


MEMORANDUM

TO: Council, AP, and SSC Members

FROM: Clarence G. Pautzke 
Executive Director

DATE: June 16, 1989

SUBJECT: Full utilization in the groundfish fisheries

ACTION REQUIRED

1. Review of attached discussion paper entitled "Non-utilization in the Groundfish Fisheries off Alaska".
2. Consider how to proceed with regard to a groundfish amendment to address non-utilization issues.

BACKGROUND

At the April 1989 meeting you asked the staff and plan teams to develop management alternatives which would address the issue of discard in the groundfish fisheries in the Bering Sea/Aleutian Islands and the Gulf of Alaska. The examination was to encompass all types of discard waste: roe-stripping of species other than pollock, high-grading, economic discard, and discard of prohibited species.

Included as item C-8(a) is a discussion paper prepared by the staff and the groundfish plan teams which examines the general discard and waste or non-utilization, issue. The paper defines non-utilization, describes when it occurs, mentions that quantitative information is lacking, and suggests 10 management alternatives to the status quo which could be used to address the issue.

After reviewing the discussion paper, the Council needs to consider how to proceed on the issue of non-utilization. In April the Council discussed having something in place for the beginning of 1990. Upon reconsideration, the direction to staff and the plan teams was to come back with an options paper for review in June and the schedule would be determined then.

Here are some alternative schedules:

For 1990: Develop analysis this summer based on whatever scant data are available. Release package for public review after September meeting and take final action in December. Emergency action would be required in December if the Council wants the regulation in place for the first half were 1990.

For 1991: Develop data base (updated with 1989 data) and alternatives for submission to the 1990 groundfish amendment cycle. Regulations would be in place for 1991 unless emergency action is taken.

For 1992: Develop data base using observer information, if available, from 1990 and process amendment in 1991 cycle for implementation in 1992.

Discussion Paper 89-1

NON-UTILIZATION IN THE GROUND FISH FISHERIES OFF ALASKA

Prepared by Council Staff and the Bering Sea/Aleutian Islands and
Gulf of Alaska Groundfish Plan Teams

North Pacific Fishery Management Council

Anchorage, Alaska

June 13, 1989

In April the Council asked its staff and plan teams to prepare an amendment analysis (EA/RIR/IRFA) to prohibit roe-stripping in the pollock fishery. The Council is also interested in the broader issue of non-utilization of groundfish, and asked the staff to present several management alternatives at the June meeting.

This issue arose mainly as a result of conflicts in the pollock fishery off Kodiak earlier this year when there was intense competition between the offshore factory trawler fleet and trawlers delivering shoreside. Both sectors fished a limited pollock quota, and when it was used up, the factory trawlers had the ability to move on to other grounds. The shorebased plants in Kodiak were, by their nature, cut off from local supplies.

The pollock roe-stripping issue received considerable attention from the public and the press as a waste issue. It could equally be cast as an economic decision to efficiently process the harvest of what some fishermen think is the highest and best use of the quota -- the valuable roe. Roe-stripping is, in some cases, an efficient process and, generally, throughput is faster. This leads to an indirect allocation of the finite harvest quota to roe-strippers, away from those fishermen that take longer to process more of each fish.

In establishing the terms of reference for examining roe-stripping and other types of non-utilization, the Council needs to consider the full range of impacts of fishing gear, where non-utilization occurs during fishing operations, and measures that can be used to address deficiencies.

What is Waste?

Words like "waste", "bycatch", and "discard" carry lots of baggage, and are perceived differently by different people. One man's waste is another's profit margin. Determining what to do in each situation depends on your goals. It could be argued that 100% of each fish should be turned into useable products, such as fillets, surimi, or fish meal, because there are many hungry people in the world. If you can't afford the fillets, possibly you (or your government) could still afford the fish meal to boost your protein consumption. Conversely, an ecologist might argue that it is best to remove as little carbon biomass as possible from the North Pacific marine ecosystem to maintain as close to a natural state as possible despite some human perturbations. An optimum utilization scheme in that instance might be to only use the highly valued 3%-4% roe from the pollock, returning 96% of the biomass to the system for recycling through detritus feeders such as high value king and Tanner crabs.

Waste is also relative to resource abundance. Given the general healthy condition of groundfish stocks off Alaska and the desire to promote rapid "Americanization" of the groundfish fisheries, certain amounts of discard waste have been viewed as acceptable. However, from a global perspective, with resources becoming scarce worldwide, the level of discard waste that was tolerated may be considered unacceptable.

Therefore, it may be better to talk in neutral terms of non-utilization when addressing this issue, determine the situations in which it occurs, the driving causes, and whether there is an operational, economic, or conservation problem involved. Between the time a particular gear begins fishing and the end of processing when a finished box of fillets or other products comes off the line, are many points where non-utilization occurs. Those "leaks" in the system need to be examined to determine if and how they can be addressed.

Overall Impacts of Fishing Gear

The species potentially impacted by fishing gear fall into four categories as described in the groundfish fishery management plans. For example, in the Bering Sea and Aleutian Islands Plan, there are:

<u>Target Species</u>	<u>Other Species</u>	<u>Prohibited Species</u>	<u>Nonspecified Species</u>
Pollock	Sculpin	Halibut	Most other species with no economic value such as eelpouts, poachers, rattails, sandfishes, prowfish, hagfish, blennys, etc.
Sablefish	Skates	Salmon	
Pacific cod	Eulachon	Herring	
Squid	Smelt	Steelhead	
Other Flatfish	Capelin	King crab	
Other rockfish	Octopus	Tanner crab	
Atka Mackerel	Shark		
Greenland turbot			
Pacific Ocean Perch			
Yellowfin sole			
Arrowtooth flounder			
Rock sole			

All catches in the first two categories must be recorded even though Other Species usually have little economic value and are returned to the sea. The Council does set an Acceptable Biological Catch (ABC) and Total Allowable Catch (TAC) for the Other Species category as a whole: for 1989, ABC is 59,000 mt and TAC is 13,264 mt, a tonnage nominally set each year to make up the difference between the sum of the target groundfish species TACs and the 2,000,000 mt Optimum Yield cap for the Bering Sea and Aleutian Islands. Recent trawl surveys have indicated that the biomass of the species within the Other Species category has increased and remains relatively high. Prohibited species, by regulation, must be returned to the sea. Nonspecified Species are neither recorded nor kept because they have no current economic value or harvest quota.

Therefore, the first examples of non-utilization of the fish resource are the intentional discards of species in the Other Species and Nonspecified Species categories for economic reasons, and of the Prohibited Species category for regulatory reasons. No one has voiced much concern about non-utilization of Other or Nonspecified species, even though the Other Species catch and discard alone could potentially be 53 million pounds, combining the Bering Sea, Aleutians, and Gulf of Alaska TACs and assuming that none of these species is kept. This non-utilization would appear massive if it were displayed in bold in the headlines of a newspaper, but it is only 1% of the total groundfish catch.

For purposes of the following discussion, the focus is narrowed to non-utilization of the 12 species or species groups in the Target category and the halibut, crabs, herring and salmon in the Prohibited category, when and why it occurs, its biological or economic ramifications, and what the Council has done or can do to mitigate any adverse impacts.

Types of Non-utilization

Non-utilization may be examined in three phases of fishing and processing operations (Figure 1):

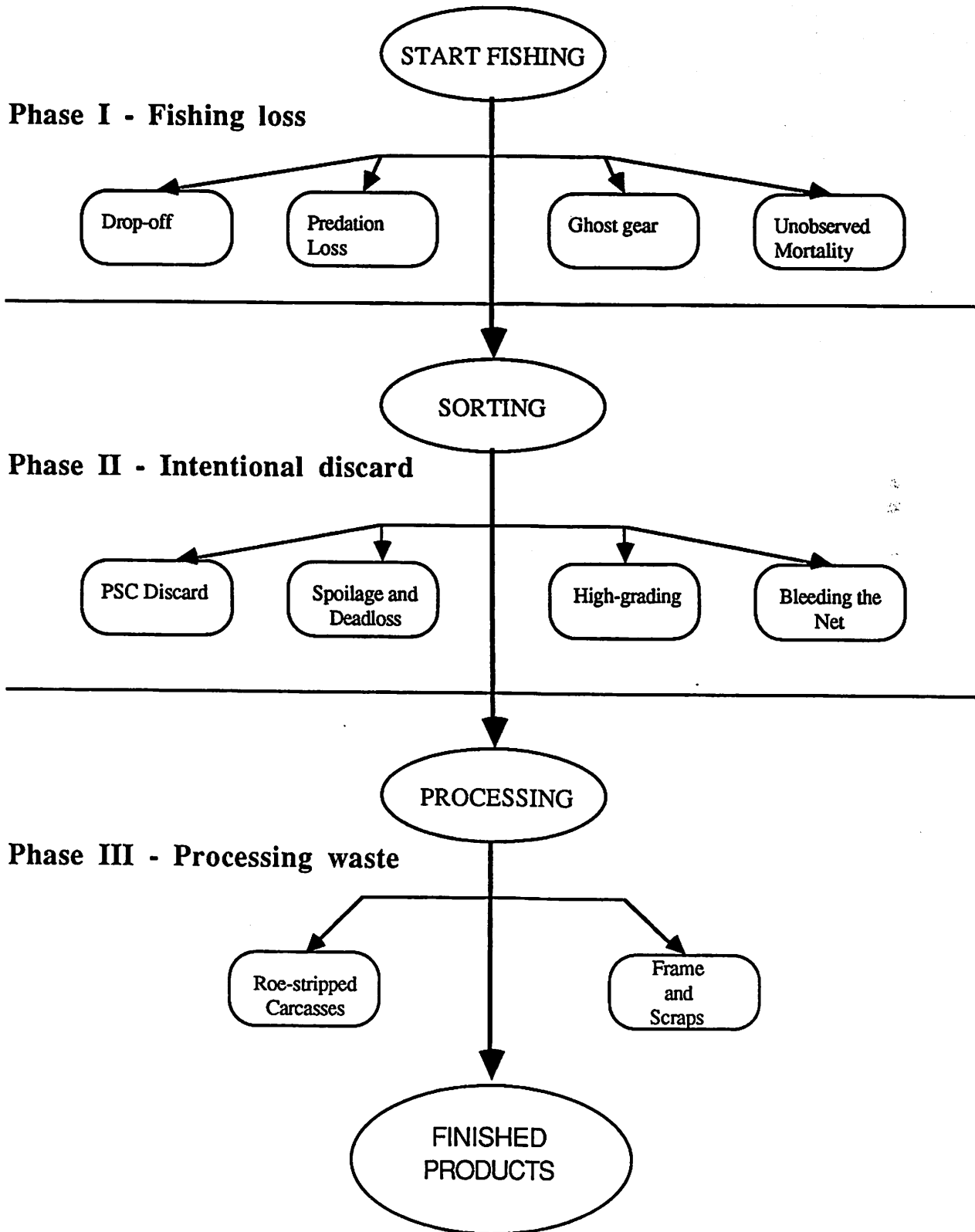
Phase 1: Period between setting and hauling aboard the fishing gear.

Phase 2: Period after fish is onboard but before processing begins.

Phase 3: Period after processing begins through to the finished product.

Phase 1: When the gear is in the water. Impacts on the fish begin as soon as the gear is set. Ripped trawl web, severed longlines, lost pots, and so forth, induce some mortality on the fish resource; mortality which is non-utilized in the sense that it is not processed for human consumption or use. There have been anecdotal reports of crab pots coming down hard on crab, unseen mortality caused by trawl footropes moving across the bottom, and other operational impacts that are difficult to monitor or even quantify. Killer whale predation on longline-caught sablefish could also be placed in this category. There has been some research on the impacts of trawling

Figure 1. Sources of non-utilization in the groundfish fisheries.



on the bottom and some estimation of killer whale predation. However, Phase I impacts are, for the most part, unintentional and costly to the fisherman, and, by and large, outside the control of the Council.

Phase 2: When the catch is on deck but unprocessed. Intentional discard now becomes an issue. Discard may occur for regulatory, economic, or operational reasons. Regulations now preclude the retention of prohibited species such as halibut, crab, and salmon despite the high mortality inflicted by some gear types. These regulations are not likely to change because they help control the known mortality by groundfish gears on species of high value to other fisheries. There have been suggestions that prohibited species be retained for sale to support research and data gathering. This would take a major change in regulations by not only the Council but also by Alaska Department of Fish and Game and the International Pacific Halibut Commission. The best hope for mitigating this type of non-utilization of the catch is to control the fishing patterns that impact those species and to improve handling to increase survival when animals are returned to the sea.

There is discard for economic or operational reasons. For example, sometimes despite fishermen's best efforts, too much fish comes up in a trawl haul and cannot be physically brought on board. That is when a fisherman must bleed his net of excess fish. Another example is when some sizes of the targeted groundfish species are not readily processable with standard equipment, either being too small or too large. Or, perhaps, only the biggest fish are kept because of a price premium. Some fish have poor flesh quality such as post-spawn pollock or jellied sablefish. Additional non-utilization may occur in cases of spoilage. For example, there is crab deadloss on the way into port or some of the catch spoils because it was inadequately chilled. In any case, the fishermen and/or processor must make an intentional decision that a portion of the catch, for any of a number of reasons, is not worth processing and bringing to market. It is discarded and becomes a source of non-utilization.

Phase 2 discard could lead to serious conservation problems. Unless there is an observer on board to monitor everything that comes over the rail, its impossible to verify the true impacts of the fishing operation on the stocks. The Council relies to a great extent on anecdotal information to get a handle on discards which may or may not be accurate. Unrecorded discards of the targeted species are not accounted for in harvest quota monitoring. Nor are changes to stock structure if certain small fish are discarded. Theoretically these types of discards could be self-monitored through log book programs or fish ticket reporting. However, if we really want to know the level of discard, we need observers.

Phase 3: On the processing line. This is the waste and full-utilization issue as it is normally discussed at Council meetings. The issue boils down to how much of the fish should a processor use - just the roe (and therefore just the females)? the fillets? the rack, eyeballs and all? These questions are usually resolved by the economics of the processing operation, though the Council could require additional processing such as turning the fish into meal. This would place an economic burden on vessels that do not now have meal plants and jeopardize the markets of those that do by greatly increasing the amount of meal produced. The Council would need to determine what suitable percentage of each fish must be processed and then have a monitoring system in place that could compare input and output from the processing plant.

The Management Problem

For a management problem to exist, current non-utilization must be determined to be "too high". Since waste is relative and since certain discard practices are more "acceptable" than others we limit the current problem to non-utilization of groundfish species managed under the two groundfish FMPs as target species. This means that prohibited species utilization by groundfish fishermen is outside current consideration. If the Council considers the PSC status of crab and halibut as wasteful, an alternative to allow retention of these animals could be added to the list below.

Current Groundfish Discard

We do not know how much is currently being thrown overboard while prosecuting groundfish fisheries in the EEZ. In the DAP fisheries there is a requirement that groundfish discards be reported on the fish ticket, but compliance is poor and the available data suspect. In the observed fisheries (joint ventures and some DAP) there are no formal data collection requirements on discards, although there has been an effort to collect discard information in the pollock roe fishery over the last several years. Therefore, the first requirement in addressing the full utilization issue is to determine how much is being discarded. Such information is important not only because of the amendment under discussion but also in the annual determination of ABC.

Although discard is driven by economics, current management practice also influences the kind and amount of discard. For example, the olympic system for quota creates incentives to process fish faster than competitors so as to attain a greater share of the quota. The single species rule, which prohibits retention of a groundfish species upon attainment of that species' quota also contributes to groundfish discard. Finally, the directed fishing definitions (both current and proposed) may contribute to the groundfish discard problem by requiring fixed catch proportions (e.g., less than 20% flatfish; 1% sablefish with less than 20% turbot; 10% sablefish with more than 20% turbot, and so forth), regardless of the "natural" mix of the catch.

Environmental Issues

The amount and kind of discard also have ecological importance. Harvesting and retention of fisheries resources removes organic material which would otherwise be available for recycling within the ecosystem. Discard (prohibited and undesirable species), and processing wastes return some of these nutrients to the ecosystem. In a qualitative sense, this removal must have some impact on ecosystem processes and productivity. The alternatives which lead to a fuller human utilization of fisheries resources will necessarily decrease the organic material available to the ecosystem. Likewise, removal of more or less fish of certain species will affect predator-prey interactions and may upset the "level playing field" associated with a balanced ecosystem. Since we do not know the relative magnitudes of removals from or returns to the ecosystem we are unable to say whether changes in these amounts will impact ecosystem productivity.

Localized negative impacts from discard and waste are also possible. Examples include souring of the grounds, and increased mortality on commercial stocks due to removal of oxygen, elimination of food, habitat and so forth.

Some Alternatives

The first step in resolving the non-utilization issue is to determine the magnitude and pattern of groundfish discard and processing waste. This may entail new reporting requirements, enforcement of existing requirements, a special survey, or some other estimation procedure. This information gap could be eliminated if the Council establishes a mandatory observer program and/or requires complete catch reporting through a logbook. A parallel effort should be made to determine whether the magnitude of harvest removal from and discard return to the ecosystem represents a significant fraction of ecosystem nutrient cycling. If it is then determined that the current amount of discard and waste is excessive, an amendment could be developed using the following alternatives which are separated into two categories: (1) those that do not involve change in the current management system (other than a change in the FMP), and (2) those that are based on a management philosophy different than the status quo. Alternatives in the first set include:

1. Status quo. No specific regulations with regard to discard and waste. This would be separate from any regulations concerning pollock roe-stripping under Amendments 14/19.
2. Prohibition on roe-stripping. A general prohibition - current stripping practices include the discard of males in the roe rock sole fishery, and, possibly, roe-stripping in the cod fishery. Regulations would

require further processing following extraction of roe and would prohibit the discard of unprocessed males. This alternative could also prohibit the development of roe-stripping in any other target fishery.

3. Prohibition on high-grading or dumping. A general prohibition on sorting for optimal size, sex, or species composition with subsequent discard of "undesirable" fish. This alternative could be implemented independently or in concert with a prohibition on roe-stripping.
4. Full utilization of all groundfish. A general requirement - no groundfish discard allowed. This implies all groundfish pieces and parts not processed into consumable products must be reduced to meal. For at-sea processors on board meal plants or delivery to shorebased or at-sea meal plants would be required.
5. Regulate fishery seasons to minimize discard. Three options are suggested:
 - (a) Establish a "split season" similar to that adopted in the joint venture pollock fishery in the BSAI under Amendment 11 or as suggested in the current pollock roe-stripping amendment. Seasons and quotas would be established such that some desired amount of product could be taken in the roe season. Obviously this option is most relevant to the general roe-stripping issue (as are the following two options) and presumes that roe stripping is allowed during the "first" season.
 - (b) Use the fishing seasons framework to establish fishing seasons. This option assumes approval of that part of the Amendment 13/18 package that would allow the establishment of a split season framework or other type of fishing season opening/closing in the Gulf of Alaska and Bering Sea FMPs. Seasons could be established as in (a), that is, two seasons with some amount of fishing allowed during the roe season, or, in such a way that no fishing is allowed in the roe period, for example, a pollock opening on June 1. This subalternative differs from (a) in that there is no direct control on seasonal quota.
 - (c) Change the fishing year. Amend the groundfish FMPs to start the fishing year at some time other than January 1. For example, one could establish the fishing year to run from June 1 to May 31. This would apparently have the same impact as in option (b), however, this option affords priority access to summer/fall fisheries in exactly the same way the current fishing year definition enhances the opportunities for winter/spring (roe) fisheries.
6. Impose gear restrictions or modifications. Restrictions could be imposed to directly control observed and unobserved mortality (for example, roller gear on bottom trawls, no crucifiers on longline vessels) or to minimize the catching of undesirable species or sizes of species (for example, trawl mesh size, setline hook size or type, hook "guards" such as shark guards on swordfish longliners).

Implementing the second set of alternatives below will necessitate rethinking the way we currently manage the fisheries. Suggested alternatives are:

7. Manage species complexes by gear group. This alternative to single species management is suggested in light of the built-in discard incentives in the current management system. Quotas would be set by gear/species complex such as midwater pollock, bottom trawl roundfish, flatfish, and longline. Post-season accounting of individual species' catches would be used in determining subsequent ABCs and TACs.
8. Close fishery/area upon attainment of TAC. Reinstate policy of closing all fisheries in a regulatory area upon attainment of the TAC. Thus, the species would not be treated as a prohibited species; rather, all fisheries that might take the species would be closed. This alternative addresses the "wrong species" discard problem as does multispecies management (Alternative 6): in this case, by eliminating the "single species rule".

9. Eliminate species quota by area. TAC would be set for the entire management area; Bering Sea/Aleutian Islands or Gulf of Alaska, without regard to management sub-areas (Bering Sea, Aleutian Islands, Western Gulf, and so forth). Presumably, discard would be decreased by not triggering the "single species rule" as often as currently is the case.
10. Establish an IFQ management system for all groundfish species. An IFQ management system for groundfish would provide quota for all species. Assuming we are able to effectively monitor catch, such a system would appropriately value target, non-target, other species, and even prohibited species. If a species' discard is not of concern quota would not be established.
11. Establish a dumping tax on "unwanted" species. Discarding fish would be allowed but the vessel or processor discarding the fish would pay a fee for doing so. The fee could be set to reflect the foregone value of the species or the pollution cost associated with the dumping. Effective at-sea enforcement would be crucial to the success of this alternative. It may be necessary to amend the MFCMA to accomplish this.

North Pacific Fishery Management Council

John G. Peterson, Chairman
Clarence G. Pautzke, Executive Director

605 West 4th Avenue
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MEMORANDUM

To: Executive Directors
Regional Fishery Management Councils

From: Clarence G. Pautzke 
Executive Director

Date: April 25, 1989

Subject: Full utilization of fishery resources

At the April meeting of the North Pacific Council, a major issue was the practice by some segments of industry to strip the valuable roe from pollock and then discard the carcass without further processing. This practice increases their throughput but leads to a huge waste in fish flesh that could be processed into other products such as fillets, meal, surimi, etc. Other species are also wasted if there is no immediate market for that product or there is great pressure just to highgrade the best portions of the catch.

I was requested to query the other Councils to determine whether you are doing anything through regulations or otherwise to encourage full utilization of the catch. Chairman John Peterson and I will be seeing you in Washington, D.C. next week and any studies, proposals or advice that your Council may have to address this waste problem would be much appreciated.

MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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 302-674-2331

James F. McHugh
 Chairman

Robert L. Martin
 Vice Chairman

DOVER
 - 2 1989

John C. Bryson, P. E.
 Executive Director

MEMORANDUM

ACTION	ROUTE TO	INITIALS
	Exec. Dir.	
	Deputy Dir.	
	Admin. Off.	
	Exec. Sec.	<i>JCB</i>
	Staff Asst. 1	
	Staff Asst. 2	
	Staff Asst. 3	
	Economist	
	Sec./Bkkr.	
	Sec./Typist	

TO: Clarence Pautzke
 FROM: John C. Bryson *John*
 SUBJECT: RE Your Memo Dated 4/25/89
 Full Utilization of Fishery Resources
 DATE: 4/26/89

The reference to landing whole fish is in the context you refer to, not that the fish cannot be gutted, headed, etc.

The practice here was to remove the fins and toss the sharks back. Not only wasteful but very cruel.

A copy of the Mid-Atlantic Shark Emergency Action Request is attached.

/j
 attachment

MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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302-674-2331

James F. McHugh
Chairman

John C. Bryson, P. E.
Executive Director

Robert L Martin
Vice Chairman

April 13, 1989

Mr. Richard Roe F/NER
Regional Director
NOAA Fisheries
One Blackburn Drive
Gloucester, MA 01930

Dear Dick:

Under the provisions of the Magnuson Fisheries Conservation and Management Act, (MFCMA), the Mid Atlantic Fisheries Management Council, (MAFMC), has been designated the lead council for the development of a Fisheries Management Plan, (FMP) for Sharks. In conjunction with the other Atlantic Coast, the Gulf, and the Caribbean Councils, the MAFMC has started the preparation of a Shark FMP. Although development effort will be assigned a high priority at the staff level, a date when an FMP will be ready for your approval is indefinite.

Being aware of a current dangerously untenable situation in this fishery, the MAFMC has voted to bring this matter to your attention with a request for emergency action. The Council has taken this action in accordance with the provisions of Section 305(e)(2)(B) of the MFCMA.

STATEMENT OF THE PROBLEM

All shark species are extremely slow growing, late maturing animals capable of reproducing 4 to 10 young, every year or every two years. These characteristics distinguish the sharks from the great majority of other species of sea life necessitating a careful harvest if they are to survive. There is an available history of overharvesting of various species of sharks which has resulted in their disappearance from wide areas of the oceans where unrestricted fishing effort has been exerted.

It is documentable that the sharks are a valuable resource to both the commercial and recreational fisheries of the United States. The scientific data already assembled in anticipation of the development of the FMP not only documents this reality, but also documents the fact that a significant number of the various species of sharks migrate seasonally along both the Gulf and Atlantic Coasts.

In recent years U.S. fishermen have significantly increased use the longline method of harvesting tunas and swordfish in all areas of our Exclusive Economic Zone (EEZ). By its nature this type gear is non-selective in its capture ability. As a result the mortality rate for the sharks has increased. As the availability of more desirable target species such as swordfish and tunas has declined as the result of the efficiency of longline gear, the market value of sharks has increased.

While the Councils have recognized for sometime that these increases in shark landings proposed serious threats to a sustainable yield, it has been thought that the impacts could be absorbed while the Councils proceeded with the process of producing an FMP in an orderly manner. However, recent developments have convinced the MAFMC that unacceptable damage will be done to this fishery before an FMP can effectively address the problems.

Briefly stated these developments fall into two categories. The first is the development of a directed shark fishery which has introduced methods of effort such as gill and encirclement netting. The Southeast Fisheries Center data indicate that the resultant harvest has increased geometrically. Knowledgeable shark scientists have expressed grave concern that the shark stocks cannot support a fishery on a continuing basis at these current levels of harvest. The second is the recent development of a major export market for shark fins. Current dockside price for fins is \$10.00 to \$12.00 per pound wet weight. To meet this demand fishermen are cutting the dorsal and pectoral fins from live sharks, at sea, and releasing the mutilated animals. Single vessel landings of as much as 750 pounds of fins have been reliably reported as have 20,000 pounds per week dealer handling of these shark parts.

Quite aside from the sever biological impacts resulting from this fishing practice, many of the mutilated animals have survived to reappear, in their distressed condition, in areas where they have been observed by the general public. As a result there has been a general outcry prompting constituency correspondence with Congress. These citizens concerns have, in turn, been relayed to NOAA Fisheries with requests for comment.

During the last 90 days the MAFMC has explored available options to address the problem. These include a review of the Preliminary Management Plan for Atlantic Billfish and Sharks, (ABSPMP); Federal regulations concerning cruelty to animals; and, the possibility of aborting the interest in taking of shark parts by means of a prohibition on export. None of these suggested avenues have produced a viable means of addressing the problems. The ABSPMP is restricted to the regulation of foreign fishing activity. There is no recourse to the cruelty considerations short of Endangered Species action for which sufficient data is lacking. Prohibitions on export raises concerns for conflict with other international trade agreements.

PROPOSED ACTION

It has been determined that a significant reason for the finning at sea activity is based on the fact that the vessels involved in these operations have minimal carrying capacity. Since the highly profitable shark parts require much less cubic capacity for transport the practice is profitable. If it were required by regulation that the landing of shark parts be prohibited, and only whole, un mutilated animals be landed a meaningful decline in fin traffic would result.

The MAFMC has determined that the only immediate course of action lies in the provisions of the MFCMA which provides for emergency action by the Secretary. Since these provisions of the Act allow for only 180 days of regulatory authority by the Secretary in response to an emergency request, the Council recognizes that such emergency action time will not be sufficient to allow the Councils to prepare and forward an FMP to address the problem. The Council addressed this concern in their motion requesting Secretarial intervention.

The formal Council motion follows:

"The Mid Atlantic Fisheries Management Council being informed of irregular fishing practices which, if allowed to continue, will seriously endanger the survivability of many species of sharks, and acting under the provisions of Section 305(e) of the

MFCMA, request the Secretary to take the following emergency actions at the earliest possible date:

- a. Implement such regulations as will require that only whole, un mutilated sharks of any species be landed, and that the landing of shark parts be prohibited.
- b. That a cap be put on the landing of sharks that will not exceed the 1986 level of reported landings.
- c. That rod and reel, or other types of recreational fishing landings be restricted to one shark landed, per angler, per day.
- d. That the Secretary seek immediate legislative relief from the 180 day provisions limiting his emergency action, specifically for purposes of addressing the recognized problem in the shark fishery. Such relief to terminate when the Councils have had a Shark FMP approved by the Secretary."

This motion passed by vote of the Council, and is part of the record of the meeting of April 5-6, 1989.

In taking this action the Council recognized the reluctance of the Secretary to react to the emergency action procedures available to him. In its discussions of the issue the Council expressed its understanding and agreement with the Secretarial position. The Council, however, concluded that the situation as described in this paper is a clear demonstration of a condition in the fisheries where Secretarial action is necessary.

Sincerely,

John C. Bayon FOR
James F. McHugh

JFM:lr

cc: The Honorable Robert Mosbacher
Mr. James Brennan
New England Fishery Management Council
South Atlantic Fishery Management Council
Gulf of Mexico Fishery Management Council
Caribbean Fishery Management Council

CPCOPY

NEW ENGLAND FISHERY MANAGEMENT COUNCIL

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FTS 8-835-8457

May 10, 1989

Mr. Clarence G. Pautzke, Executive Director
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, AK 99510

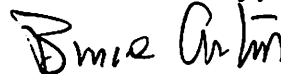
Dear Clarence:

The staff have discussed your memo of April 25 and the full utilization issue it raises. We are aware of practices in areas further south that are similar to the roe-only fishery you describe. For instance there is a fin and skin fishery for sharks that utilizes only those parts and even a fin only fishery with finless sharks being put back in the water alive.

In our Council area of jurisdiction, however, we are not aware of any similar fishery practice. Our scallop fishery has traditionally utilized only the adductor muscle, but there is now a small export market to Europe that utilizes the roe and viscera as well, so if anything we are moving in the other direction.

There is a recently developed sea urchin fishery in the Gulf of Maine that is a roe fishery, but I don't know of any use for the rest of the urchin.

Sincerely,



 Douglas G. Marshall
Executive Director

DGM.2366C