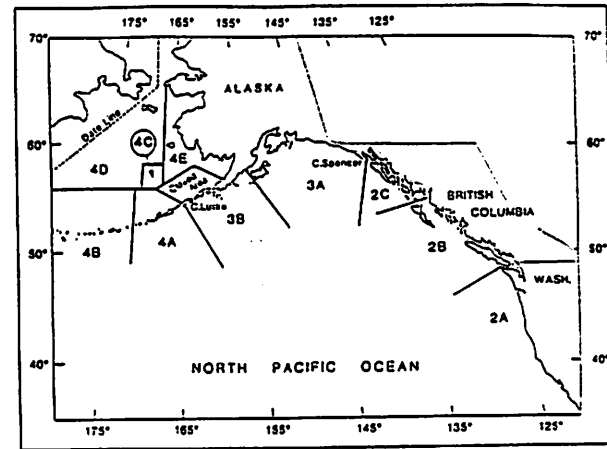
Commission staff has recommended moving toward an equal exploitation strategy for Areas 4A and 4B since considerable stock separation exists between the Aleutian Islands and Bering Sea. The Commission has suggested combining Areas 4C, 4D, and 4E in 1996, with the Council allocating among the user groups in those areas since continued separation of Areas 4C-E may create a conflict between their harvest philosophy (catch limits proportional to biomass) and the Council's allocative decisions. This is similar to Area 2A management where the Commission sets the area catch limit and the Pacific Council sets management allocations within the area through a catch sharing plan (Appendix III). This paper reviews the history of Area 4 halibut allocations, stock assessment implications on future allocations, and management alternatives for Bering Sea allocations.

Table 1. Area 4 biomass distributions and resulting 1995 TAC calculations (Source: IPHC)

Area	Habitat Area (nm <sup>2</sup> )	CPUE (lb/skate)	Biomass (%)	Area CEY Method (millions of pounds)	IPHC Method	Historical Method
4A	8,183	386.85	41.3	2.44	2.0	1.95
4B	6,118	246.24	19.6	1.16	1.6	2.31
4C	561	225.25	1.6	0.09	0.5	0.77
4D	5,605	423.76	30.9	1.83	1.5	0.77
4E	4,910	100.50	6.4	0.38	0.3	0.12
Total	25,377	224.50	100	5.92	5.9	5.92

### Description of current regulatory areas for Area 4

- Area 4A** all waters west of Area 3B (all waters between Cape Trinity and a line extending southeast from Cape Lutke, Unimak Island) and the Bering Sea closed area that are south of 56-20'N and east of 172-00'W.
- Area 4B** all waters in the Gulf of Alaska and Bering Sea west of Area 4A and south of 56-20'N.
- Area 4C** all waters in the Bering Sea north of Area 4A and the closed area that east of 171-00'W, south of 58-00'N, and west of 168-00'W.
- Area 4D** all waters in the Bering Sea north of Areas 4A and 4B, north and west of Area 4C, and west of 168-00'W. [Sub-area 4D-N implemented for 1993-94.]
- Area 4E** all waters in the Bering Sea north and east of the closed area, east of Areas 4C and 4D, and south of 65-35'N



Regulatory areas for the Pacific halibut fishery.

### STOCK ASSESSMENT INFORMATION

Sullivan and Parma (1995) described the procedure that allows the IPHC to develop subarea quotas within Area 4 using the same methodology that has been used to determine area specific constant exploitation yields (CEYs) from the combined Area 2A-2B assessment. This method recently assessed historical fishing grounds as a measure of area and CPUE as a measure of fish density to partition total halibut abundance for the area into abundance estimates for each subarea to which the constant exploitation rate is applied. The CEY is determined by applying a 0.30 harvest rate to the estimated exploitable biomass. In 1995 the IPHC staff proposed that this rate be applied to the estimated biomass levels for the start of the new fishing year (1995) rather than to estimated biomass levels derived for the start of the previous year (1994) as has been done in the past. The yield resulting from the application of this rate represents 30% of the estimated exploitable biomass for 1995. Given the CEY, the recommended allowable catch is determined by accounting for removals from other sources (i.e., sport catch, wastage, bycatch, and personal use).

Table 1 shows the Bering Sea subareas, the estimated habitat from historical fishing grounds, an average CPUE from data gathered over the last five years, the percent of the stock exploitable biomass associated with each subarea, and the subarea CEY resulting from the application of the 0.30 constant harvest rate. These subarea CEYs would be used to determine harvests that are proportional to biomass. The current IPHC method is based on a 3-year phase-in, while the historical method maintained the quotas in the same proportion as recent years.

### HISTORY OF AREA 4 ALLOCATIONS

Since 1977, area designations, catch quotas, and trip limits were instituted for the halibut fishery (Appendix IV). A summarized history of Area 4 allocations by the IPHC and Council is listed in Table 2 and described below. Figure 1 depicts the regulatory areas for 1977-94.

**1982** The Northern Pacific Halibut Act of 1982 was enacted on May 17. Under Section 5(c), the Council was authorized to develop regulations for the halibut fishery, including limited entry regulations, which are in addition to and not in conflict with Commission regulations. Such regulations shall not discriminate between residents of different states and shall be consistent with limited entry criteria in the Magnuson Act. If necessary, allocations shall be fair and equitable to all fishermen, based upon the rights and obligations in

existing law, reasonably calculated to promote conservation, and carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of the halibut fishing privileges. The Council was provided the authority during a 3-year development period to establish a commercial halibut fishery in the Bering Sea north of 56° N for rural coastal villages of Alaska.

**1983** Area 4 was first subdivided in 1983 with a separate catch limit in 4C for the Pribilof and Nelson islands. Fishing periods were four days on and one day off, with a vessel clearance requirement in Dutch Harbor between openings for non-resident vessels fishing in 4C.

**1984** Area 4C was subdivided in 1984 to create Area 4E, resulting in area designations used through 1987. A catch limit of 50,000 lbs was established, along with a two day on/one day off season. Area 4C openings were reduced to 1-day on /1-day off to make that fishery less attractive to non-resident fishermen. Non-resident vessels were required to clear through Dutch Harbor between openings. Area 4E was created to insulate Nelson Island from large boats fishing around the Pribilof Islands.

**1987** Trip limits were adopted for 4C by the IPHC in 1987, with the stated reason that the U.S. Department of Commerce had a trust relationship with the Pribilofs, and therefore was duty bound to create an economy there to replace the fur seal harvest. The IPHC approved a 10,000 lb trip limit until 40% of the area catch was taken. NMFS implemented the trip limits to apply to only 25% of the catch limit and recommended that the Council make allocative decisions related to halibut.

In December the Council set for Area 4C: trip limits of 10,000 lbs for the first 50% of the area limit, and 20,000 lbs thereafter. For Area 4E: 6,000 lb trip limits and a prohibition on non-resident vessels from fishing in the area until local vessels had attained 80% of the area catch. IPHC apportioned 700,000 lb quota to Area 4C and 100,000 lb quota to Area 4E. IPHC also accepted the remaining Council recommendations. Two other proposals, to establish a fishery in Bristol Bay and a small regulatory area around Atka Island, were considered allocative and denied.

**1988** On May 13, the Secretary of Commerce disapproved the 80% direct allocation to local fishermen in 4E stating it was superfluous to achieving the Council's stated halibut allocative objective of maintaining and assuring the status quo distribution of halibut harvested by resident and non-resident fishermen in Area 4E. It was deemed redundant in combination with the vessel-clearance and trip limit provisions because 85% of the 4E harvest was achieved by local fishermen.

In December, the Council maintained status quo for Area 4C and recommended a series of early season short openings for Area 4B near Atka in June and July for 1989 and 1990, with an early season limit of 500,000 lbs.

**1989** The Council recommended removing the 500,000 lb cap and the 2-year stipulation for Area 4C after the Commission expressed concern with the Council's December 1988 recommendation, indicating that the catch limit might be reached as early as the July 10-12 opening and prevent subsequent 1-day openings in July.

In September, the Council forwarded to the Commission a proposal by the Bristol Bay Co-op to benefit local communities for a small halibut fishery in Bristol Bay between Cape Newenham and Stroganoff Point, extending 20 miles offshore. Two openings were proposed: June 1-15 for 25,000 lbs and August 1-15 for 25,000 lbs. In December, the Council recommended extending 4C trip limits of 10,000 lbs to the entire quota for 1990 to encourage halibut fishing among Pribilof Island longliners.

**Table 2. Catch limits (000s of pounds) by IPHC regulatory area for the years 1977 through 1992.**

Year	Catch Limit										Total
	Area 2			Area 3		Area 4					
				3A, 3B	3C						
1977	11,000			11,000	no limit	no limit					22,000
1978	9,000			11,000	no limit	no limit					20,000
	Can. Waters		U.S. Waters								
1979	6,000		3,600	11,000	no limit	no limit					20,600
1980	6,100		3,200	10,000		1,000					20,300
	2A	2B	2C	3A	3B						
1981	200	5,400	3,400	13,000	2,000	1,000					25,000
1982	200	5,400	3,400	14,000	3,000	1,500					27,500
						4A	4B	4C	4D	4E	
1983	200	5,400	3,400	14,000	5,000	1,200	800	400	200	closed	30,600
1984	300	9,000	5,700	18,000	7,000	1,200	1,000	400	400	50	43,050
1985	500	10,000	9,000	23,000	9,000	1,700	1,300	600	600	50	55,750
1986	550	11,200	11,200	28,100	10,300	2,000	1,700	600	700	50	66,400
1987	550	11,500	11,500	31,000	9,500	1,750	1,750	600	600	75	68,825
1988	480	12,500	11,500	36,000	8,000	1,900	2,000	700	700	100	73,880
1989	426	10,000	9,500	31,000	8,500	1,800	1,900	600	600	100	64,426
1990	315	7,800	8,000	31,000	7,200	1,500	1,500	500	500	100	58,415
1991	271	7,400	7,400	26,600	8,800	1,700	1,700	600	600	100	55,171
1992	396	8,000	10,000	26,600	8,800	2,300	2,300	800	800	130	60,126
1993	600	10,500	10,000	20,700	6,500	2,000	2,300	800	800	120	54,340
1994	550	10,000	11,000	26,000	4,000	1,800	2,100	700	700	100	56,950
1995	520	9,500	9,000	20,000	3,700	1,950	1,800	400	500	0	47,370

**1990** The Council recommended additional openings in Area 4B to provide extra fishing opportunities to local fishermen; one percent of the area quota (10,000 lb) was harvested in the additional opening. In February, Area 4E was extended past Cape Newenham into Bristol Bay and then subdivided into northern and southern areas with 70,000 and 30,000 lb quotas, respectively, to maintain equivalent exploitation rates in these areas and avoid localized depletions.

The Council recommended a limit of 10,000 lb per fishing period throughout the season for Area 4C. The area catch limit was taken in five 1-day openings compared to thirteen 1-day openings in 1989. Residents caught 35% of the quota, compared to 50% in 1989.

The Council requested that the Commission establish a separate regulatory area in Area 4E, independent of the original Area 4E area around Nelson and Nunivak Island, with its own quota and season. Bristol Bay was allocated 30,000 lb, and the Nelson Island area was allocated 70,000 lb.

**1991** In Area 4B, a series of 12-hour openings were recommended for June and July by the Council to encourage local participation. After six openings, half of the area limit had been landed, mostly by large, non-resident vessels. The remaining catch was reserved for the August 19 period as was agreed at the annual Commission meeting. A large fleet participated in this fishery which was shortened from three days to one.

The Council requested that the Commission establish Area 4C seasons concurrent with other fixed gear seasons to encourage wider distribution of fishing effort. The 10,000 lb trip limits in 1990 did not increase the local share of the catch as intended; sixteen local fishermen caught 28% of the total catch, compared to 35% in 1990. Area 4E was separated into Area 4E-SE with 30,000 lb and Area 4E-NW, with 70,000 lb. After August 1, 50% of any remaining poundage from 4E-NW would be transferred to 4E-SE. The 6,000 lb trip limits would still apply. In the twenty 2-day fishing periods prior to August 1, the catch in 4E-NW was 10,000 lb, so half of the remaining 60,000 lb was transferred. In 4E-SE, 25,000 lb was landed in three 2-day openings. Both areas were opened for 2-day fishing periods from August 1-15. Despite the transfer, Area 4E-SE landings totaled only 1,000 lb. August 4E-NW landings totaled 68,000 lb, such that the total Area 4E limit of 100,000 was met.

**1992** The Commission added Nazan Bay to Area 4B as a clearance location for fishermen to monitor participation in the halibut fishery in the western Aleutians and required non-resident vessels to clear through a port at the edge of the area to discourage non-residents from overwhelming the Pribilof fleet. Restrictive fishing period limits were imposed for Area 4D, opening the fishery for only 48 hours (August 6-8).

**1993** The Commission created a new subarea within Area 4D, called 4D-N at 62-30'N, to allow exploratory fishing around St. Lawrence Island. A special catch limit of 20,000 pounds was allocated to this area from the total 4D catch limit. Only one fisherman fished in this area, delivering less than 1,000 lb. Unharvested poundage from that allocation reverted back to the general Area 4D after August 12.

**1994** As requested from the Conference Board, no fishing limits were implemented in any of the Bering Sea areas during the first August openings. Area 4D closed after one opening, but Areas 4A and 4B opened concurrently with Areas 3A and 3B with similar fishing period limits in September. Area 4C closed slightly over the catch limit after 15 one-day openings. Area 4E had the largest overage by percentage (20%), although the actual amount was only 20,000 pounds.

## MANAGEMENT ALTERNATIVES

Management alternatives for setting Area 4 catch limits and allocations, from status quo to redistributing quotas based on current biomass are presented below. Ramifications on the halibut CDQ program must also be considered, however, since they are distributed according to existing subareas (Table 3). Areas 4A-4E can be maintained as CDQ areas and CDQ percentages can be recalculated from combined area catch limits.

Table 3. Quota reserved for the Community Development Quota Program by area.

Area 4A	0%
Area 4B	20%
Area 4C	50%
Area 4D	30%
Area 4E	100%

### ALTERNATIVE 1. Status quo. Area 4 halibut catch limits should be set by the IPHC.

The Commission has historically set catch limits for the halibut regulatory areas and would continue to do so in the future. The Council has made allocative decisions, such as trip limits and subarea designations. The current subarea catch limit percentages are based on the Council's preference for recent historical catches.

The Commission could continue to set area-wide catch limits, and the Council could continue to make allocations. If the Council chooses the status quo, the Council may want to express its intent to the Commission as to its current preferred strategy for setting subarea quotas (i.e., fixed percentages versus phase-in of the proportional harvest strategy). In 1995, the Council stated its preference for phasing in the Commission's new application of the proportional harvest strategy for Area 4 subareas. Commission staff also recommended phasing in the proportional harvest strategy for Area 4 subarea catch limits now that the halibut grounds have been assessed. The Commission deferred the phase-in (i.e., stayed with fixed subarea percentages) to allow the Council to consider alternative management strategies for Area 4.

### ALTERNATIVE 2. Revise Area 4 halibut regulatory area allocations.

Revise Area 4 halibut regulatory areas such that: (1) existing Areas 4A and 4B would be retained; but (2) Areas 4C, 4D, and 4E would be combined to create one Bering Sea regulatory area. The Council would then allocate area-wide catch limits among users employing:

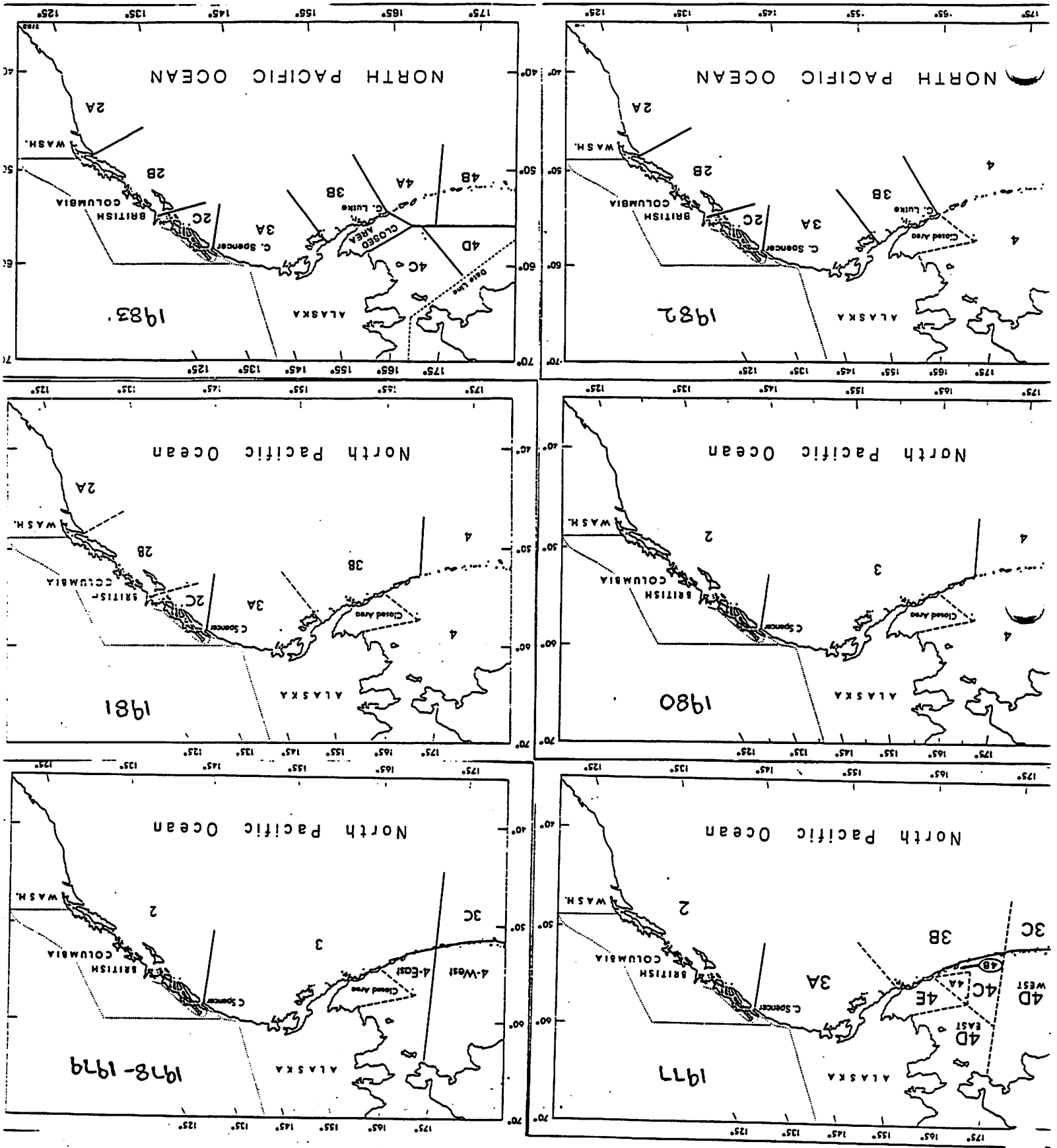
- Option 1. the proportional harvest strategy;
- Option 2. a phase-in of the proportional harvest strategy;
- Option 3. historical catch limits (set as a percentage of the "pie;" or
- Option 4. other allocative strategies.

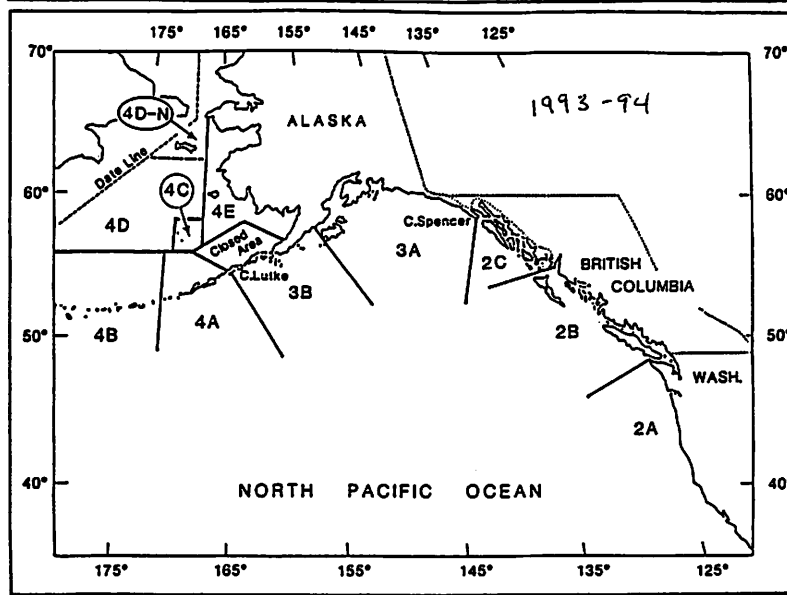
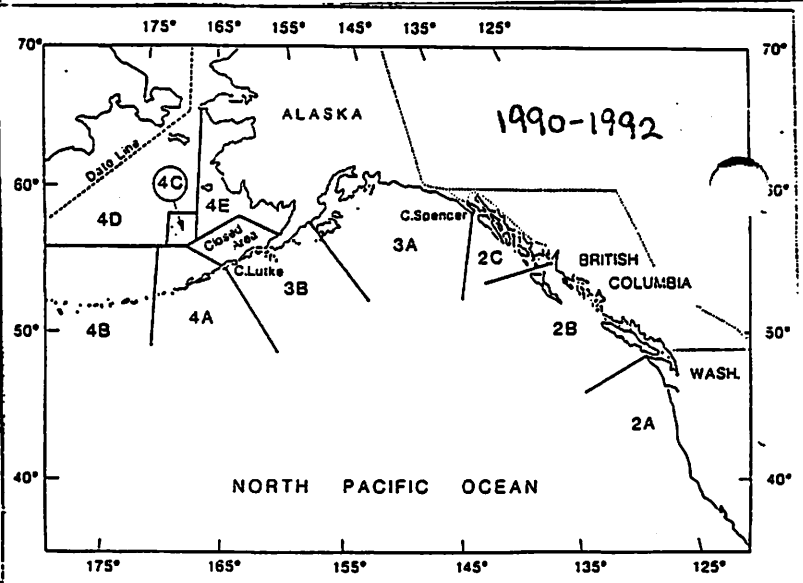
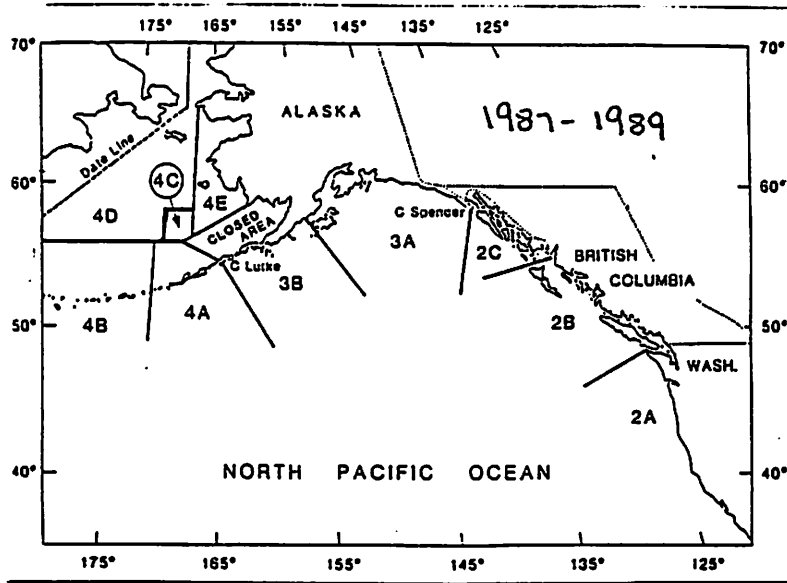
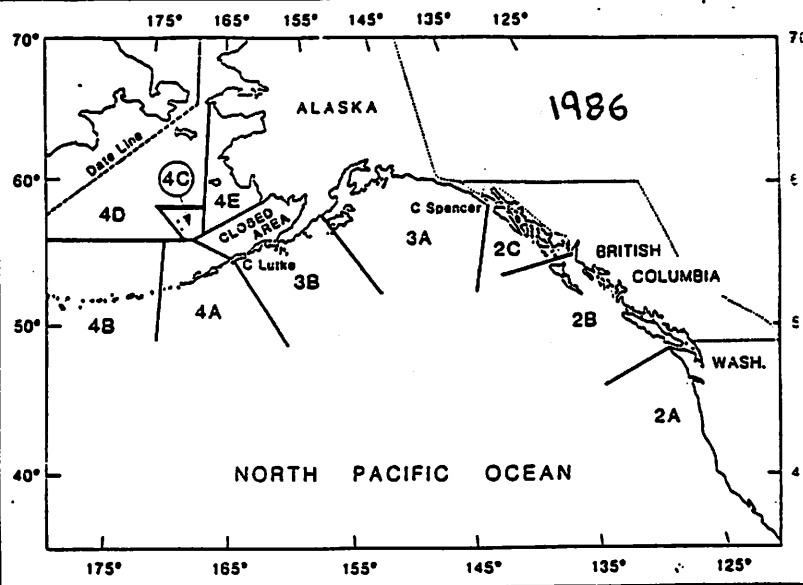
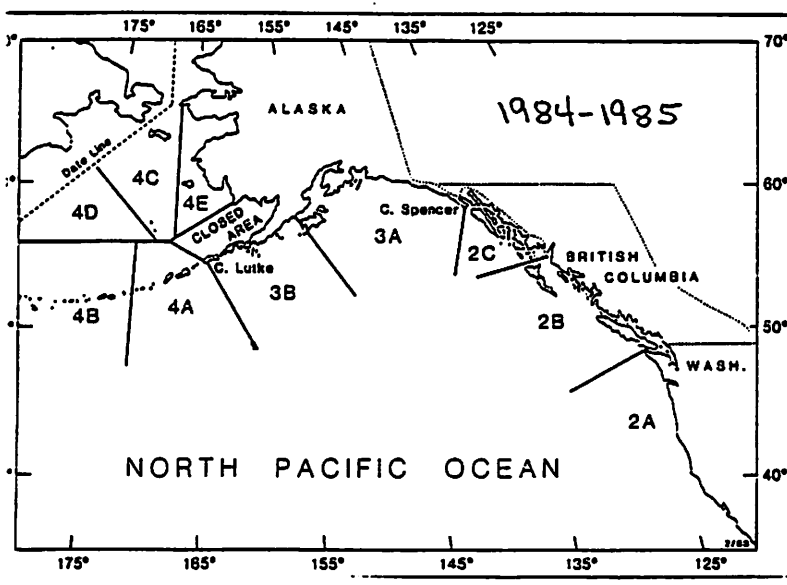
The Commission has stated that their support of proportional harvests may conflict with the Council's support of the economies of western Alaska communities. Areas 4A and 4B could continue to benefit from separate management. Stock structure is sufficiently distinct in these areas to warrant continued separation. Areas 4C, 4D (4D-N), and 4E (4E-SE and 4E-NW) were designed for allocative reasons. The Council may wish to reconsider these subarea designations due to changes in the prosecution of the fishery under the newly implemented IFQ program. These subareas may no longer be needed to reduce conflict among commercial users since IFQ fishermen may now spread their effort in space and time. However, overfishing and localized depletion could still occur under IFQs since high CPUEs may not necessarily be evident from high fishing pressure on small areas or steady pressure for long periods of time on larger areas. Area 4E would be effectively separated from 4C and 4D since that area is reserved 100% for the CDQ fishery.

## References

Sullivan, P. and A. M. Parma. 1995. Population Assessment, 1994. IPHC, P.O. Box 95009, Seattle, Wash. 98145-2009.

Figure 1 Pflc Regulatory Areas : 1977 - 1992







# North Pacific Fishery Management Council

Richard B. Lauber, Chairman  
Clarence G. Pautzke, Executive Director

605 West 4th Avenue  
Anchorage, Alaska 99501



Mailing Address: P.O. Box 103136  
Anchorage, Alaska 99510

Telephone: (907) 271-2809  
FAX: (907) 271-2817

January 19, 1995

Dr. Don McCaughran, Director  
International Pacific Halibut Commission  
P.O. Box 95009, University Station  
Seattle, WA 98145-2009

Dear Don:

The North Pacific Fishery Management Council met last week in Anchorage, and, among other items, considered several halibut issues of mutual concern to the Council and Commission. I know that Bob Trumble has reported to you on the meeting, but I wanted to recap some of the Council's discussions for the benefit of your annual meeting.

## Halibut Charterboats

The sharing of the halibut resource between recreational and commercial fishermen off Alaska has become a prominent issue on the Council's agenda. We have had a work group chaired by Shari Gross considering over the past year how to manage growth in the charter industry fishery, but the group has not come up with any consensus solution. At last week's meeting, the Council adopted a draft problem statement and identified proposed solutions as detailed in attachment 1. The mix of measures would allow for a moratorium on the guided sport fishery, an allocation to the recreational fisheries (either just to the charter sector or to charter and noncharter combined), and possible use of IFQs. If a share of the halibut TAC is allocated to the sport fishery, the Council may delegate management of that fishery to the State of Alaska, once a decision on the appropriate cap is made.

The Council will come back to the charter issue in April for a status report, possible work plan, and a legal opinion from NOAA GC on delegating halibut recreational management to the State of Alaska. The formal draft analysis of the options is scheduled for review next December when we will be meeting once again in Anchorage. I intend to keep you posted on developments at the Council level and hope that Bob Trumble and other IPHC staff will contribute actively to the analysis.

## Early Aleutian Sablefish Opening

The Council has been requested to consider for 1996 an early opening in January of the sablefish IFQ fishery in the Aleutians. We will be completing a regulatory amendment to that effect for review in June. We will be seeking your advice on any biological concerns for the halibut resource if the sablefish early opening were adopted and halibut is taken in that fishery.

Dr. Don McCaughran  
January 19, 1995  
Page 2

#### TAC Methodology in Area 4

It was brought to the attention of the Council that IPHC is reassessing the apportionment of halibut TAC among the subareas in Area 4. Such a reapportionment could change significantly the poundage equivalents of the IFQs and CDQs in the respective areas just when we are trying to get this new limited access program off the ground. I know that you have excellent rationale for those changes, but if there is not a significant risk to the resource, it may be better to phase the changes in over several years, given the sensitivity of the issue.


#### Other Regulatory Changes

On December 20, 1994 I wrote you recommending several regulatory changes concerning clearance requirements, the 72-hour gear prohibition, and hook strippers. That letter is provided again here as attachment 2 and results from decisions made by the Council in December.

We wanted to bring the above items to your attention for possible discussion at your annual meeting. If you have questions, Jane DiCosimo of my staff will be there in Victoria.

Best wishes for a productive, successful meeting.

Sincerely,

  
Clarence Pautzke  
Executive Director

Attachments

## COMMISSIONERS

RICHARD J. BEAMISH  
NANAIMO, B.C.  
RALPH G. HOARD  
SEATTLE, WA  
KRIS NOROSZ  
PETERSBURG, AK  
STEVEN PENNOYER  
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ALLAN T. SHEPPARD  
PRINCE RUPERT, B.C.  
BRIAN VAN DORP  
RICHMOND, B.C.

## INTERNATIONAL PACIFIC HALIBUT COMMISSION

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

February 17, 1995

DIRECTOR  
DONALD A. MCCAUGHNAN

P.O. BOX 95009  
SEATTLE WA 98145-2009

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(206) 634-1838

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(206) 632-2983

RECEIVED  
FEB 17 1995

Dr. Clarence Pautzke, Executive Director  
North Pacific Fishery Management Council  
P.O. Box 103136  
Anchorage, Alaska 99510

Dear Clarence:

The International Pacific Halibut Commission, at its 1995 Annual Meeting in Victoria, B.C., agreed to maintain the harvest of Pacific halibut in subareas of Area 4 in the same proportion as in recent years. The Commission noted however, that there is no conservation basis for the catch limits in Areas 4C, 4D, and 4E. The present catch limits are more allocative than biologically based, although they do not put the stock at risk.

It is the Commission's policy to establish regulatory areas to distribute harvest in proportion to the biomass in each area. As long as Areas 4C, 4D, and 4E are separate, our management philosophy would indicate a transition from status quo to proportional harvest. For this meeting the staff developed a harvest distribution for Area 4 based on habitat (fishing area) and CPUE to provide a more scientifically sound procedure, as requested by our Commissioners. The procedure is the same as used in other areas. The proposed redistribution of harvest in Area 4 was substantially different from status quo in some subareas and would have interfered with the Council's IFQ/CDQ allocations.

We believe that continued separation of Areas 4C, 4D, and 4E may cause conflict between the Commission's harvest philosophy and the Council's allocation decisions. The Commission believes that one option would be to combine Areas 4C, 4D, and 4E in 1996, and rely on the Council to allocate directly among the groups that harvest halibut in these areas. The Commission staff has recommended moving toward the equal exploitation rate strategy in Areas 4A and 4B. There is considerable stock separation between those areas. Appropriate management will require coordination between the Council and the Commission. We recommend that the staffs of the Council and the Commission work jointly to prepare a plan to manage this area. Our staff will be pleased to assist in preparation of an EA/RIR that the Council will need in its deliberations.

Please let me know how you think we should proceed.

Sincerely yours,



Donald A. McCaughnan,  
Director

cc: Commissioners

## APPENDIX III

### PACIFIC FISHERY MANAGEMENT COUNCIL AREA 2A HALIBUT CATCH SHARING PLAN

#### Allocation

Treaty Indian fisheries: 35%  
Non-Indian commercial fisheries: 20.6%  
Sport fisheries: 44.4%

#### Commercial fishery

Split into two sectors: Directed (85%) and Incidental (15%)  
Directed fishery: south of 2A-1  
Incidental troll fishery: managed on a ration of halibut to salmon

#### Sport fisheries

Possession limit: two daily bag limits north of Cape Falcon

#### IPHC licenses

Separate sport and commercial fisheries  
Commercial licenses must be obtained prior to May 1  
Commercial licenses must specify either directed or incidental fishery

**APPENDIX IV**

**HALIBUT FISHING ALLOCATIONS BY REGULATORY AREA FROM 1977-1994**

Table 1. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1977 commercial Pacific halibut fishery.

Area	Fishing period	No. of days	Catch limit	Catch
2	5/10-5/29	19	11,000	3,024
	6/16-7/04	18		2,411
	7/20-8/07	18		1,823
	8/23-9/10	18		1,562
3A, 3B	5/10-5/29	19	11,000	4,759
	6/16-7/04	18		4,775
	7/20-7/30	10		1,623
	9/15-10/03	18	no limit	821
3B	4/01-11/15	227	no limit	389
4A	4/01-4/21	19	no limit	20
	8/09-8/29	19		0
	8/09-8/29	19		20
4B	4/01-4/21	19	no limit	109
	8/09-8/29	19		161
	8/09-8/29	19		270
4C	4/01-4/21	19	no limit	35
	8/09-8/29	19		94
	8/09-8/29	19		129
4D-East	4/01-4/21	19	no limit	0
	8/09-8/29	19		5
	8/09-8/29	19		5
4D-West	4/01-11/15	227	no limit	257
Total			22,000	21,868

**Table 2. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1978 commercial Pacific halibut fishery.**

Area	Fishing period	No. of days	Catch limit	Catch
2	5/15-5/31	16	9,000	2,078
	6/19-7/06	17		2,399
	7/25-8/10	16		2,452
	8/26-9/08	13		2,091
				9,020
3	5/15-5/31	16	11,000	4,467
	6/19-7/06	17		4,604
	7/25-8/04	10		2,565
				11,636
3C	4/08-11/15	220	no limit	674
4-East	4/08-4/28	19	no limit	131
	8/16-9/03	17		210
				341
4-West	4/08-11/15	220	no limit	317
<b>Total</b>			<b>20,000</b>	<b>21,988</b>

**Table 3. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1979 commercial Pacific halibut fishery.**

Area	Fishing period	No. of days	Catch limit	Catch
2-U.S. waters	5/25-6/10	16	3,600 <sup>1</sup>	2,791
	6/26-7/03	7		<u>1,785</u>
				4,576
2-Canadian waters	5/25-6/10	16	6,000 <sup>1</sup>	2,068
	6/26-7/12	16		2,255
	7/28-8/05	8		<u>534</u>
				4,857
3	5/25-6/10	16	11,000	5,976
	6/26-7/12	16		<u>5,749</u>
				11,725
3C	4/10-11/15	218	no limit	417
4-East	4/10-4/30	19	no limit	44
	7/24-8/11	17		<u>318</u>
				362
4-West	4/10-11/15	218	no limit	590
<b>Total</b>			<b>20,600</b>	<b><u>22,527</u></b>

<sup>1</sup> The Area 2 catch limit of 9.0 million pounds (3.6 - U.S.; 5.4 - Can.) was raised mid-season to 9.6 million pounds to allow additional fishing in Canadian waters.



**Table 4. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1980 commercial Pacific halibut fishery.**

Area	Fishing period	No. of days	Catch limit	Catch
2-U.S. waters	5/20-5/30	10	3,200	3,260
2-Canadian waters	5/20-6/03	14	6,100	1,514
	7/15-7/29	14		1,893
	8/12-8/26	14		1,380
	9/09-9/23	14		795
	10/27-11/05	9		68
				5,650
3	5/19-6/04	16	10,000	9,391
	7/15-7/19	4		2,852
				12,243
4	4/10-4/30	19	1,000	158
	7/29-8/23	25		555
				713
<b>Total</b>			<b>20,300</b>	<b>21,866</b>

**Table 5. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1981 commercial Pacific halibut fishery.**

Area	Fishing period	No. of days	Catch limit	Catch
2A	6/07-6/21	14	200	50
	7/07-7/21	14		85
	8/06-8/20	14		41
	9/05-9/19	14		<u>26</u>
				202
2B	5/07-5/22	15	5,400	2,030
	6/07-6/22	15		1,775
	7/07-7/22	15		1,307
	8/06-8/19	13		<u>542</u>
				5,654
2C	6/07-6/14	7	3,400	4,010
3A	6/07-6/20	13	13,000 <sup>1</sup>	14,225
3B	6/07-6/20	13	2,000 <sup>1</sup>	96
	8/25-8/28	3		<u>360</u>
				456
4	6/07-6/22	15	1,000	25
	7/10-8/06	27		<u>1,160</u>
				1,185
<b>Total</b>			<b>25,000</b>	<b>25,732</b>

<sup>1</sup> The Area 3 catch limit of 13.0 million pounds (11.0 - 3A; 2.0 - 3B) was raised mid-season to 15.0 million pounds to allow an August fishery in Area 3B.

Table 6. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1982 commercial Pacific halibut fishery.

Area	Fishing period	No. of days	Catch limit	Catch
2A	5/12-5/24	12	200	45
	6/09-6/21	12		76
	7/07-7/19	12		46
	8/09-8/22	13		44
2B	5/12-5/24	12	5,400	1,475
	6/09-6/21	12		1,689
	7/07-7/19	12		922
	8/09-8/22	13		804
	9/04-9/16	12		648
2C	5/12-5/17	5	3,400	3,500
3A	5/11-5/19	8	14,000	10,134
	6/09-6/12	3		3,396
3B	5/11-5/19	8	3,000	413
	6/09-6/12	3		175
	8/20-8/27	7		4,212
4	5/11-5/19	8	1,500	13
	6/09-6/28	19		1,416
Total			27,500	29,008

**Table 7. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1983 commercial Pacific halibut fishery.**

Area	Fishing period	No. of days	Catch limit	Catch
2A	6/15-6/28	13	200	111
	7/14-7/27	13		<u>154</u>
				265
2B	5/03-5/15	12	5,400	2,750
	6/14-6/26	12		<u>2,686</u>
				5,436
2C	6/17-6/22	5	3,400	6,398
3A	6/16-6/23	7	14,000	14,112
3B	6/16-6/23	7	5,000	1,377
	8/27-8/30	3		<u>6,374</u>
				7,751
4A	6/16-6/23	7	1,200	19
	7/15-7/23	8		<u>2,490</u>
				2,509
4B	6/16-6/23	7	800	1
	7/15-7/29	14		201
	9/13-9/21	8		<u>1,133</u>
				1,335
4C	6/16-7/20	28 <sup>1</sup>	400	412
	8/25-8/29	4		<u>18</u>
				430
4D	6/16-6/23	7	200	0
	7/15-7/29	14		<u>148</u>
				148
<b>Total</b>			<b>30,600</b>	<b>38,384</b>

<sup>1</sup> Alternating 4 days open and one day closed.

Table 8. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1984 commercial Pacific halibut fishery.

Area	Fishing period	No. of days	Catch limit	Catch
2A	5/21-6/02 6/21-7/03 7/22-8/02	12 12 11	300	61 158 212 431
2B	4/24-5/06 5/23-6/02	12 10	9,000	5,331 3,723 9,054
2C	5/22-5/25	3	5,700	5,847
3A	5/21-5/25 8/20-8/21	4 1	18,000	15,822 4,149 19,971
3B	5/21-5/25 8/20-8/21 9/18-9/19	4 1 1	7,000	2,893 301 3,309 6,503
4A	5/21-5/25 6/18-6/21	4 3	1,200	104 949 1,053
4B	5/21-5/25 6/18-6/21 8/02-8/09	4 3 7	1,100	<1 12 1,092 1,104
4C	5/21-7/25	33 <sup>1</sup>	400	580
4D	5/21-5/25 6/18-6/28	4 10	400	0 392 392
4E	5/21-7/31 8/02-8/10 8/11-10/30	48 <sup>2</sup> 8 54 <sup>2</sup>	50	33 0 2 35
<b>Total</b>			<b>43,050</b>	<b>44,970</b>

<sup>1</sup> Alternating one day open and one day closed.  
<sup>2</sup> Alternating two days open and one day closed.

Table 9. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1985 commercial Pacific halibut fishery.

Area	Fishing period	No. of days	Catch limit	Catch
2A	5/09-5/21 6/08-6/20 7/24-7/31	12 12 7	500	145 229 119 493
2B	4/20-4/29 6/07-6/16 8/14-8/18	9 9 4	10,000	3,756 5,598 1,035 10,389
2C	4/27-4/29 5/27-5/29	2 2	9,000	4,037 5,170 9,207
3A	4/27-4/29 5/27-5/29 9/10-9/11	2 2 1	23,000	7,587 10,505 2,760 20,852
3B	4/27-4/29 5/27-5/29 6/24-6/25 9/09-9/11	2 2 1 2	9,000	500 937 3,199 6,252 10,888
4A	4/27-4/29 5/27-5/29 6/24-6/26 7/09-7/12	2 2 2 3	1,700	0 48 211 1,452 1,711
4B	4/27-4/29 5/27-5/29 6/24-6/26 7/09-7/13 8/07-8/13	2 2 2 4 6	1,300	2 3 9 64 1,158 1,236
4C	6/01-7/18	24 <sup>1</sup>	600	620
4D	4/27-4/29 5/27-5/29 6/24-6/26 7/09-7/19 8/07-8/14	2 2 2 10 7	600	0 0 0 295 386 681
4E	5/21-10/29	108 <sup>2</sup>	50	36
Total			55,750	56,113

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Table 10. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1986 commercial Pacific halibut fishery.

Area	Fishing period	No. of days	Catch limit	Catch
2A	4/30-10/31	184	50'	17 336 228 564
2B	5/03-5/11 6/08-6/15	8 7	11,200	6,368 4,857 11,225
2C	4/30-5/02 5/29-5/31	2 1.5	11,200	6,346 4,265 10,611
3A	4/30-5/02 5/29-5/31	2 2	28,100	15,273 17,517 32,790
3B	4/30-5/02 5/29-5/31 8/25-8/26	2 2 1	10,300	910 1,802 6,119 8,831
4A	4/30-5/02 5/29-5/31 6/30-7/03	2 2 3	2,000	27 44 3,310 3,381
4B	5/29-6/01 6/30-7/03	3 3	1,700	0 261 261
4C	6/01-7/06	18 <sup>2</sup>	600	686
4D	6/30-7/03 7/29-8/03	3 5	700	136 1,087 1,223
4E	6/01-8/11	48 <sup>3</sup>	50	43
<b>Total</b>			<b>66,400</b>	<b>69,632</b>

1 50,000 pounds of the 550,000 pound Area 2A catch limit was suballocated to four Northwest Indian treaty tribes  
 2 by the  
 3 U.S. government  
 Alternating one day open and one day closed.  
 Alternating two days open and one day closed.

100,000 pounds (plus 50,000 pounds reserve) of the 550,000 pound Area 2A catch limit was suballocated to 11 Northwest Indian tribes by the U.S. government.  
 2 Alternating one day open and one day closed.  
 3 Alternating two days open and one day closed.  
 4 Single fishing period limit for all vessels.  
 5 Single fishing period limit for all vessels for first 25% of landings.

Area	Fishing period	No. of days	Catch limit	Catch
2A	4/01-10/31	214	100 <sup>1</sup>	44
2B	5/02-5/10	8	11,500	5,945 3,763 2,538 12,246
2C	5/04-5/05	1	11,500	3,366 7,319 10,685
3A	5/04-5/05	1	31,000	12,526 14,683 4,107 <sup>2</sup> 31,316
3B	5/04-5/05	1	9,500	1,658 3,186 2,666 <sup>2</sup> 7,758
4A	5/04-5/05	1	1,750	57 70 3,586 3,713
4B	5/04-5/05	1	1,750	1 2 1,498 1,501
4C	6/21-7/02	6 <sup>2</sup>	600	878 <sup>5</sup>
4D	8/13-8/20	7	600	703
4E	6/01-7/15	30 <sup>2</sup>	75	90
<b>Total</b>			<b>68,825</b>	<b>69,482</b>

Table 11. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1987 commercial Pacific halibut fishery.



1 Treaty Indian fishery projected catch.  
 2 Alternating two days open and one day closed.  
 3 Single fishing period limit for all vessels.  
 4 Alternating one day open and one day closed.  
 5 Fishing period limits graduated by vessel class.

Area	Fishing period	No. of days	Catch limit	Catch
2A	3/01-10/31	245	150 <sup>1</sup>	94
2B	5/06-5/14	8	12,500	6,930
	8/19-8/25	6		5,928
	7/25-7/30	5	330	392
2C	5/23-5/24	1	11,500	4,582
	6/20-6/21	1		5,191
	9/07-9/08	1		964 <sup>4</sup>
	10/03-10/04	1		632 <sup>4</sup>
				11,369
3A	5/23-5/24	1	36,000	13,660
	6/20-6/21	1		9,306
	9/07-9/08	1		9,633
	10/03-10/04	1		5,263 <sup>4</sup>
				37,862
3B	5/23-5/24	1	8,000	1,710
	6/20-6/21	1		2,041
	9/07-9/08	1		2,302
	10/03-10/04	1		1,029 <sup>4</sup>
				7,082
4A	5/23-5/24	1	1,900	11
	6/20-6/21	1		59
	8/05-8/06	1		986
	9/07-9/08	1		124
	9/16-9/17	1		724
	10/03-10/04	1		26 <sup>4</sup>
				1,930
4B	5/23-5/24	1	2,000	<1
	6/20-6/21	1		10
	8/04-8/07	3		460
	9/07-9/08	1		4
	9/16-9/25	9		1,119
	10/03-10/04	1		0 <sup>4</sup>
				1,593
4C	6/20-7/23	17 <sup>2</sup>	700	707 <sup>2</sup>
4D	8/02-8/09	7	700	402
	9/16-9/21	5		51
				453
4E	6/01-10/31	102 <sup>2</sup>	100	9 <sup>2</sup>
Total			73,880	74,349

Table 12. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1988 commercial Pacific halibut fishery.

Table 13. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1989 commercial Pacific halibut fishery.

Area	Fishing period	No. of days	Catch limit	Catch
2A	3/01-10/13	226	142 <sup>1</sup>	142
2B	4/25-5/03	8	10,000	7,187
	9/09-9/12	3		3,244
				10,431
2C	5/15-5/16	1	9,500	3,457
	6/12-6/13	1		4,570
	9/07-9/08	1		1,505 <sup>2</sup>
				9,532
3A	5/15-5/16	1	31,000	6,491
	6/12-6/13	1		10,127
	9/07-9/08	1		9,392
	10/10-10/11	1		1,724
				33,734
3B	5/15-5/16	1	8,500	1,009
	6/12-6/13	1		2,749
	9/07-9/08	1		2,387
	10/10-10/11	1.25		1,698
				7,843
4A	5/15-5/16	1	1,800	13
	6/12-6/13	1		83
	8/11-8/12	1		852
	9/07-9/08	1		1,025
4B	5/15-5/17	2	1,900	1
	5/27-5/28	1		2
	6/03-6/04	1		5
	6/12-6/14	2		8
	6/17-6/18	1		2
	6/24-6/25	1		4
	7/22-7/23	1		313
	7/29-7/30	1		369
	8/09-8/13	4		1,947
				2,651
4C	6/12-7/07	13 <sup>2</sup>	600	571 <sup>5</sup>
4D	8/08-8/14	6	600	674
4E	5/26-8/11	52 <sup>3</sup>	100	5 <sup>5</sup>
	8/12-10/31	80		8 <sup>5</sup>
				13
<b>Total</b>			<b>64,416</b>	<b>66,946</b>

<sup>1</sup> Treaty Indian fishery  
<sup>2</sup> Alternating one day open and one day closed.  
<sup>3</sup> Alternating two days open and one day closed.  
<sup>4</sup> Fishing period limits graduated by vessel class.  
<sup>5</sup> Single fishing period limit for all vessels.



Area	Fishing period	No. of days	Catch limit	Catch
2A	3/01-3/12 4/11-4/14	11 3	102.5 <sup>1</sup>	79 43 122
2B	5/01-11/30 7/22	213 10 hrs	7,400 168.5	7,191 233 <sup>4</sup>
2C	5/07-5/08 9/03-9/04	1 1	7,400	4,806 3,881 <sup>1</sup> 8,687 <sup>6</sup>
3A	5/07-5/08 9/03-9/04	1 1	26,600	10,793 12,133 22,926
3B	5/07-5/08 9/03-9/04	1 1	8,800	3,992 7,942 11,934
4A	5/07-5/08 8/20	1 .5	1,700	96 2,159 2,255
4B	6/08 6/17 6/17 6/22 6/29 7/06 7/13 8/20-8/21	.5 .5 .5 .5 .5 .5 .5 1	1,700	120 76 34 140 259 260 624 1,513
4C	6/17-6/30 7/13-7/14	7 <sup>2</sup> 1	600	515 <sup>5</sup> 163 <sup>5</sup> 678
4D	8/19-8/21	2	600	1,437
4E(NW)	6/01-8/15	50 <sup>5</sup>	70	78 <sup>5</sup>
4E(SE)	6/01-6/09 8/01-8/15	6 <sup>3</sup> 10 <sup>5</sup>	30	25 <sup>5</sup> 1 <sup>5</sup> 26
<b>Total</b>			<b>55,171</b>	<b>57,080</b>

1 Treaty Indian fishery.  
 2 Alternating one day open and one day closed.  
 3 Alternating two days open and one day closed.  
 4 Fishing period limits by vessel class.  
 5 Single fishing period limit for all vessels.  
 6 Includes 61,000 pounds taken by Metlakatla Indians during additional fishing within reservation waters.

Table 15. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1991 commercial Pacific halibut fishery.

Area	Fishing period	No. of days	Catch limit	Catch
2A	3/01-5/31	91	152.5 <sup>1</sup>	155
	7/29	10 hrs	243.75	173 <sup>2</sup>
	8/12	10 hrs		109 <sup>3</sup>
				282
2B	3/08-10/31	237	8,000	7,626
2C	6/08-6/09	1	10,000	5,719
	9/07-9/09	2		2,039 <sup>4</sup>
	10/05-10/07	2		2,061 <sup>5</sup>
				9,819 <sup>6</sup>
3A	6/08-6/09	1	26,600	14,580
	9/07-9/08	1		10,422 <sup>7</sup>
	10/05-10/07	2		1,780 <sup>8</sup>
				26,782
3B	6/08-6/09	1	8,800	7,220
	9/07-9/08	1		1,089 <sup>9</sup>
	10/5-10/7	2		311 <sup>10</sup>
				8,620
4A	6/08-6/09	1	2,300	260
	8/06	.5		652 <sup>11</sup>
	8/21	.5		488 <sup>12</sup>
	9/22-9/23	1		1,299 <sup>13</sup>
				2,699
4B	6/08-6/09	1	2,300	3
	6/10-7/12	8.5 <sup>14</sup>		216
	8/06-8/08	2		516 <sup>15</sup>
	8/21-8/24	3		1,239 <sup>16</sup>
	9/22-9/24	2		343 <sup>17</sup>
				2,317
4C	6/07-7/07	16 <sup>18</sup>	800	584 <sup>19</sup>
	7/18-7/19	1		209
				793
4D	8/06-8/08	2	800	727 <sup>20</sup>
4E(NW)	5/31-9/18	74 <sup>21</sup>	84	57 <sup>22</sup>
	9/19-10/31	42		0 <sup>23</sup>
				15
4E(SE)	5/31-9/18	74 <sup>24</sup>	36	15 <sup>25</sup>
	9/19-10/31	42		0 <sup>26</sup>
				15
<b>Total</b>			<b>60,126.25</b>	<b>59,892</b>

Table 16. Fishing periods, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1992 commercial Pacific halibut fishery.

1 Treaty Indian fishery.  
 2 Alternating one day open and one day closed.  
 3 Alternating two days open and one day closed.  
 4 Fishing period limits by vessel class.  
 5 Single fishing period limit for all vessels.  
 6 Includes 23,000 pounds taken by Metlakala Indians during additional fishing within reservation waters.  
 7 Alternating 12 hours open and 36 hours closed.

**Table 17. Fishing period, number of fishing days, catch limit, and catch (000s of pounds) by regulatory area for the 1993 commercial Pacific halibut fishery.**

Area	Fishing Dates	No. of Days	Catch Limit (000's lbs)	Catch (000's lbs)
2A	3/01-7/19	81.5	136 <sup>1</sup>	138
	7/27	10 hrs	225	366 <sup>4</sup>
2B	3/01-10/31	244	10,500	10,628
2C	6/10-6/11	1	10,000	5,233
	9/08-9/10	2		6,057 <sup>4</sup>
				11,290 <sup>6</sup>
3A	6/10-6/11	1	20,700	13,626
	9/08-9/09	1		9,112 <sup>4</sup>
				22,738
3B	6/10-6/11	1	6,500	5,259
	9/08-9/09	1		2,596 <sup>4</sup>
				7,855
4A	6/10-6/11	1	2,020	371
	8/11-8/12	1		2,190
				2,561
4B	6/06-7/16	10.5 <sup>7</sup>	2,300	206
	8/11-8/15	4		1,190
	8/26-8/28	2		566 <sup>4</sup>
				1,962
4C	6/06-6/27	11 <sup>2</sup>	800	671 <sup>5</sup>
	7/02-7/03	1		160 <sup>3</sup>
				831
4D	8/11-8/13	2	780	836
4D-N	6/06-8/10	33 <sup>2</sup>	20	< 1
4E(NW)	6/06-9/18	70 <sup>3</sup>	84	35 <sup>5</sup>
	9/19-10/31	42		2 <sup>5</sup>
				37
4E(SE)	6/06-9/18	70 <sup>4</sup>	36	22 <sup>5</sup>
	9/19-10/31	42		5 <sup>5</sup>
				27
<b>Total</b>			<b>54,101</b>	<b>59,269</b>

<sup>1</sup> Treaty Indian fishery.

<sup>2</sup> Alternating one day open and one day closed.

<sup>3</sup> Alternating two days open and one day closed.

<sup>4</sup> Fishing period limits by vessel class.

<sup>5</sup> Single fishing period limit for all vessels.

<sup>6</sup> Includes 21,000 pounds taken by Metlakatla Indians during additional fishing within reservation waters.

<sup>7</sup> Alternating 12 hours open and 36 hours closed.

Table 18. Fishing period, number of fishing days, catch limit, and preliminary catch (000s of pounds) by regulatory area for the 1994 commercial Pacific halibut fishery.

Area	Fishing Period	No. of Days	Catch Limit	Catch
2A	3/05 - 3/26	8.75	176.5	188
	7/06	10 hrs	178.75	130 <sup>2</sup>
	7/19	10 hrs		30 <sup>2</sup>
	8/03	10 hrs		30 <sup>2</sup>
				190
2B	3/01 - 11/15	259	10,000 <sup>1</sup>	9,897
2C	6/07 - 6/08	1	11,000	4,750
	9/12 - 9/14	2		5,500
				10,250
3A	6/07 - 6/08	1	26,000	18,300
	9/12 - 9/14	2		6,750 <sup>2</sup>
				25,050
3B	6/07 - 6/08	1	4,000	2,150 <sup>2</sup>
	9/12 - 9/14	2		1,800 <sup>2</sup>
				3,950
4A	6/07 - 6/08	1	1,800	131 <sup>2</sup>
	8/15	.5		1,530
	9/12 - 9/14	2		105 <sup>2</sup>
				1,766
4B	6/07 - 6/08	1	2,100	6 <sup>3</sup>
	6/15 - 7/09	6.5		326 <sup>3</sup>
	8/15 - 8/19	4		1,685
	9/12 - 9/14	2		0 <sup>2</sup>
				2,017
4C	6/03 - 6/30	14	700	681 <sup>3</sup>
	8/02 - 8/03	1		34 <sup>3</sup>
				715
4D	8/15 - 8/16	1.25	665	693
4DN	7/01 - 8/13	22	35	18 <sup>3</sup>
4E(NW)	5/02 - 7/24	56	70	62 <sup>3</sup>
4E(SE)	5/02 - 6/15	30	30	58 <sup>3</sup>
TOTAL			56,755.25	54,854

<sup>1</sup> An additional 42,000 pounds available as carryover from 1993.

<sup>2</sup> Fishing period limits by vessel class.

<sup>3</sup> Single fishing period limit for all vessels.

**COMMENTS RECEIVED**  
**ON**  
**SABLEFISH/HALIBUT IFQs**





# ALASKA PACIFIC SEAFOODS

DIVISION OF NORTH PACIFIC PROCESSORS, INC.

□ HOME OFFICE: 2300 EASTLAKE AVE. EAST • SEATTLE, WASHINGTON 98102 • (206) 726-9900

P.O. BOX 31179 • SEATTLE, WASHINGTON 98103-1179

□ PROCESSING PLANT: 627. SHELKOF AVE. • KODIAK, ALASKA 99615 • (907) 486-3234

## COMMENTS FROM JOHN SEVIER, ALASKA PACIFIC SEAFOODS TO THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

### PROBLEMS WITH THE IFQ PROGRAM:

1. THE ATM MACHINES DO NOT WORK DEPENDABLY IN THE FIELD. The failure of these machines to work dependably means our staff is having to take time and effort to fax the information required for each IFQ landing.
2. NMFS requires IFQ halibut landings to be reported by statistical area. However, the boundary between halibut management areas 3A and 3B are not aligned along NMFS stat areas. This means NMFS cannot tell if a fish taken in stat area transected by the 3A-3B boundary came from Area 3A or area 3B. We feel the reporting form should be modified to allow reporting halibut deliveries by area 3A or 3B instead of by stat area.

Thank you for allowing me the opportunity to raise these issues.

**FISHING VESSEL OWNERS' ASSOCIATION  
INCORPORATED**ROOM 232, WEST WALL BUILDING • 4005 20TH AVE. W.  
SEATTLE, WASHINGTON 98109-1290

SINCE 1914

March 16, 1995

Kris  
Ms. Kris Norosz  
Petersburg Vessel Owners Assn.  
P. O. Box 232  
Petersburg, AK. 99833

Dear Kris:

I am writing to you concerning two issues that I believe you will have on your agenda for the Implementation Committee the first part of April. The issues and our concerns are as follows:

- (1) There seems to be a question on how much fish can be harvested on a single vessel. The current regulation on this states:

Vessel limitations. (1) No vessel may be used, during any fishing year, to harvest more than one-half percent (0.005) of the combined total catch limits of halibut for IFQ regulatory areas 2C, 3A, 3B, 4A, 4B, 4D, and 4E except that, in IFQ regulatory area 2C, no vessel may be used to harvest more than 1 percent (0.01) of the halibut catch limit for this area; and

(2) No vessel may be used, during any fishing year, to harvest more than 1 percent (0.01) of the combined fixed gear TAC of sablefish for the Gulf of Alaska and Bering Sea and Aleutian Islands IFQ regulatory areas, except that, in the IFQ regulatory area east of 140° west longitude, no vessel may be used to harvest more than 1 percent (0.01) of the fixed gear TAC of sablefish for this area.

This is exactly as I remember voting on this issue several years back. There was no intent that the cap on how much you can harvest on a vessel would be (TAC - CDQ) x (halibut %) or (blackcod %). The debate clearly was .5% for Halibut of the TAC for Halibut and 1% for sablefish. The interpretation of NMFS to deduct CDQ essentially lowers the cap on how much can be harvested on a vessel from the intent currently in the regulations.

- (2) The second issue I call the "babushka doll complex", wherein each time you open up a doll, there is another small doll inside.

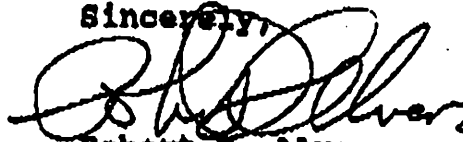
2

The situation is this, the Secretary and NMFS amended the regulation to allow an individual who received QS to transfer the QS into a corporation for liability purposes. At least this was our interpretation. Our interpretation of this action was that the individual would not gain any additional "grandfather rights" in the form of a corporation by doing so, particularly in S.E. Alaska.

The twist is that we have been informed that if you transfer for liability purposes from an individual into a corporation, RAM or NMFS will consider this such that you will lose your "grandfather rights" as an individual to hire a skipper to fish your QS. Essentially, you become a second generation owner and must fish the QS yourself. We do not recall this being the intent for this one-time transfer for liability protection purposes. We believe the individual should retain his grandfather rights to hire a skipper and that this transfer was not to be considered a move to second generation status.

Your committee's thoughts on these issues would be most appreciated.

Sincerely,



Robert D. Alverson  
Manager

RDA:cb

cc: Jack Knutsen  
Linda Kozak

March 29, 1995

To: Ms. Kris Norosz, Chairperson  
IFQ Implementation Committee  
c/o North Pacific Fishery Management Council  
Post Office Box 103136  
Anchorage, Alaska 99510

SENT VIA FAX

Re: Halibut and Sablefish Quota Share Program

Dear Ms. Norosz and Committee Members:

I am writing to the Implementation Committee to address three issues, which during the years of rough structuring of the IFQ program were not front line issues. Nevertheless, they are of great importance and hearing that you were devoting time during this meeting to two of these issues, I have written the following.

1. Area 4 Halibut Use and Vessel Limits.

A. Background. This first portion specifically addresses Area 4 use and vessel caps and indirectly the overall use and vessel caps. The Area 4 use cap needs to be raised. The exceedingly low Area 4 use cap is inconsistent with two fundamental elements of the IFQ Program: (1) altering as little as possible or maintaining the composition of the pre-IFQ fleet; (2) creating and maintaining a manageable, economically stable fishery. The existing cap generates a quota share limit averaging roughly 20% of what "top" producing vessels in the C&B categories have produced during the last decade, i.e., the qualifying years. Area 4 fisheries for their entire existence and specifically during the last decade have supported yearly harvest at and slightly above the 100,000 pound mark for a significant number of vessels with some regularity. In regulatory areas 2C, 3A and 3B harvesters have the opportunity to approach, meet, or even exceed their historical catches using a percentage of TAC as the reference point. Area 4 should not be treated inconsistently in this regard.

In addition, the vessels included in the C&B categories will find it impractical to fish in Area 4 if current vessel/use limits are not raised from the level they are now at. The

Ms. Kris Norosz  
March 29, 1995  
Page 2

commitment to fish much of the "grounds" encompassed by Area 4 could take 12 or 13 days roundtrip running time from the Kodiak, Homer, Seward area, not including fishing days. From the Dutch Harbor area, roundtrip time, not including fishing days, of 5 to 6 days are the norm for many desirable fishing locations in Areas 4B & D. It is impractical to expect that C&B class vessels would incur these types of expenses to harvest roughly 20,000 lbs. of fish.

This problem that exists in Area 4 specifically works against core concerns of IFQ program designers. Great effort was taken to not significantly alter the complexion of the fleet, i.e., adoption of vessel categories, the block program (to assure that vessels of all sizes continue to harvest the percentage of TAC they have been previously taking) and CDQ compensation (to minimize the effect of CDQ implementations). It is my opinion that reducing the level of ownership to a non-profitable level for the C&B vessel classes goes straight against the grain of the IFQ program's intent. I fully support all the efforts that were made to protect coastal communities and smaller vessel operators, but in Area 4 which was primarily a C&B class vessel fishery using percentage of TAC as a reference point. I see no reason to arbitrarily limit these vessels to 2% or less of their historical proven production. I will repeat within the whole IFQ sablefish/halibut program, Area 4 is the only Area that vessels will have no opportunity to achieve a historical percentage of TAC harvest consistent with what would have been produced by a top producing vessel in that Area. I'm asking for consistency and accuracy within the IFQ program but the vessel and use caps as they now exist in the Bering Sea do not represent that. The use cap level for Area 4 should be approximately 650,000 quota share units, which is commensurate with well documented historical production levels for various vessels in the area.

B. Recommendations. I request that you recommend a "use cap" level of 2% of the Area 4 Quota Share Pool (roughly 650,000 units) and a separate, appropriately set Area 4 vessel limit. The "use cap" change would bring the Area 4 cap in line with the historical catch of top producing vessels for that Area. The halibut vessel limit for Area 4 should be set to match the use limit, i.e., it should be set at 2% of the combined total catch limits of halibut for IFQ regulatory areas 4A, 4B, 4C, 4D and 4E. Together, these should allow for harvest levels consistent with historical catches for top producing C&B class vessels. Please note that continuing to base the adjusted vessel limit on the combined catch from Area 4 and 2C, 3A and 3B would prevent the recommendation I am making from having its intended effect, as top producing Area 4 boats have typically also had

Ms. Kris Norosz  
March 29, 1995  
Page 3

significant catch in Areas 2C, 3A and 3B. To allow the Area 4 fleet to maintain its historical character, both its use and vessel limits must be separate.

In addition, the CDQ-related QS should not be subtracted out of the pool used to set quota share or use caps. It is my impression, supported by a copy of a letter written by a NPFMC member that voted on this very issue, that the intent was to set these limits as a percentage of the gross TAC or Quota Share Pool, not the TAC QS pool net of CDQs. A copy of that letter is attached for your reference. Any other interpretation is clearly inconsistent with Council intent and plain language of the regulations.

2. Vessel Limits. There is a related vessel cap issue I would like to see addressed. A number of fishers who conducted operations during the base and qualifying years as partners operating a single vessel have for various reasons received allocations as individuals, rather than in the name of the partnership. The vessel limits now have the effect of preventing those individuals from conducting operations with a single vessel if they "re-associate." I think this effect is unintended, and runs counter to the same underlying themes I pointed out above (i.e., preserving the pre-IFQ character of the fleet and its existing business structures). I ask that you recommend that the vessel limits be changed to exempt vessels operated by initial allocants who fished together on a vessel during the base years.

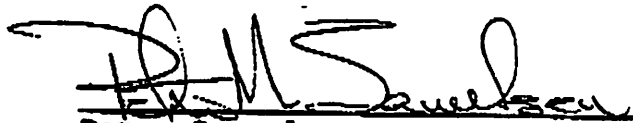
3. Solely Owned Corporations and Hired Skippers. Also, some thoughts for you regarding NMFS potentially treating the quota transfers to a solely held corporation as "second generation" for purposes of the hired skipper exemption.

This opportunity was specifically requested by fishermen for fishermen and NMFS is now considering implementing it in a way that makes it disadvantageous to use it. An individual who wishes to transfer shares initially allocated to him or her to a solely owned corporation for liability limitation reasons should not lose the ability to hire a skipper in the process. The regulations appear to allow this exemption to be carried forward by initial allocants who do so. Please clarify with NMFS that the exemption should transfer for initial allocants.

In closing, I fully support your efforts on the fundamental aspects of implementation. I respectfully ask that the Implementation Committee support the modifications and

Ms. Kris Norosz  
March 29, 1995  
Page 4

clarifications I have suggested. The IFQ program was designed by fishermen for fishermen with expert assistance from government. Your actions reaffirm the belief that fishermen can still be a significant voice in how the program that they brought to the table moves forward to full implementation.

  
Peter Samuelson  
Peter Samuelson

**CLIPPER SEAFOODS, LTD.**

641 West Ewing Street  
Seattle, Washington 98119  
Telephone: (206) 284-1162  
Fax: (206) 283-5089

March 31, 1995

Ms. Kris Norosz  
Chairman of IFQ Implementation Work Group  
c/o North Pacific Fisheries Management Council  
604 W. 4th Avenue  
Anchorage, Alaska 99501


Dear Kris:

I am not totally up to speed on all the regulations regarding the actual harvest of sable fish quotas. However, the one that I have concerns about involves landings.

It is my understanding that freezer vessels will be required to offload their catch before moving from one area to fish another. It is unreasonable to make vessels offload when they carry an observer and a log book, and check in and out of each area. My company will only receive about 4,000 lbs of quota for the Southeast, which we would like to be able to harvest. If we are forced to go into the Southeast and try to ship 4,000 lbs of frozen product, that area will not be viable for us.

With all the restrictions that we already have, this restriction seems to have gone too far.

Best regards,

  
FOR:  
David A. Little

cc. Mr. Phil Smith, RAM





**East Point**  
**seafood company**

420 MARINE WAY • P.O. BOX 1637  
KODIAK, ALASKA 99615  
TELEPHONE: (907) 486-5799  
FACSIMILE: (907) 486-4079

March 30, 1995

Jane DiCOSIMO  
N.P.F.M.C. Office

**RE: I.F.Q. HALIBUT & SABLEFISH REGULATIONS**

Dear Ms DiCosimo:

Following are some problems I have with the regulations as they are currently written, specifically the following:

**676.14 RECORD KEEPING & REPORTING**

- (b)(3) "Product Type & fish product weight" should be clarified.
- (c) This section is unnecessary, cumbersome, burdensome and a pain. There is no logical reason that N.M.F.S. needs anything more than a total on pounds landed and pounds shipped for any I.F.Q. product. Audits would reveal any "hanky-panky" that may take place.
- (c)(1) This section needs work — we are getting different answers to our questions.
- (c)(2) There is no way that we as buyers can assure that copies of our Bills of Lading will follow our shipments anyplace beyond the first buyer. It seems that Alaska is being spotlighted for considerably more unnecessary paperwork than the rest of the nation. Frankly it is unworkable and unnecessary.

Thank you for your consideration,

**CHUCK JENSEN**  
Man. Govt. Rel. & Quality Assurance

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PAGE 02

**LATE COMMENT**

Dave Franklin  
3401 Lawton St.  
Seattle, WA 98199

April 2, 1995

North Pacific Fishery Management Council  
P.O. Box 103136  
Anchorage, AK 99510

Dear Council,

Dealing with the IFQ program has been one of the most frustrating endeavors of my fishing, business, or college experiences. In my opinion, it is similar to the IRS code with almost as many rules and regulations. For over two months the RAM telephone number was not answered. Today one's chances of getting through are only fifty-fifty. How can they expect someone to run a business with no access to the people who know what the rules and regulations are? I couldn't get through to find out how certain parts of the form should be filled out. I wrote letters asking specific questions on how certain parts of the forms should be filled out and never got a reply. Now, more than a month after I sent in transfer forms, I still haven't heard. I can't get through and now I'm pretty sure some part of the form I filed must have been filled out wrong.

Several years ago, I purchased a vessel and their associated quota shares. As it has now turned out, these associated quota shares have been a detriment. These shares are small and due to the block ammendment, I'm already blocked out of the areas I want to fish. Now I'm in IFQ hell. I can't get through to transfer these shares out of my name so I can buy the larger shares that I need to make trips economically feasible.

This brings me to another nightmare; trying to find unblocked shares so I am not blocked out. As you know, this unblocked designation has put a premium on these shares. There are none available, especially in C class, and those that are, are sold within a day or two. All the while, I can find all the small blocks I want. However, with the two block ammendment, only fishers who don't target on halibut or sablefish can have the luxury of purchasing a small block.

The way this IFQ block system is working out, there is not

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PAGE 03

nearly enough C class unblocked. I can find all the B class I want, but no C class. I can find all the C class, but only small blocks. Something needs to be done to make the system work. Two blocks are just not enough to be a workable alternative. In order to build a trip, I need more than two blocks. Almost all of the available quota for sale is too small to work with. You've got a system that is great for guys who received initial allocations of large blocks and small operators who only need a few pounds, but fishers who want to build usable trips and target on halibut and sablefish in each area can't.

Next, I found some freezer quota to purchase. I don't want to freeze, just sell fresh like the rest of my catch. Everyone I talked to said you don't have to freeze A class quota. I was in the process of paying the premium freezer price just to get some quota to use. However, just a day before I put money in escrow, I found out you can't use A class quota (even if you don't freeze or process) on the same trip you land C class quota. Extra constraints make small A class quota unusable.

There are so many constraints in the program, it is actually unworkable. I don't want a lot of quota, I'd just like enough for me and several crew members to make reasonable-sized trips in a few of the areas. I enjoy fishing in the different areas; delivering in different coastal towns, seeing the sights, and visiting. I don't think it is too much to ask to have a system in place so I can fish and travel in Alaska in a way longliners have been doing for many years.

Here are some options you should consider to improve the IFQ program: increase the blocks to four or more; let the unblocked shares travel over vessel length; let quota that hasn't been fished for a year become unblocked; for a 1% fee payable to NMFS, make blocked shares become unblocked. Anything to make the system more flexible would be an improvement. Some relief is needed. I know I'm very frustrated with all the constraints. Many other fishers I talk to are also.

Sincerely,



Dave Franklin  
F/V Halda Warrior

cc Kris Norosz  
Implementation Council

4/2/95

TO:

KRIS NOROSZ  
N.P.F.M.C  
PETERSBURG AK  
907 772-3339

LATE COMMENT  
TO: JANE DiCosimo  
FROM: KRIS NOROSZ  
DATE: 4/10/95  
FAX # 271-287

FROM:

DAVE FRANKLIN  
3401 W. LAWTON ST  
SEA. WASH 98199

(206) 545-0262

2 PAGES FOLLOWING:

DEAR KRIS,

I HOPE YOU GET THIS BEFORE YOUR MEETING. I'M STILL LOOKING TO BUY C CLASS QUOTA BLACKCOD OVER 4,000 LBS IN SE, WY & CG. CALL IF YOU HAVE ANY OR NEED ANY MORE LETTERS OR CALLS TO HELP MAKE THE SYSTEM MORE FLEXIBLE.

THANKS

Dave Franklin

DAVID HILSTRAND  
BOX 1500  
HOMER AK 99603  
(907) 235-8706



C-4

SBL/HAL IFQ'S

1. I WOULD LIKE YOU TO ~~RE~~EXERCISE YOUR OPERATION TO RE-IND AND REVOKE IFQ'S AT ANY TIME WITHOUT JUST COMPENSATION.
2. 1995 WILL BE MANAGED UNDER A TRIP LIMIT FOR ALL VESSELS THAT WERE FISHING.
3. BLACK COD WOULD OPEN IN JUNE THE SAME TIME AS HALIBUT, SUCH AS THE LAST OPENING IN 1994.
  - A. HALIBUT ARE MOVING INTO SHALLOWER REDUCING BYCATCH IN THE BLACK COD HARVEST.
  - B. VESSELS THAT HARVEST SABLEFISH WOULD HAVE A HALIBUT TRIP LIMIT FOR REDUCING BYCATCH.
4. THIS MANAGEMENT WOULD HURT THOSE WHO HAVE BEEN AWARDED LARGE SHARES AS WELL AS THOSE WHO PURCHASED THEM.
  - A. BUT THEY HAVE BEEN WARNED ABOUT THIS CLAUSE WHICH IS PUBLIC KNOWLEDGE.
  - B. IT WOULD BE RIGHT AND BRING BACK FAIRNESS TO ALL THAT WERE HARMED. THIS IS WHAT HAS BEEN FORGOTTEN.

David Hilstrand

Senator Frank Murkowski  
Senator Ted Stevens  
Congressman Don Young  
709 9th ..  
Juneau, Alaska  
99801

249050

16050  
10112

1995 MAR 14 PM 4: 59

Honorable Congressmen,

We, the undersigned Alaskan Halibut fisherman, ask that you address the following inequity in the I F Q Restricted Access Management Plan.

As Alaskan Halibut fishermen, we fished halibut in the qualifying years on our own class D (under 36') vessels. As such we now hold class D (under 36') Quota Share Certificates.

The inequity arises in that we no longer own or fish class D (under 36') vessels. We now own and fish class C (over 36') vessels. As such our Quota Shares cannot be used on the vessels that we now own and fish.

Mr. Philip J. Smith, Chief of the RAM division, told us that we cannot transfer our Quota Shares to the vessels we now fish.

This rigid attitude results in a severe hardship for those of us who qualified in a Class D (under 36') vessel and now own and fish class C (over 36') vessels. The change in vessel class occurred both during and following the qualifying years.

We ask that we be allowed to fish our Quota Shares on the vessels we now own and fish. This is a one time request on the initial issuance of the Quota Shares. This request is made because it is almost impossible to find a Quota Share block of equal value that can be traded. The only other option is outright sale of our Quota Share block and hope to be able purchase a Quota Share block of equal value for our vessel class. If we fail to find a Quota Share block of equal value we are faced with Income Tax ramifications.


While the transfer we request would allow the use of Class D (under 36') vessel shares on a Class C (over 36') vessel shares, this would apply to original recipients only and any outright sale of those shares would remain in Class D (under 36').

Page 2

IFQ INEQUITY

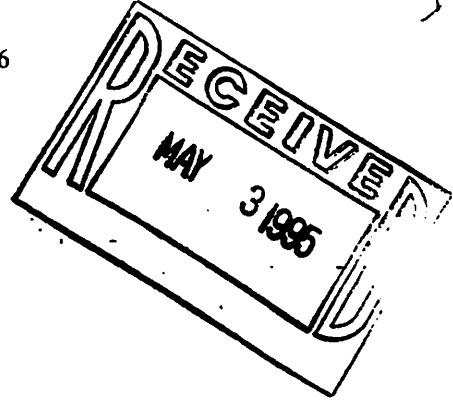
Please help us correct the failure of the Restricted  
Access Management Division to allow us to use our Quota  
Shares to continue our livelihood.

Sincerely,

  
EVANS SPARKS  
Box 783  
Haines, AK. 99827

**BRISTOL BAY NATIVE ASSOCIATION**

P.O. BOX 310  
DILLINGHAM, ALASKA 99576  
PHONE (907) 842-5257



April 24, 1995

North Pacific Halibut Commission  
Clarence Paultzke  
605 West 4th Avenue  
Anchorage, AK 99501

Dear Clarnece,

Enclosed please find BBNA resolution # 25 passed on April 5-6, 1995 at a meeting of the Board of Directors of the Bristol Bay Native Association. BBNA, the regional non-profit service arm of the Bristol Bay Region, represents 5400 members living in the region's 30 villages.

This resolution represents a formal statement of considered opinion, intent, and resolve of the Association and its members. We have taken this action out of concern for our social, economic, and cultural well being. We communicate these statements to inform you as to our position and to earnestly solicit your assistance in our efforts.

We are interested in hearing your views on this issue.

Sincerely,

Bristol Bay Native Association

*Terry Hoeffler*  
Terry Hoeffler  
Chief Executive Officer

Enclosure:



BRISTOL BAY NATIVE ASSOCIATION, INC.  
P.O. BOX 310  
DILLINGHAM, ALASKA 99576

Resolution 95-35  
by  
THE FULL BOARD OF DIRECTORS

A RESOLUTION OPPOSING IFQS FOR HALIBUT

WHEREAS, the Halibut Commission and the North Pacific Fisheries Management Council have instituted an Individual Fisheries Quota (IFQ) system for halibut; and

WHEREAS, the communities of Chignik, Chignik Lagoon, Chignik Lake, Perryville and Ivanof Bay are adversely affected by this program since they depend on halibut as a viable fishery but received minimal IFQs; and

WHEREAS, local fishermen do not have the capital to buy quotas;

NOW, THEREFORE, BE IT RESOLVED by the Full Board of Directors of the Bristol Bay Native Association that it opposes IFQs for halibut.

Donald J. Nelson  
President

CERTIFICATION:

I, the undersigned Secretary of the Bristol Bay Native Association, Inc., hereby certify that the foregoing resolution was adopted by the Full Board of Directors at a duly called and noticed meeting on the 6th day of April, 1995, and that a quorum was present.

Maveni Nelson  
Secretary

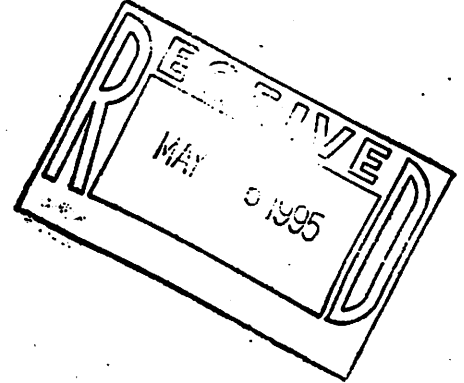
ADELAIDE • AMSTERDAM • ANCHORAGE • AUCKLAND • BOSTON • BRUSSELS • BUENOS AIRES • CHICAGO • COPENHAGEN • DUBLIN  
FORT LAUDERDALE • GOTHENBERG • HAMBURG • LEWES — U.K. • LONDON • LUXEMBOURG • MADRID • MONTREAL • OSLO • PALMA DE MALLORCA  
PARIS • ROME • SAN FRANCISCO • SAN JOSE — COSTA RICA • SEATTLE • STOCKHOLM • SYDNEY • TORONTO • VANCOUVER • VIENNA  
WASHINGTON • WORLD PARK BASE — ANTARCTICA • ZURICH

# GREENPEACE

Greenpeace • 4649 Sunnyside Ave N • Seattle WA 98103 • Tel (206) 632-4326  
• Fax (206) 632-6122 •

May 2, 1995

The Honorable Don Young  
Chairman  
House Committee on Resources  
1324 Longworth House Office Building  
Washington, D.C. 20515



Dear Representative Young:

We are writing to urge you to strengthen the Magnuson Fishery Conservation and Management Act (MFCMA) so that the nation's fisheries and the coastal communities dependent on them are sustained. To this end, we hope you will take a strong stance against the development and implementation of Individual Transferable Quotas (ITQs).

Many are touting ITQs as a revolutionary, new fisheries management paradigm: a regime which will inherently solve the most pressing problems evidenced in U.S. fisheries--bycatch, overfishing, and overcapitalization. Further, it is argued that ITQs are a solution which is broadly supported by the fishing industry. We are writing to let you know that this is in fact not the case. ITQs are not a panacea. To the contrary, ITQs are a theoretical system which may carry heavy ecological, social and economic costs.

More specifically, we are concerned that:

1. ITQs are largely driven by economics and the desire to maximize profits for a failing sector of the industry--the factory trawler fleet. The goal of ITQs is not conservation. ITQs will do little to ensure either the sustainability of fish stocks, or the fishermen and coastal communities dependent on them.
2. ITQs do not address the environmental impacts of wasteful fishing practices, specifically the problems of bycatch and discards. In fact ITQs will provide a greater incentive to discard fish which are not the right size, sex or quality desirable for maximum profitability. In this manner, the bycatch problem will

only be exacerbated. Furthermore, ITQs will reward those who fished least conservatively and wasted the most fish with the largest quota share.

3. ITQs will concentrate fishery resources into the hands of large corporations which can afford to buy up quota shares. This process will force individual fishermen out of business, and threaten community-linked fishing operations.

4. ITQs will be granted only to vessel owners, which in many cases are neither the captain nor a crew member.

5. Estimated costs of monitoring and enforcing an ITQ program are two to three times greater than costs under present fishery management systems.

6. Finally, ITQs will fundamentally change the nature of fishery resources. ITQs will take what is presently a resource belonging to all U.S. citizens and transform it into private property that belongs to only a few select individuals or corporations. Once the nation's fisheries are privatized, fishing will no longer be a privilege--the fish will become private property and fishing a property right.


Given the potential problems associated with ITQs systems, we ask you to consider the fact that myriad management tools exist to address fisheries management problems--tools which do not carry the ecological, social and economic risks enumerated above.

Thank you for your interest and attention to this important issue. We look forward to working with you on the Magnuson Fishery Conservation and Management Act reauthorization in the upcoming weeks.

Respectfully,



Bill Coffey  
General Manager  
Deep Pacific Fishing Company



Cristina Mormorunni  
Fisheries Campaigner  
Greenpeace

C.C. Senate Committee on Commerce, Science and Transportation  
House Committee on Resources  
Washington State Congressional Delegation  
Oregon State Congressional Delegation  
California State Congressional Delegation  
Alaska State Congressional Delegation  
North Pacific Fishery Management Council

# GREENPEACE

Greenpeace • 4649 Sunnyside Ave N • Seattle WA 98103 • Tel (206) 632-4326  
• Fax (206) 632-6122 •

May 2, 1995

The Honorable Larry Pressler  
Chairman  
Senate Committee on Commerce, Science and Transportation  
254 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator Pressler:

We are writing to urge you to strengthen the Magnuson Fishery Conservation and Management Act (MFCMA) so that the nation's fisheries and the coastal communities dependent on them are sustained. To this end, we hope you will take a strong stance against the development and implementation of Individual Transferable Quotas (ITQs).

Many are touting ITQs as a revolutionary, new fisheries management paradigm: a regime which will inherently solve the most pressing problems evidenced in U.S. fisheries--bycatch, overfishing, and overcapitalization. Further, it is argued that ITQs are a solution which is broadly supported by the fishing industry. We are writing to let you know that this is in fact not the case. ITQs are not a panacea. To the contrary, ITQs are a theoretical system which may carry heavy ecological, social and economic costs.

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2. ITQs do not address the environmental impacts of wasteful fishing practices, specifically the problems of bycatch and discards. In fact ITQs will provide a greater incentive to discard fish which are not the right size, sex or quality desirable for maximum profitability. In this manner, the bycatch problem will only be exacerbated. Furthermore, ITQs will reward those who

fished least conservatively and wasted the most fish with the largest quota share.

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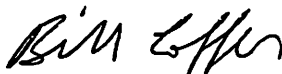
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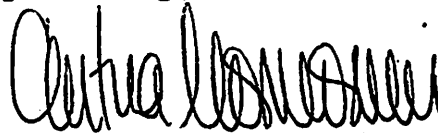
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Thank you for your interest and attention to this important issue. We look forward to working with you on the Magnuson Fishery Conservation and Management Act reauthorization in the upcoming weeks.

Respectfully,

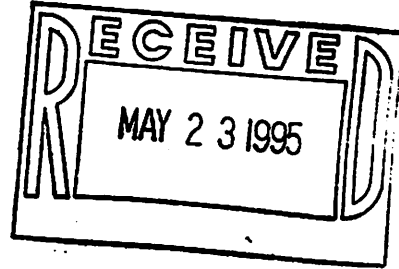


Bill Coffey  
General Manager  
Deep Pacific Fishing Co.



Cristina Mormorunni  
Fisheries Campaigner  
Greenpeace

C.C. Senate Committee on Commerce, Science and Transportation  
House Committee on Resources  
Washington State Congressional Delegation  
Oregon State Congressional Delegation  
California State Congressional Delegation  
Alaska State Congressional Delegation  
North Pacific Fishery Management Council  
Pacific Fishery Management Council



5-22-95

Joanna Ludvick Marlen  
Box 262  
Sand Point, Alaska 99661

North Pacific Fishery Management Council:

I still have a severe case of heartburn over the IFQ giveaway program. Halibut and halibut futures were given away to mostly outside interests. This was a death sentence for small fishing villages like Sand Point. I know of men that have fished for halibut for 50 or more years out of Sand Point, but now they are locked out of this fishery. Now it appears that there will be another big fishery giveaway on groundfish and crab. The Alaska Crab Coalition (a misnomer since they are based in Seattle) would like you to believe that since the Northwest Mariner rolled over that the only way the fishermen can fish safely is to issue ITQ's. It looks like they just want to secure all the crab and crab futures for Washington boats. AFTA wants us to issue ITQ's because their boats are overcapitalized and they want the federal government to keep them afloat. If ITQ's and/or license limitations are passed then they are passed at the expense of the state of Alaska and Alaskans. I am opposed to these fishery proposals that block Alaskans from fishing for fish in their own waters.

I hope that you will give my letter some consideration since I do not have hefty travel allowances to travel to all of your meetings. Please do not push this through so quickly that we do not understand all of the ramifications.

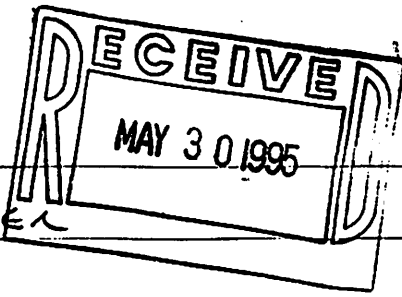
If you still feel that you must do something to limit effort then let's look at the salmon permit system to see if we have learned any lessons there. If you must issue fishing licenses, then they should be issued as a privilege to fish not an asset. A license should not be allowed to be sold or transferred. It should go back to the agency where it can be reissued to other qualified applicants. After all, aren't we in the fish business and not the fish license business?

Thank you for your consideration.

  
Joanna Ludvick Marlen

CC: The Dutch Harbor Fisherman  
Anchorage Daily Times  
Governor Knowles

22 MAY 95



RICHARD B. LAUBER

CHAIRMAN

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL  
ANCHORAGE

DEAR MR LAUBER:

I REALLY ENJOYED CATCHING  
MY I.F.Q. HALIBUT & SABLE FISH  
THIS YEAR. MY CREW WAS ALSO  
GREATLY PLEASED.

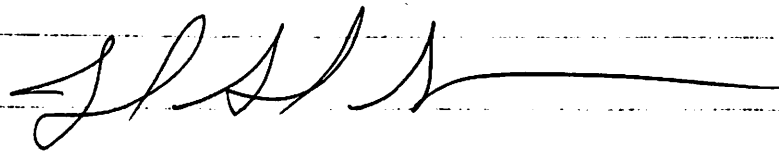
I AM WRITTING TO HAVE  
THE POUNDAGE / VESSEL SIZE  
RESTRICTIONS RELAXED A BIT.

1. IF MY CREW BUYS ON  
HAS > 60 (B CLASS) I.F.Q. THEY  
SHOULD BE ABLE TO AT A LATER  
DATE USE IT ON A 32' GILLNET  
BOAT. THUS THEY CAN BUY  
POUNDAGE WITH ME, FISH IT, MAKE  
MONEY AND THEN USE IT ON  
A BOAT THEY PURCHASE AT A  
FUTURE DATE. SAME IF A  
SEINER (58') WANTS TO EXPAND  
OR LIGHTEN THEIR VESSEL

THEN THEY SHOULD BE ABLE TO  
USE A "B" LICENSE ON A SMALLER  
MORE INEFFICIENT VESSEL.

I HOPE WE CAN KEEP  
THE I.F.O. PROGRAM. IT  
WAS GREAT FIGHTING IT. I  
HAVE NOT CUT MY CREW SIZE  
HOWEVER, I HAVE CUT THE  
PROBLEM CREW (DRUNKS, DRUGGIES,  
AND NON-TAXPAYERS)

THANKS AGAIN



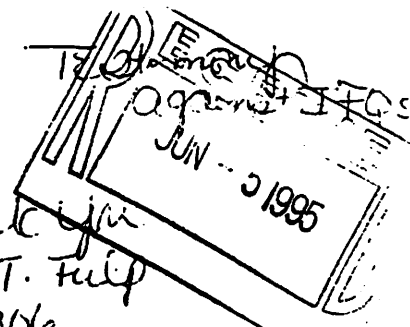
JOHN A. SVENSSON  
F/V LIVELY JANE  
1635 WHISPERING PINES DR  
SEASIDE, OR 97138



Please include me on the  
list of individuals to testify at  
your meeting on June 14th - Thank you

(And include the following  
material in the council packet)

JUDY T. Fulp  
Box 2306  
Kodiak, AK 907-486-8200



**Testimony for the June meeting in Dutch Harbor of the NPFMC  
By Judy T. Fulp**

My Name is Judy Fulp. I am a life long Alaskan resident, moving to Seward, Alaska when I was 3 years old and then to Kodiak when I was almost 13 in 1963 (the year before the Tidal Wave).

My Mother's father, Gus Gelles, took the first photograph from the air of Kodiak in September of 1925 (the year my mother Kathryn Gelles was born in Anchorage). He made the first flight to Kodiak with Russell Merrill which is documented in Flying Cold by Merrill's son Robert Merrill MacLean. My father's father, Sol Urie, was given the title "Mr. Seward" and was a staunch democrat & one of those who fought for statehood.

My parents owned Solly's in Seward and then in 1963 Solly's in Kodiak (a bar and restaurant). But I also became acquainted with fishing as my father was part owner of two small fishing boats in Seward and in his later years in Kodiak fished as a crew member with his friend Chuck Wells. My twin brother Tony Urie, who now resides in Seattle, salmon fishes in Bristol Bay every year and owns a Bering Sea boat. My oldest son, Solly, fished out of Kodiak for five summers, both salmon and halibut, paying for a good portion of his college with his earnings. I, also, invested my inheritance from my parents by buying a salmon seine permit when it was top dollar and so I understand what limited entry is.

I am married to Ian Fulp, who also came to Kodiak in 1963. He came with the Navy, as his father is the late J.D. Fulp, former Navy Captain. We've been married for 25 and a half years, and Ian has worked 22 of those years for the City of Kodiak as Parks and Recreation Director. We have 6 children, many now entering young adulthood (3 boys and 3 girls ranging from 24 and one half to 12 years).

I've been very active in the Kodiak community over the years. I once served 4 years on our Kodiak Island Borough School Board and in 1987 I worked as the Crab Festival Director for the Chamber of Commerce. The painting I chose for the poster that year was owned by the late Dr. Greg Furin. It's a watercolor painting of the old halibut schooner "The Polaris" by Gretchen Hancock. I didn't realize in 1987 why there were complaints

over a halibut boat out of Seattle being chosen to be on our festival poster. Now the issue is so painfully glaring with IFQs and the Polaris being one of the top IFQ qualifiers.

Currently I serve on the Kodiak College advisory board and on St. Mary's Parish Council. I do not stand here representing these groups but rather come as an ordinary Kodiak citizen deeply concerned about the advent of IFQs and what they will do to Kodiak and all of Alaska.

Only 2 months ago I got involved in the first membership meeting of the Kodiak group to stop IFQs. I attended with my husband out of general interest to hear the complaints raised against Governor Knowles regarding this issue (since I had been one of his supporters in both of his campaigns and had just organized Kodiak's Inaugural Ball on Feb 17.) I also went to the meeting because earlier that day I had heard a strong complaint from the Filipino community regarding IFQs and the governor.

I felt then and still believe that Governor Knowles is not the one to blame for IFQs. The system came about over many years and I am very happy that he is planning a study to record the effects of the IFQ program on Kodiak and other coastal communities in Alaska.

I am simply here to ask you to revisit the issue of IFQS in halibut and sablefish and try some other managerial tool that will deal with safety and protection of the fisheries from overfishing--but does not give the ownership of the actual fish (forever) to individuals and companies.

IFQs takes the ability to fish away from Kodiak people. Halibut was a big industry for Kodiak, creating many many jobs for our residents and much work in the business community. It won't be that way anymore. Kodiak has lost an industry (just as it lost King Crab and Shrimp--but not for the same reason). The halibut will still be off our shores but the Kodiak people will not be able to fish them. It is big corporations that are scooping up the quota shares and will soon be the controllers of the halibut fishery forever if this program is not repealed. A new paradigm must be used, something that gives a win/win situation not a win/lose situation (making Kodiak and Alaska the losers). Thank you.



1 - JUNE - 1995

CHARLENE KING  
P.O. Box 1573  
KODIAK, AK. 99615

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

P.O. Box 103136

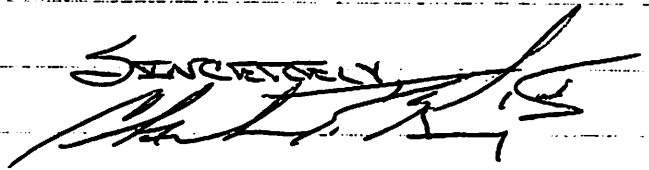
ANCHORAGE, AK. 99510

DEAR COUNCIL MEMBERS:

AT THE UPCOMING MEETINGS THIS MONTH I JUST ASK THAT YOU TRY TO KEEP THE FISHERIES FOR FISHERMEN, AS THE MARGINSON ACT ESSENTIALLY INTENDED.

NO MATTER WHAT YOU DO, SOMEBODY WILL GET CUT OUT OF THE FISHERIES, THE CURRENT I.F.Q. SYSTEM IS MAINLY ELEMENTATING THE SMALL FISHERMEN AND CREWMEMBERS. WHY NOT ELEMENTATE THE NON-FISHERMEN, THE PEOPLE WHO HAVE NEVER FISHED AND NEVER INTEND TO FISH. IT IS JUST AS EASY TO REQUIRE HANDS ON PARTICIPATION DIRECTLY ON THE BOATS IN ORDER TO QUALIFY FOR A NICHE IN THE NORTH PACIFIC FISHERIES.

I REALIZE THAT THE VOICES OF HANDS ON FISHERMEN ARE EASILY DROWNED OUT BY THE POWER BROKERS ON THE WEST COAST BUT PLEASE LISTEN FOR US, BEFORE WE BECOME EXTINCT OR JUST Pawns OF THE POWER BROKERS.

SINCERELY  




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

C-4

June 10, 1995

**IFQ IMPLEMENTATION REPORT**  
(Council Agenda Item C-4)

Richard B. Lauber, Chairman  
North Pacific Fishery Management Council  
P.O. Box 10316  
Anchorage, Alaska 99510

Dear Mr. Chairman:

This report is designed to bring you and the Council up-to-date, once again, on the implementation of the halibut and sablefish Individual Fishing Quota (IFQ) program. Herein, I discuss both the "numbers" and a variety of implementation policy issues. Enforcement and regulatory issues are being dealt with elsewhere on your agenda.

As you know, there are a number of elements to the program, so if I have overlooked an item or issue that you would like to see addressed, please let me know.

**INITIAL APPLICATION PROCESSING**

Requests for Application (RFAs):

All persons applying for Quota Share (QS) were required to complete, and to submit, an RFA by no later than July 15, 1994. The following table (which has been presented before) summarizes the numbers of applications received:

	<u>Halibut</u>	<u>Sablefish</u>	<u>Total</u>
RFAs made available	7,590	1,950	9,540
RFAs undeliverable	410	70	480
RFAs duplicated (same person)	160	50	210
RFAs not returned	<u>1,020</u>	<u>230</u>	<u>1,250</u>
<b>Total RFAs Returned to RAM</b>	<b>5,900</b>	<b>1,700</b>	<b>7,600</b>



Quota Share Permits Issued:

These 7,600 RFAs each represent one application for halibut or sablefish QS (in appropriate IFQ Regulatory Areas and vessel categories). Because each application may result in issuance of more than one type of QS permit, the following table displays the numbers of QS permits that have been issued (including permits issued for CDQ compensation):

	<u>Halibut</u>	<u>Sablefish</u>	<u>Total</u>
Blocked Permits (73%)	5,900	1,360	7,260
Unblocked Permits (27%)	<u>1,610</u>	<u>1,020</u>	<u>2,630</u>
<b>Total QS Permits Issued:</b>	<b>7,510</b>	<b>2,380</b>	<b>9,890</b>

More detailed information on initial issuance of QS (by IFQ area and residence, for instance) is available from the Division.

Initial Administrative Determinations:

An applicant who has failed to demonstrate his/her eligibility for QS, or some related claim (vessel category, qualifying pounds, etc.), is issued an Initial Administrative Determination (IAD) by the RAM Division. As of June 9, the Division had issued 1,445 such Determinations. Reasons for denials include:

<u>Reason</u>	<u>Number of Denials</u>
Untimely Applications	96
Not Eligible for Quota Share	1,187
Conflicts with other Applicants*	78
Denied Vessel Category Claim	21
Partial Denial of Claimed Pounds	57
Multiple Reasons/Miscellaneous	<u>6</u>
<b>TOTAL DENIALS</b>	<b>1,445</b>

\*Conflicts, by definition, involve at least 2 applicants.

I feel fairly comfortable in projecting that these denials represent the vast majority of denied claims to initial issuance of QS under the program. A quick look at the "IADs to be done" file indicates that only about 30 remain to be finalized.

Appeals of Initial Administrative Determinations:

A total of only 99 formal appeals of Initial Determinations have been filed with the Office of Administrative Appeals. Of those, 11 final decisions have been issued, and a number of others have been processed, with final written decisions currently under

preparation. The following table displays (by category of denial), the numbers of IADs issued, Appeals filed, and Decisions completed (as of June 9, 1995):

<u>Category</u>	<u>IADs</u>	<u>Appeals</u>	<u>Decisions</u>
Late Apps.	96	26	8
Conflicts	78	17	2
Pounds Claimed	57	8	1
Category	21	3	
Ineligible	1,187	45	
Misc.	<u>6</u>	<u>—</u>	<u>—</u>
<b>TOTALS</b>	<b>1,445</b>	<b>99</b>	<b>11</b>

Although some of these will undoubtedly be contentious and difficult to decide on Appeal, these numbers are significantly lower than we had anticipated. These 99 appeals are to the 1,328 Determinations whose deadline for appealing expired on, or before, June 9, 1995. In other words, only 7.4% of all denied applications have thus far been appealed.

I believe this low rate reflects well on the thoughtful planning that went into the IFQ program design. Taken together, the Council's decisions to establish three years during which an applicant could establish eligibility, to allow an applicant to "drop" two of his/her least productive years, to not issue "interim" QS to applicants on appeal, and to make no provisions for "hardship" claims (affirmed just last September), have contributed to this very low level of appeals. In turn, this low level of appeals results in lower implementation costs, and will insure that almost all initial issuance issues will be settled sooner, rather than later, thus adding stability to the QS Pools and to the halibut and sablefish fisheries.

#### **TRANSFERS OF QUOTA SHARE**

##### Transfers of OS/IFQ:

As of last Friday (6/9/95), the Division had completed processing 260 sablefish QS and IFQ transfer requests and 646 halibut QS and IFQ transfer requests, for a total of 906. These numbers include "regular" transfers, transfers by lease, and transfers resulting from "sweeping up" small blocked QS permits into new blocks. Attached to this memorandum is a report that displays, by species and area, the number of QS units that have been transferred. Additionally, the data display how many transfers have resulting in Alaskans (and non-Alaskans) receiving QS.

As you can see (and consistent with the data presented in April) there continues to be a net gain for Alaskan residents amounting to some 813,000 units of sablefish QS (resulting from 34 transfers to Alaskans, v. 24 transfers from Alaskans to non-Alaskans) and some 860,000 units of halibut QS (resulting from 75 transfers to Alaskans, v. 54 transfers from Alaskans to non-Alaskans).

Transfers to "IFQ Crew Members":

Included in the above numbers are transfers to 173 individuals (including 129 Alaskans) who did not receive QS by initial issuance, but who established their eligibility as an "IFQ Crew Member" and "bought in" to the fisheries. As of last Friday (6/9/95), the Division had approved the issuance of 564 Transfer Eligibility Certificates to those IFQ Crew Members.

**REGISTERED BUYERS AND TRANSACTION TERMINALS**

Landings of IFQ halibut and sablefish must be made by Registered Buyers and must be recorded using Electronic Transaction Terminals and Printers (unless they don't function properly, in which case Enforcement officials may grant a waiver to the requirement).

Thus far, the Division has issued 795 Registered Buyer Permits. Additionally, 317 electronic Transaction Terminals and Printers have been distributed to registered buyers, CDQ groups, harbormasters and other officials.

**LANDINGS OF IFQ HALIBUT AND SABLEFISH**

The attached tables display the numbers of vessel landings (as of June 9, 1995) and (by IFQ Regulatory Area) the amount of product (in pounds) that has been landed. As you can see, 1,753 halibut vessel landings have been made (79% of the halibut TAC remains to be harvested) and 1,162 sablefish vessel landings have been made (53% of the sablefish TAC remains to be landed). There have also been 6 vessel landings of CDQ sablefish and 26 vessel landings of CDQ halibut.

We have also attached a table showing landings by port. This displays, by IFQ Regulatory Area, how many vessel landings of IFQ halibut and sablefish (and how many total pounds by IFQ Regulatory Area) have been landed in each named port. These data display that, of the reported landings of all halibut and sablefish pounds through June 9, 1995, well over 95% have been landed in Alaska.

## IFQ PROGRAM ASSESSMENT

We are very committed to assisting in the effort to periodically and comprehensively produce IFQ Program Impact Assessments for the edification of the public and policy makers. Governor Knowles, by his April 20, 1995, letter to the Council, and his subsequent charge to several State agencies, has catalyzed that commitment.

Since April, we have had several meetings with State officials (including representatives of the Office of the Governor, the Department of Commerce, the Department of Fish and Game, the University of Alaska, and the Commercial Fisheries Entry Commission), the purpose of which has been to ensure that efforts to "evaluate" the program are well-coordinated, produce authentic reports, are timely, and are not redundant. A comprehensive plan to achieve those goals is under development, and we should have considerable progress to report at the September Council meeting.

Meanwhile, we continue to enhance our internal computer database to insure that the data we record on various aspects of the program are useful, accurate, and accessible. In particular, refinements are being made to the Initial Issuance File in order to establish a solid "base line" against which future changes in the distribution of QS (resulting from transfers and migration of QS holders) can be measured. Likewise, we are refining the Transfer File so that we can instantly retrieve data not only on the number of transfers and the amount of QS being transferred, but also on the stated reason for the transfer, the price (if any) of the transaction, whether the QS is being financed (and by whom), etc.

## PUBLIC COMMUNICATIONS

### Phone Calls:

I am pleased to report that the number of telephone calls being handled by RAM Division staff has declined significantly. To my knowledge, the delays, busy signals, etc. that were so frustrating to the public have largely been eliminated (and thanks again for your patience!).

### Bulletin Board Data:

All of the tables attached to this report are published on the NMFS Computer Bulletin Board (907-586-7259). They are up-dated



three times weekly (Monday, Wednesday, and Friday). We remain interested in ideas on how we can make the data more easily accessible (and, of course, more understandable and relevant).

#### **MISCELLANEOUS IMPLEMENTATION ISSUES**

##### Requirement that Hired Skippers Fish on IFQ Holders' Vessel:

As of June 9, 1995, the Division had issued 279 IFQ Permit Cards to "Hired Skippers" (persons hired by IFQ permit holders to fish the IFQ) at the request of 170 such IFQ permit holders.

At the April Council meeting, you asked us to "tighten up" on the requirements for issuing these cards. Accordingly, we have re-designed the form for requesting the cards, making it very clear that the IFQ holder must own (have an ownership interest in) the vessel upon which s/he wishes his/her IFQ to be fished; further, we will require that each request for a card be accompanied by the USCG Abstract of Title that displays the current ownership interest of the IFQ holder. Also, we will print the ADF&G number of the vessel on the hired skipper card.

These changes will be effective on July 1.

##### Recording the Name of the Lienholder on OS Certificates:

As a result of the IFQ Financing conference held in early April, and at your request, we have re-designed the OS Certificate to include a place for the lienholder (if any) to be printed. We also have provided a space for the lienholders' representative to sign a release of the lien when the terms of the loan have been satisfied.

Although this falls somewhat short of the "Mandatory Lien Registry" requested by the financial community, it should help to give assurance to lenders that their security is, in fact, secure.

#### **SOURCE OF CONTINUING FRUSTRATION**

##### Transaction Terminals:

Noted above is the fact that the RAM Division has distributed more than 300 Transaction Terminals and Printers to Registered Buyers and others who wish to record IFQ landings. What isn't mentioned is that only about 20% of those Terminals have been used.

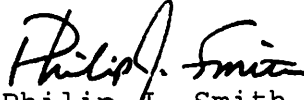
This is a vexing problem, and frustrating for all concerned (not the least of whom are fishermen); however, there IS light at the end of the tunnel. As of Friday, it was reported to me that well over 60% of all IFQ landings are now being reported using the Transaction Terminals (as opposed to being fax'd to Juneau). This is a significant improvement since April, but the system is still not performing to our satisfaction.

We'll keep working on it (and, once again, we appreciate the patience of all concerned).

#### CONCLUSION

Thank you for your continuing support as we have worked to implement this difficult, controversial, and complex fisheries management program. Please let me know if you have any questions.

-  
Sincerely,

  
Philip J. Smith  
Chief, RAM Division

National Marine Fisheries Service  
P.O. 21668  
Juneau Ak 99802-1668

Prepared: 09-JUN-95  
Restricted Access Mgmt Division  
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Count of Alaskans/Non-Alaskans obtaining Transfer Eligibility Certificates by demonstrating IFQ Crew Member (crewmember) status, and entering the fishery by receiving QS by transfer. These are individuals who did not receive QS by initial issuance.

Number of Alaskan "crewmembers" receiving Transfer Eligibility Certificate:	430
Number of non-Alaskan "crewmembers" receiving Transfer Eligibility Certificate:	134
-----	
Total Transfer Eligibility Certificates Issued:	564

Number of "crewmembers" who have received sablefish QS by transfer (by IFQ area)

Area	Alaskans	non-Alaskans
BS	0	1
CG	9	4
SE	17	13
WG	0	1
WY	6	5

Number of "crewmembers" who have received halibut QS by transfer (by IFQ area)

Area	Alaskans	non-Alaskans
2C	47	24
3A	68	15
3B	11	4
4A	6	3
4B	2	0
4D	1	1

Number of "crewmembers" who have received QS by transfer (sablefish)

Alaskan	:	25
non-Alaskan:		18

Number of "crewmembers" who have received QS by transfer (halibut)

Alaskan	:	116
non-Alaskan:		35

Number of "crewmembers" who have received QS by transfer (both species, all areas)

Alaskan	:	129
non-Alaskan:		44

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sablefish

Transfers of Quota Shares and Individual  
Fishing Quota Between Alaskans and Non-Alaskans

	Area To Alaska		From Alaska		Inside Alaska		Outside Alaska		Area Totals	
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units
SE	12	813,610	6	156,206	53	2,471,577	22	1,161,700	93	4,603,093
WY	5	453,021	4	285,929	18	770,899	15	743,997	42	2,253,846
CG	13	1,273,569	9	847,896	22	1,408,736	15	1,207,406	59	4,737,607
WG	2	66,366	2	182,140	3	260,575	3	236,046	10	745,127
AI	1	55,914	2	373,577	2	16,427	1	9,394	6	455,312
BS	1	8,273	1	11,880	2	293,417	1	543	5	314,117
TL	34	2,670,753	24	1,857,628	100	5,221,631	57	3,359,086	215	13,109,095

Leases of Quota Shares and Individual  
Fishing Quota Between Alaskans and Non-Alaskans

	Area To Alaska		From Alaska		Inside Alaska		Outside Alaska		Area Totals	
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units
SE	2	285,612	1	110,053	1	117,937	5	566,677	9	1,080,282
WY	2	128,061	0	0	1	119,762	5	539,794	8	787,617
CG	1	220,443	0	0	2	183,592	4	666,006	7	1,070,041
WG	0	0	0	0	0	0	5	819,661	5	819,661
AI	0	0	0	0	1	13,499	6	4,261,878	7	4,275,377
BS	0	0	0	0	0	0	3	232,335	3	232,335
TL	5	634,116	1	110,053	5	434,790	28	7,086,351	39	8,265,315

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sablefish

Sweep-ups of Quota Shares and Individual  
Fishing Quota Between Alaskans and Non-Alaskans

Area	To Alaska		From Alaska		Inside Alaska		Outside Alaska		Area Totals	
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Unit
SE	0	0	1	244	3	4,307	0	0	4	4,55
WY	0	0	0	0	0	0	0	0	0	0
CG	0	0	1	1,121	1	5,900	0	0	2	7,02
WG	0	0	0	0	0	0	0	0	0	0
AI	0	0	0	0	0	0	0	0	0	0
BS	0	0	0	0	0	0	0	0	0	0
Tl	0	0	2	1,365	4	10,207	0	0	6	11,57

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halibut

Transfers of Quota Shares and Individual  
Fishing Quota Between Alaskans and Non-Alaskans

	Area To Alaska		From Alaska		Inside Alaska		Outside Alaska		Area Totals	
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Unit
2C	23	641,624	22	636,616	161	4,250,859	37	1,156,650	243	6,685,74
3A	42	2,827,422	17	1,425,456	193	10,151,251	35	3,174,593	287	17,578,72
3B	6	84,926	10	527,310	32	1,602,656	11	949,389	59	3,214,28
4A	2	48,644	5	145,036	15	417,583	2	42,521	24	653,78
4B	2	41,181	0	0	4	118,525	1	18,446	7	178,15
4C	0	0	0	0	1	18,876	0	0	1	18,87
4D	0	0	0	0	0	0	1	69,848	1	69,84
4E	0	0	0	0	0	0	0	0	0	0
T1	75	3,643,797	54	2,784,418	406	16,559,750	87	5,411,447	622	28,399,41

Leases of Quota Shares and Individual  
Fishing Quota Between Alaskans and Non-Alaskans

	Area To Alaska		From Alaska		Inside Alaska		Outside Alaska		Area Totals	
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Unit
2C	1	29,594	1	58,629	0	0	2	11,159	4	99,3.
3A	1	217,597	0	0	1	43,659	3	850,395	5	1,111,6.
3B	0	0	0	0	1	187,068	2	169,280	3	356,3.
4A	0	0	0	0	1	42,161	2	110,076	3	152,2.
4B	0	0	0	0	0	0	1	140,841	1	140,8.
4C	0	0	0	0	0	0	0	0	0	0
4D	0	0	0	0	0	0	0	0	0	0
4E	0	0	0	0	0	0	0	0	0	0
T1	2	247,191	1	58,629	3	272,888	10	1,281,751	16	1,860,4

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Sweep-ups of Quota Shares and Individual  
Fishing Quota Between Alaskans and Non-Alaskans

Area To Alaska	From Alaska		Inside Alaska		Outside Alaska		Area Totals			
	Count	QS Units	Count	QS Units	Count	QS Units	Count	QS Unit		
2C	1	1,121	1	3,999	3	4,231	0	0	5	9,351
3A	0	0	0	0	3	4,391	0	0	3	4,391
3B	0	0	0	0	0	0	0	0	0	0
4A	0	0	0	0	0	0	0	0	0	0
4B	0	0	0	0	0	0	0	0	0	0
4C	0	0	0	0	0	0	0	0	0	0
4D	0	0	0	0	0	0	0	0	0	0
4E	0	0	0	0	0	0	0	0	0	0
T1	1	1,121	1	3,999	6	8,622	0	0	8	13,740

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1995 Individual Fishing Quota (IFQ) Allocations and Landings

From 01-JAN-1995 through 09-JUN-1995

Area	Species	Vessel Landings	Total Catch Pounds	Allocation Pounds	Tac Remaining Pounds	Percent Remaining
2C	halibut	803	2,589,279	9,000,000	6,410,721	71
3A	halibut	810	4,471,634	20,000,000	15,528,366	78
3B	halibut	102	538,927	3,700,000	3,161,073	85
4A	halibut	15	151,877	1,950,000	1,798,123	92
4B	halibut	19	238,451	1,848,000	1,609,549	87
4C	halibut	0	0	385,000	385,000	100
4D	halibut	4	36,780	539,000	502,220	93
4E	halibut	0	0	0	0	0
Total		1,753	8,026,948	37,422,000	29,395,052	79
SE	sablefish	490	6,750,305	12,996,900	6,246,595	48
WY	sablefish	214	5,403,886	8,586,917	3,183,031	37
CG	sablefish	357	7,548,190	15,167,648	7,619,458	50
WG	sablefish	52	1,167,227	4,585,568	3,418,341	75
AI	sablefish	21	421,613	2,910,072	2,488,459	86
BS	sablefish	28	295,931	1,410,944	1,115,013	79
Total		1,162	21,587,152	45,658,049	24,070,897	53

Notes:

1. This report summarizes fixed gear IFQ landings reported by Registered Buyers. At sea discards are not included.
2. Halibut weights are headed and gutted pounds. Sablefish weights are round pounds.
3. "Vessel Landings" counts the number of times vessels made IFQ landings in each harvest area.



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1995 Community Development Quota (CDQ) Allocations and Landings

From 01-JAN-1995 through 09-JUN-1995

Area	Species	Vessel Landings	Total Catch Pounds	<----- Allocation Pounds	----- Tac Remaining Pounds	>----- Percent Remaining
4B	halibut	0	0	462,000	462,000	100
4C	halibut	0	0	385,000	385,000	100
4D	halibut	0	0	231,000	231,000	100
4E	halibut	26	11,353	120,000	108,647	91
Total		26	11,353	1,198,000	1,186,647	99
AI	sablefish	5	100,056	727,649	627,593	86
BS	sablefish	4	59,744	352,800	293,056	83
Total		9	159,800	1,080,449	920,649	85

Notes:

1. This report summarizes fixed gear CDQ landings reported by Registered Buyers. At sea discards are not included.
2. Halibut weights are headed and gutted pounds. Sablefish weights are round pounds.
3. "Vessel Landings" counts the number of times vessels made CDQ landings in each harvest area.

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1995 Individual Fishing Quota (IFQ) Halibut Harvest by Port of Landing  
 From 01-JAN-1995 To 09-JUN-1995

Harvest Area	Port of Landing	Vessel Landings	Total Catch Pounds	% of Area
2C	AUKE BAY	1	645	0.02
	BELLINGHAM	4	15,909	0.61
	CRAIG	41	107,836	4.16
	DOUGLAS	1	5,134	0.20
	ELFIN COVE	6	11,806	0.46
	EXCURSION INLET	13	27,535	1.06
	GUSTAVUS	9	16,593	0.64
	HAINES	12	15,743	0.61
	HOONAH	74	252,265	9.74
	HYDER	1	922	0.04
	JUNEAU	59	152,539	5.89
	KAKE	19	59,931	2.31
	KETCHIKAN	66	187,250	7.23
	KLAWOCK	1	12,879	0.50
	KODIAK	2	2,842	0.11
	MERCER ISLAND	1	9,000	0.35
	METLAKATLA	6	18,257	0.71
	PELICAN	38	94,204	3.64
	PETERSBURG	170	817,898	31.59
	PRINCE RUPERT	7	87,930	3.40
SEATTLE	4	8,904	0.34	
SEWARD	4	9,290	0.36	
SITKA	226	596,257	23.03	
SKAGWAY	1	1,781	0.07	
VALDEZ	1	205	0.01	
WRANGELL	32	69,138	2.67	
YAKUTAT	4	6,586	0.25	
Area Total		803	2,589,279	100.00
3A	ALITAK	3	14,408	0.32
	ANCHORAGE	2	3,090	0.07
	BELLEVUE	1	3,122	0.07
	BELLINGHAM	4	98,546	2.20
	CORDOVA	58	261,670	5.85
	DUTCH HARBOR	1	1,597	0.04
	EDMONDS	1	7,856	0.18
	EXCURSION INLET	7	28,341	0.63
	HAINES	1	214	0.00
	HALIBUT COVE	1	564	0.01
	HOMER	95	363,027	8.12
	HOONAH	28	74,649	1.67
	JUNEAU	3	1,297	0.03

1995 Individual Fishing Quota (IFQ) Halibut Harvest by Port of Landing

From 01-JAN-1995 To 09-JUN-1995

Harvest Area	Port of Landing	Vessel Landings	Total Catch Pounds	% of Area
3A	KAKE	3	23,364	0.52
	KENAI	15	54,360	1.22
	KING COVE	2	77,168	1.73
	KODIAK	159	1,259,991	28.18
	NIKISKI	5	11,210	0.25
	NINILCHIK	4	26,698	0.60
	PELICAN	32	86,142	1.93
	PETERSBURG	15	171,260	3.83
	SAND POINT	2	6,196	0.14
	SEATTLE	3	38,732	0.87
	SELDOVIA	2	450	0.01
	SEWARD	222	1,174,787	26.27
	SITKA	44	236,810	5.30
	SKAGWAY	1	610	0.01
	STANWOOD	1	26,099	0.58
	VALDEZ	11	43,868	0.98
	WHITTER	2	3,762	0.08
	WHITTIER	12	14,857	0.33
	YAKUTAT	70	356,889	7.98
Area Total		810	4,471,634	100.00
3B	ALITAK	2	5,512	1.03
	ANCHORAGE	1	16,255	3.03
	BELLEVUE	3	25,364	4.73
	CHIGNIK	2	7,973	1.49
	DUTCH HARBOR	9	41,701	7.77
	HOMER	5	36,610	6.82
	KING COVE	18	78,987	14.72
	KODIAK	29	195,981	36.53
	SAND POINT	19	63,217	11.78
	SEATTLE	2	1,655	0.31
	SEWARD	6	48,448	9.03
	UNALASKA	2	8,061	1.50
	UNALASKA/DUTCH HAR	2	5,476	1.02
WEST ANCHOR COVE	1	1,240	0.23	
Area Total		101	536,480	100.00
4A	AKUTAN	1	3,154	2.08
	DUTCH HARBOR	8	48,993	32.26
	KING COVE	3	35,112	23.12

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1995 Individual Fishing Quota (IFQ) Halibut Harvest by Port of Landing  
 From 01-JAN-1995 To 09-JUN-1995

Harvest Area	Port of Landing	Vessel Landings	Total Catch Pounds	% of Area
4A	KODIAK	3	64,618	42.55
	Area Total	15	151,877	100.00
4B	DUTCH HARBOR	13	159,931	67.07
	SEWARD	2	44,603	18.71
	UNALASKA/DUTCH HBR	4	33,917	14.22
	Area Total	19	238,451	100.00
4D	BELLINGHAM	1	12,330	33.52
	DUTCH HARBOR	2	13,102	35.62
	KING COVE	1	11,348	30.85
	Area Total	4	36,780	100.00
	Halibut Total	1,752	8,024,501	

Notes:

1. This report summarizes fixed gear IFQ landings reported by Registered Buyers. At sea discards are not included.
2. Halibut weights are headed and gutted pounds. Sablefish weights are round pounds.
3. "Vessel Landings" counts the number of times vessels made IFQ landings in each harvest area.

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1995 Individual Fishing Quota (IFQ) Sablefish Harvest by Port of Landing

From 01-JAN-1995 To 09-JUN-1995

Harvest Area	Port of Landing	Vessel Landings	Total Catch Pounds	% of Area
AI	DUTCH HARBOR	18	286,670	67.99
	HOMER	1	133,786	31.73
	UNALASKA/DUTCH HBR	2	1,157	0.27
	Area Total	21	421,613	100.00
BS	BELLINGHAM	1	20,508	6.93
	DUTCH HARBOR	23	234,845	79.36
	KING COVE	2	28,549	9.65
	KODIAK	1	3,308	1.12
	UNALASKA/DUTCH HAR	1	8,721	2.95
	Area Total	28	295,931	100.00
CG	ALITAK	2	89,492	1.19
	ANCHORAGE	2	34,837	0.46
	BELLINGHAM	1	13,619	0.18
	CORDOVA	19	386,508	5.12
	DUTCH HARBOR	5	208,857	2.77
	EXCURSION INLET	1	3,030	0.04
	HOMER	32	463,111	6.14
	KENAI	1	39,556	0.52
	KETCHIKAN	1	30,089	0.40
	KING COVE	3	88,024	1.17
	KODIAK	94	1,956,254	25.92
	NIKISKI	1	21	0.00
	PETERSBURG	4	20,141	0.27
	SAND POINT	7	142,485	1.89
	SANDPOINT	1	32,722	0.43
	SEWARD	162	3,603,319	47.74
	SITKA	7	133,107	1.76
	UNALASKA	1	1,484	0.02
	VALDEZ	3	60,377	0.80
YAKUTAT	10	241,157	3.19	
Area Total	357	7,548,190	100.00	
SE	BELLINGHAM	2	17,381	0.26
	CORDOVA	1	3,446	0.05
	CRAIG	18	187,842	2.78
	DOUGLAS	1	11,673	0.17

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1995 Individual Fishing Quota (IFQ) Sablefish Harvest by Port of Landing

From 01-JAN-1995 To 09-JUN-1995

Harvest Area	Port of Landing	Vessel Landings	Total Catch Pounds	% of Area
SE	DUTCH HARBOR	3	23,912	0.35
	EXCURSION INLET	5	81,020	1.20
	HAINES	1	216	0.00
	HOMER	1	35,076	0.52
	HOONAH	45	521,183	7.72
	JUNEAU	9	90,492	1.34
	KAKE	8	174,708	2.59
	KETCHIKAN	20	183,523	2.72
	KLAWOCK	1	1,556	0.02
	MERCER ISLAND	1	3,557	0.05
	PELICAN	66	773,129	11.45
	PETERSBURG	43	908,046	13.45
	PRINCE RUPERT	2	61	0.00
	SEATTLE	7	45,251	0.67
	SEWARD	11	299,478	4.44
SITKA	235	3,152,657	46.70	
VALDEZ	1	49,146	0.73	
YAKUTAT	9	186,952	2.77	
Area Total		490	6,750,305	100.00
WG	AKUTAN	1	69,960	5.99
	DUTCH HARBOR	18	299,618	25.67
	HOMER	3	30,334	2.60
	KING COVE	11	260,296	22.30
	KODIAK	4	59,024	5.06
	SAND POINT	4	226,489	19.40
	SEATTLE	4	81,303	6.97
	SEWARD	4	53,635	4.60
	UNALASKA	1	11,843	1.01
	UNALASKA/DUTCH HAR	1	39,422	3.38
WEST ANCHOR COVE	1	35,303	3.02	
Area Total		52	1,167,227	100.00
WY	BELLINGHAM	3	22,040	0.41
	CORDOVA	16	370,625	6.90
	DUTCH HARBOR	2	38,738	0.72
	EDMONDS	1	11,562	0.22
	EXCURSION INLET	3	18,550	0.35
	HOMER	5	67,230	1.25
	HOONAH	3	6,750	0.13

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1995 Individual Fishing Quota (IFQ) Sablefish Harvest by Port of Landing  
 From 01-JAN-1995 To 09-JUN-1995

Harvest Area	Port of Landing	Vessel Landings	Total Catch Pounds	% of Area
WY	KAKE	1	5,948	0.11
	KENAI	4	211,715	3.94
	KODIAK	22	754,901	14.06
	PELICAN	4	23,649	0.44
	PETERSBURG	4	69,604	1.30
	SEATTLE	1	4,151	0.08
	SEWARD	83	2,365,312	44.05
	SITKA	8	145,888	2.72
	VALDEZ	1	5,694	0.11
	YAKUTAT	52	1,247,559	23.23
Area Total		213	5,369,916	100.00

Sablefish Total 1,161 21,553,182

Notes:

1. This report summarizes fixed gear IFQ landings reported by Registered Buyers. At sea discards are not included.
2. Halibut weights are headed and gutted pounds. Sablefish weights are round pounds.
3. "Vessel Landings" counts the number of times vessels made IFQ landings in each harvest area.