


MEMORANDUM

TO: Council, SSC and AP Members
FROM: Clarence G. Pautzke 
Executive Director
DATE: June 13, 1989
SUBJECT: Observer Program Amendment

ACTION REQUIRED

Report of Data Gathering Committee and final consideration of proposed observer program.

BACKGROUND

The Council is scheduled to decide whether to recommend that the Secretary of Commerce implement a mandatory domestic observer program, its level of coverage, funding, and administration. This decision follows a period of rapid expansion of the fully domestic groundfish fisheries and the associated decline in foreign directed and joint venture fisheries and at-sea information provided by the foreign observer program.

The Council and its advisory bodies have voiced concern over the erosion of the fisheries data base and the increasing difficulty in managing the resource. The SSC, in reviewing management proposals in January 1987, stressed that the lack of a domestic observer program threatened the integrity and utility of basic fisheries management data. In reviewing research priorities in December 1988, the SSC placed highest priority on an observer program for the groundfish fisheries.

The Advisory Panel noted in December 1988 the increasing difficulty in accomplishing their task with information available. They recommended that a workgroup be assigned to analyze the most cost efficient way, including industry-wide funding, to establish an observer program. The Future of Groundfish Committee expressed similar concerns over the lack of data and included the issue among five major problems facing management under open or limited access.

The Council has gone on record on the need for observer data by supporting a pilot domestic observer program, counting the lack of observers among the reasons for not raising the Bering Sea groundfish OY, and this year proposing to amend the Magnuson Act to provide for cost-recovery programs to support observers and data gathering. The Council also has declared that the lack of observer data is preventing them from meeting their obligations under the Magnuson Act and petitioned the Secretary of Commerce to prepare, implement, and fund an observer program, and to use marine mammal observers to collect fisheries data. Attached are our February 3, 1989 letter and Jim Brennan's response.

These events have led up to and accompanied the development of the three alternatives in the observer portion of the data gathering amendment (Section 8, beginning on p. 158):

1. Retain status quo with observer coverage continuing to be voluntary.
2. Implement mandatory observer program with a fixed coverage up to 100%.
3. Implement mandatory observer program with frameworked coverage up to 100%.

Both mandatory programs would allow up to 100% coverage, the main difference being the need for plan amendment to change the fixed percentage from year-to-year under alternative 2. In choosing an alternative, Council will need to consider the level of coverage, funding, and administration of the program.

Observer Coverage

The analysis shows that full or "100%" coverage would place observers on 43% of the 1855 vessels with federal permits in 1989 if all vessels less than 50 ft long were excluded because of their physical inability to house an observer. Under that length limitation, observers would be on all 19 motherships, 650 catcher vessels, and 128 catcher processors, as well as 85 shoreside facilities. The proportions of catchers of each gear type included by the 50 ft limit are as follow:

<u>Gear Type</u>	<u>Catcher Vessels</u>	<u>Catcher/Processors</u>	<u>Overall</u>
Longliners > 50'	30% (427 of 1412)	65% (53 of 81)	32%
Pot Vessels > 50'	85% (17 of 20)	92% (11 of 12)	88%
Trawlers > 50'	86% (204 of 237)	96% (64 of 67)	88%
Multigear > 50'	29% (2 of 7)	0	29%
Totals	39% (650 of 1676)	80% (128 of 160)	42%

Under either alternative 2 or 3, the Council could require fewer than the 778 vessels over 50 ft and the 85 shoreside processors to take observers. Some options include:

- require observers only on processors, at sea or ashore.
- select just a subset of the shorebased facilities that accounts for the most groundfish processing.
- exclude catchers delivering to motherships if their catch is not sorted before delivery.
- select certain, high interest areas where comprehensive observer coverage is needed.
- select some subset of vessels based on a valid sampling design.

Each variation has its tradeoffs. For example, not requiring observers on catchers would save money but at the expense of independently verifiable data on bycatch and discards. The level of coverage also would depend on how comfortable the Council is with applying to the DAP fisheries, parameter estimates and variances for critical factors such as PSC bycatch rates from the joint venture and foreign data bases. For example, how confident is NOAA Fisheries in projecting crab and halibut bycatch in the DAP fisheries in Zone 1 based on their current data base?

The Council also might want to consider an observer program that varies over the next few years in its comprehensiveness. For example, the program could be more comprehensive 1990, and perhaps 1991, to establish a benchmark data base of means and variances for further management of the DAP fisheries, and then be relaxed into more of a basic statistical sampling mode for four or five years. Or conversely, the program could start small and expand as more funds become available.

Funding Alternatives

The analysis gives a daily observer cost of \$250, including all training, transportation, overhead and support services, salaries and benefits, or about \$7,500 per observer-month for a program contracted through universities or private companies. This monthly cost includes about \$1,000 that would go directly to NOAA Fisheries for overhead, data programming and reporting, etc. Based on the estimated costs and the number of vessels over 50 ft assumed capable of carrying an observer, about \$1.05-1.09 million is needed for each 10% increment of coverage.

The total cost for the "100% option" for the 43% of the vessels over 50 ft and the 85 shoreside facilities is \$10.9 million, equivalent to 1.9% of the projected 1989 exvessel value, or 1% of the processed value of the fishery. The total observer cost breaks down as follows: \$4.6 million for catcher vessels, \$5.2 million for catcher processors and motherships, and \$1.1 million for shoreside plants.

A critical question is where those funds will come from and when they would be available. Five alternative sources are identified in Appendix 8.2.II (p. 178) of the amendment package and are discussed further below.

Alternative 1: Voluntary Funding. This is similar to the matching program initiated by AFTA for 1989 with participation by various organizations and private individuals. The analysis indicates that about \$105,000 has been contributed and that several fishing organizations have volunteered to assess themselves for future funds. Every \$500,000 the industry is willing to put in the kitty for 1990, will provide about 5% additional coverage.

Alternative 2: Government Funding. NOAA Fisheries would be requested to fund observers and would require a special appropriation or reprogramming of the budget. Industry has supported an add-on of \$7.5 million for FY1990, noting that about 50% or \$3.75 million should be earmarked for Alaska fisheries. NOAA has also requested funds for the marine mammal observer program. The House Appropriations Committee should have reported on thirteen regular appropriations bills for FY1990 by the time the Council meets. I'm told that if the reported budget has money for observers, there is a chance it will stay in. If not, then it will take conferencing with the Senate and we won't know until later in the year whether funds will be available. The deadline for the House to complete action on the appropriations bill is June 30. Senate action and House-Senate conferences then follow.

If the Council chooses to depend on federal funding for the observer program, the implementing regulations may need an escape clause, much like there is in the marine mammal amendments, which allows NOAA not to require observers if none is available, an exception which includes inadequate funding in the NOAA Fisheries budget. The Council also may want to seek a commitment from NOAA to reprogram the fisheries budget as necessary to provide the Council's recommended coverage.

Alternative 3: Mandatory Industry Funding. The Magnuson Act must be amended before a cost recovery program can be established. The Council has proposed such an amendment and Congressman Young has introduced H.R. 1554 which would allow fee programs as a discretionary measure in a fishery management plan. H.R. 1554 will move along legislatively with other Magnuson Act amendments this fall after the August field hearings in Seattle and Kodiak. If approved by Congress, it could be signed into law by mid-November if all goes well. NOAA General Counsel would then write and install the federal implementing regulations which could take four to six months, say by June 1990, counting from the first of the year.

One way for the Council to get a jumpstart on this issue while the legislation is progressing, is to assign a workgroup or technical team to flesh out alternative cost recovery approaches such as those mentioned on pp. 178-179 of the analysis. An options paper could be presented in September which would serve as the basis for a proposal for the groundfish amendment cycle. By December we would know if the Act were amended. If not, the proposal would be dropped. If so, the Council could approve the fee proposal for analysis along with other proposed amendments in January 1990. It could go out for public review after the April meeting and given final consideration in June. It could be forwarded then to the Secretary of Commerce, trailing the implementing regulations for Young's Bill.

If approved by the Secretary, the cost recovery program would be in place for January 1991 and funds would flow in that could be tapped for observers perhaps later in 1991 and certainly for 1992. It does not appear that this funding option would be viable for observers in 1990 or early 1991.

Alternative 4: Sale of Prohibited Species Catch. This would require a plan amendment as well as changes in State and IPHC regulations. I'm not sure whether such changes could be completed before January 1, 1991. If not, revenues would not be available until sometime later in 1991 or perhaps by 1992. The timing seems to be similar to the cost recovery program of alternative 3 and may preclude it from being a viable option for 1990 or early 1991.

Alternative 5: Mandatory Self-Payment Plan. This would require all vessels on which the Council desired observers to pay for their own observers, similar to the data gathering program we now have for the cod exemption in Port Moller. Industry costs perhaps could be offset some way by federal funds if they were forthcoming. Otherwise the industry would shoulder the full costs for their observers in areas and fisheries of high interest to the Council.

Program Administration

If the Council decides to recommend a mandatory observer program for 1990 and specifies the level of coverage, then there are many administrative details that must be resolved for the program to be fielded successfully beginning January 1. Shorter-term administrative solutions that will have a program up and running next year may require overhaul in the long run. Experience and studies over the next year or two will help to define a more optimal administrative design that serves the observer program best. However, for 1990, six months away, an administrative infrastructure needs to be established relatively quickly.

The Council has the option of leaving this administrative design up to NOAA Fisheries as they did in petitioning the Secretary in January to ". . .prepare and implement an observer program. . ." and as happened with the Marine Mammal Act amendments. This has been referred to as the "congressional approach." Or, the Council could give policy guidance and perhaps assign a technical team to help this summer in fleshing out the administrative aspects of the program. The technical team could report back at the September meeting when

we should know more about add-ons or reprogramming within NOAA to support observers, and when we will be closer to the date of Secretarial approval of the proposed groundfish amendments.

The Council could give policy guidance by specifying performance standards for the administrative program. Here's a first cut:

1. Standardized, high quality training that will enable all observers to record biological and catch data on all groundfish species, halibut, crab, herring, salmon, and marine mammals.
2. Sufficient observers trained and deployable on January 1, 1990 to meet Council's coverage specifications.
3. Sufficient sampling and survival equipment stockpiled to supply observer force.
4. Program coordination such that a vessel operator can be guaranteed a certified observer within a specified number of days.
5. A system for coordinating observer travel, housing in ports of call, and getting on and off vessels.
6. Increased interagency coordination for various observer programs.
7. System for debriefing observers, collecting logbooks, and ensuring that all observer data are available to Center scientists and plan teams for analysis.
8. A system for accepting and accounting for the use of industry funds either through the voluntary funding program of mandatory self-payment plan, if the council chooses one of those alternatives.
9. All of the above done the most cost efficient way possible for 1990 recognizing that program changes may be needed for later years.

DATA GATHERING COMMITTEE MEETING
JUNE 19, 1989

DRAFT MINUTES

The Data Gathering committee met on June 19, 1989 at 10:30 a.m. to discuss the proposed observer program amendment which is part of amendments 18/13 to the groundfish plans. Attending were Oscar Dyson (Chair), John Winther, Tony Knowles, John Peterson, Henry Mitchell, Larry Cotter, Ron Hegge, and Phil Chitwood.

The Committee reviewed the major alternatives available to the Council on establishing an observer program and funding mechanisms. There was considerable discussion of the various sectors of the fleet that would be covered with observers for various length classifications.

The Committee recommends that the Council adopt the following observer program beginning in 1990:

1. All vessels over 125 ft in length would require 100% coverage in 1990. After this first year the Council, in consultation with NOAA Fisheries Regional Director could reduce the observer coverage as appropriate, possibly specifying certain times and areas.
2. All vessels under 125 ft capable of taking an observer would require 30% coverage unless the coverage specification is changed by the Council. Vessels to take observers would be selected annually by lottery.
3. Observers would be located at shoreside processing plants to augment the at-sea coverage.
4. Plan teams and scientists would provide to the Council each September estimates of the coverage needed for the next year. The Council would take final action on these recommendations at the September meeting.
5. Funding for the observers would be provided by the vessel carrying the observer.

The Committee also recommended that the Council schedule a discussion of an observer program for the crab and halibut fisheries at the September meeting.

Matt Robinson's

**GORDON
OF
SESAME
STREET
STORY-
BOOK**





FISHER-WAN



Way way out in the middle of the ocean, on a rainy, rainy day, there was a fishing boat. It was the only boat for miles around, and the name of this boat was the Bad Ship Sloppyslop. The Bad Ship Sloppyslop—the sloppiest, dirtiest, grimeiest, filthiest boat on the seven seas.

Everywhere the Bad Ship Sloppyslop went—on the ocean, on the seas, on the rivers, on the lakes—the crew dumped garbage and trash overboard. They made the waters dirty for fish and dirty for people. The captain of this boat was Greedy Grimes.

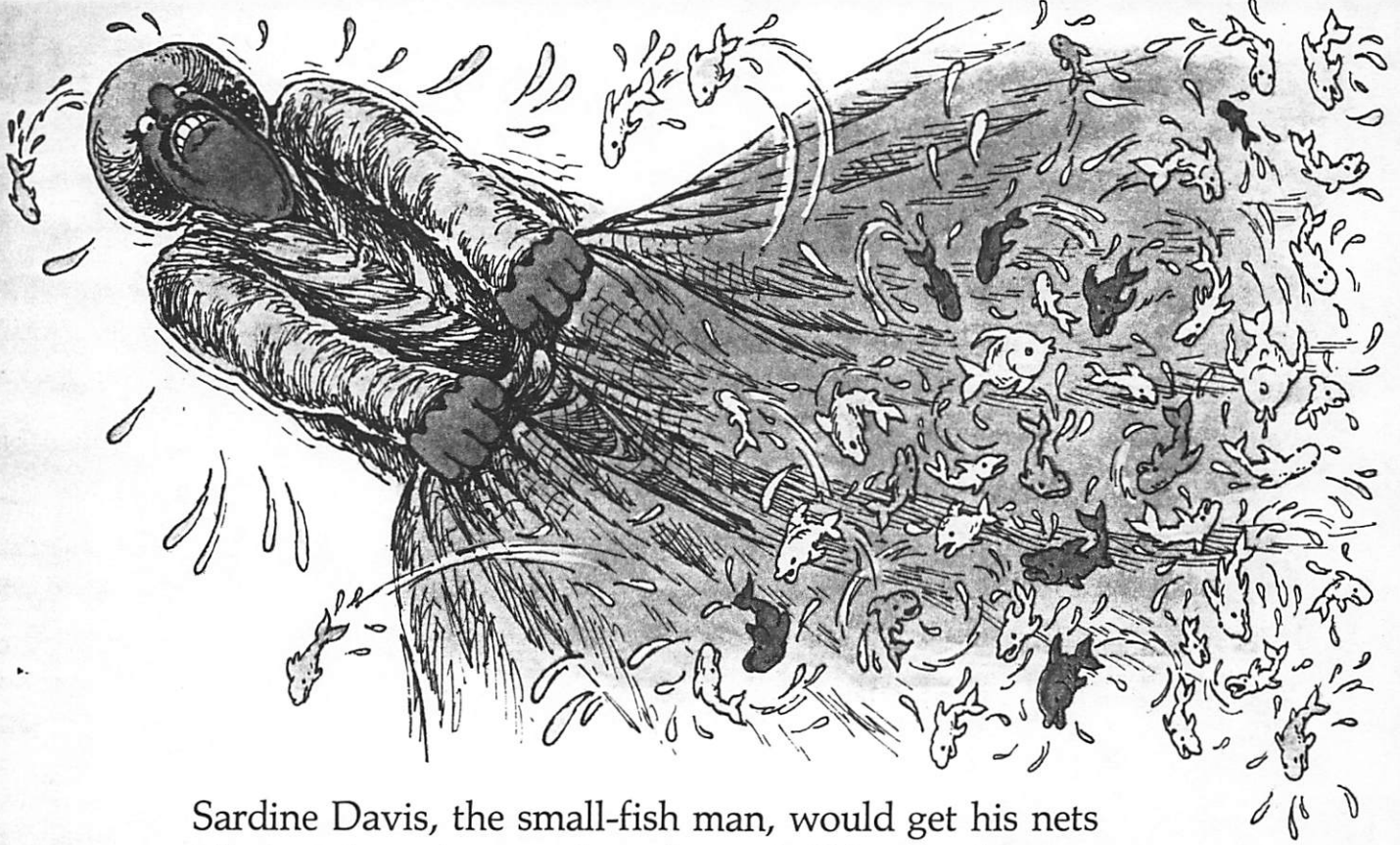




Now, if you think the Bad Ship Sloppyslop was bad, you should have seen Greedy Grimes. He was worse than the ship. And the worst thing about Greedy Grimes was the greedy way he fished. You see, Greedy Grimes and his two crew members, Trapping Travis, the lobster lover, and Sardine Davis, the small-fish man, lived on a little island called Dumb Dumb Island, just the three of them. But, when they went fishing, they caught hundreds and hundreds of fish, many many more than they needed.

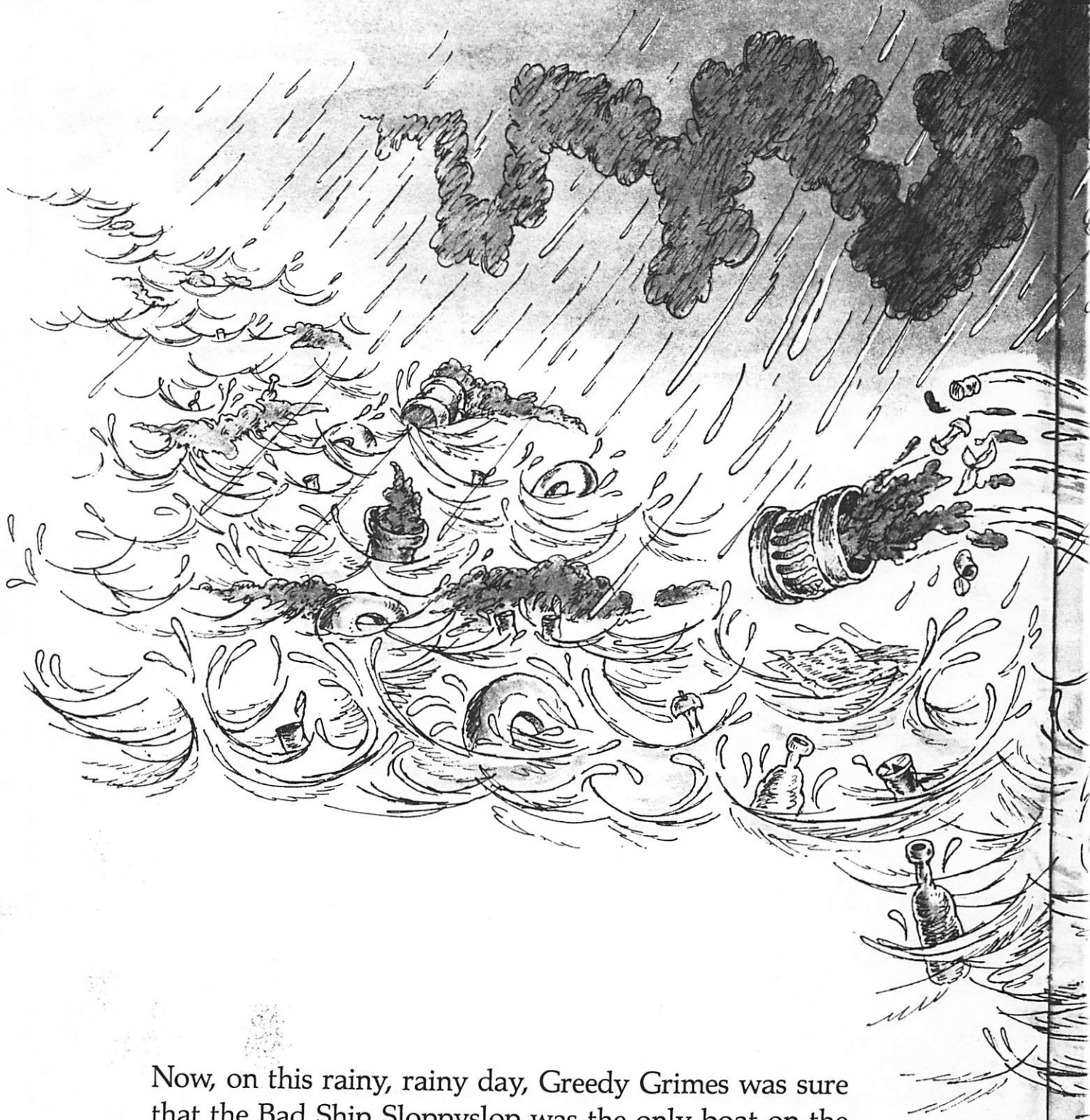
Why, Greedy Grimes would catch big fish like tuna and swordfish.





Sardine Davis, the small-fish man, would get his nets filled with sardines and smelts and all kinds of little fish. And Trapping Travis, the lobster lover, would set hundreds of lobster traps everywhere he even *thought* that he could find a lobster.





Now, on this rainy, rainy day, Greedy Grimes was sure that the Bad Ship Sloppyslop was the only boat on the ocean, so he tried to catch every fish swimming and crawling. He and his cruddy crew caught bass and flounder and crabs and mackerel and eels and everything they could reel in and pile on board. And to make room for more fish, they threw all kinds of junk in the water. They tossed in tin cans, old papers, orange peels, old rubber tires, just plain junk and garbage—anything to make room for more fish.



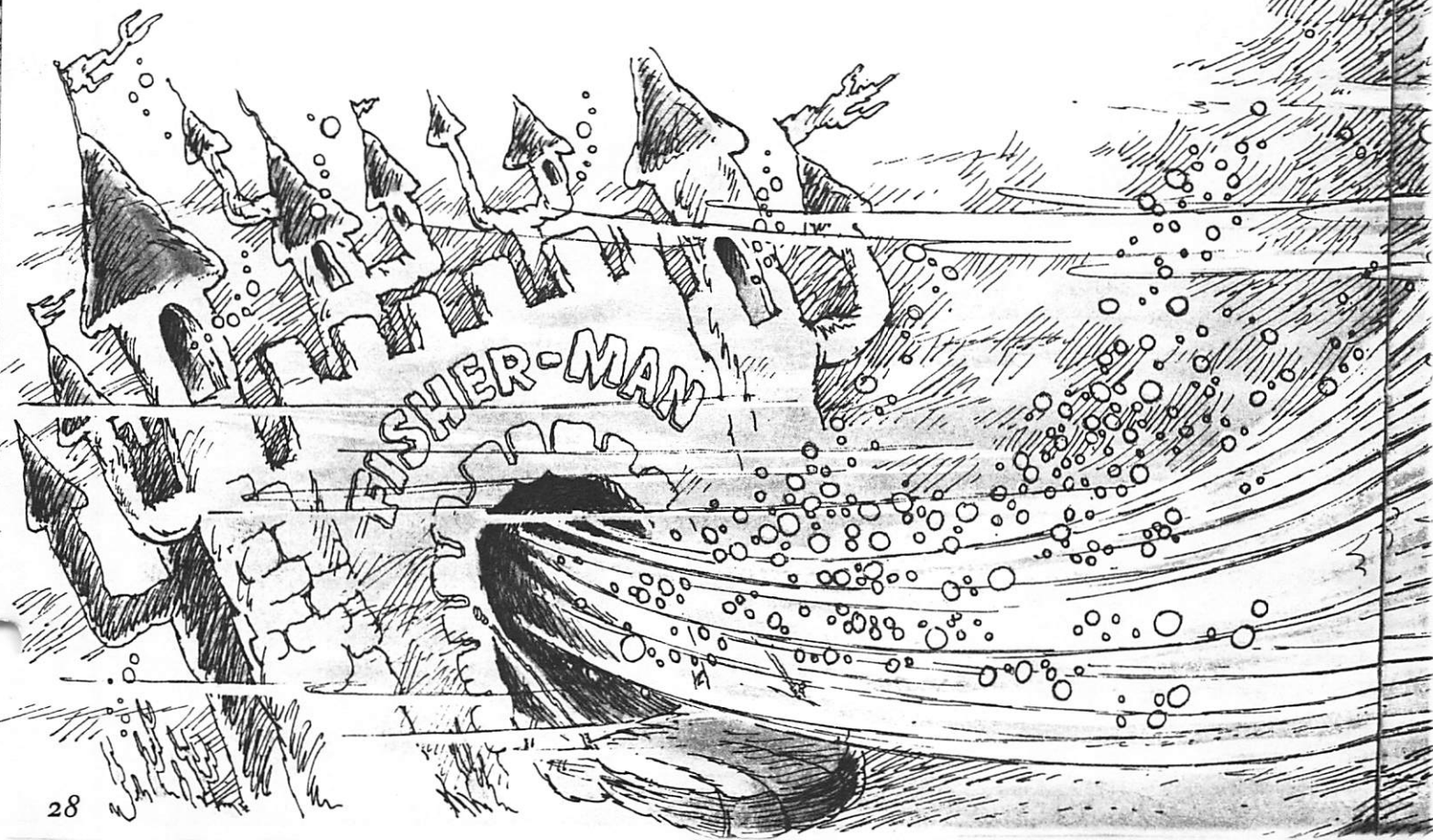


They piled so many fish on top of the boat that something began to happen. Something began to happen! The Bad Ship Sloppyslop began to sink. There they were in a sinking boat, way way out in the middle of the ocean, with the wind blowing, the rain pouring, and not another ship for miles around. When Greedy Grimes realized that his boat was sinking because the fish were too heavy, do you think he threw his fish overboard? Do you think so? No! He was too greedy! He just stood there and yelled and hollered, "Somebody, somewhere, save my boat and save the fish I caught!"



Of course, there was only one man in the world who could save him. Only one man. And that man wore a gray costume with a wide black cape, and a great pair of boots, and a black leather hat with a mask over his eyes, and they called that man Fisher-Man. Fisher-Man! Fisher-Man lived in the bottom of the ocean in a two-story watery castle, and he was there to make sure that no one made the water dirty and that no one took more fish than he needed.

Naturally, Fisher-Man had no use for Greedy Grimes and he wasn't too happy about the Bad Ship Sloppyslop or Trapping Travis or Sardine Davis. But, when a boat was in trouble, even if it was the Bad Ship Sloppyslop, it was Fisher-Man's duty to save the boat and everybody on board. So, when Fisher-Man heard Greedy Grimes yelling and hollering, he zoomed through the water until he came to the sinking ship.



FISHERMAN



Right away, Fisher-Man knew what to do. He jumped on board the Bad Ship Sloppyslop and took all of the fish and put them back into the ocean. Then the ship was not as heavy as it was before, so it stopped sinking and floated safely on top of the water again.



But instead of being happy that they were safe, Greedy Grimes and his crew were angry because all of their fish were gone.

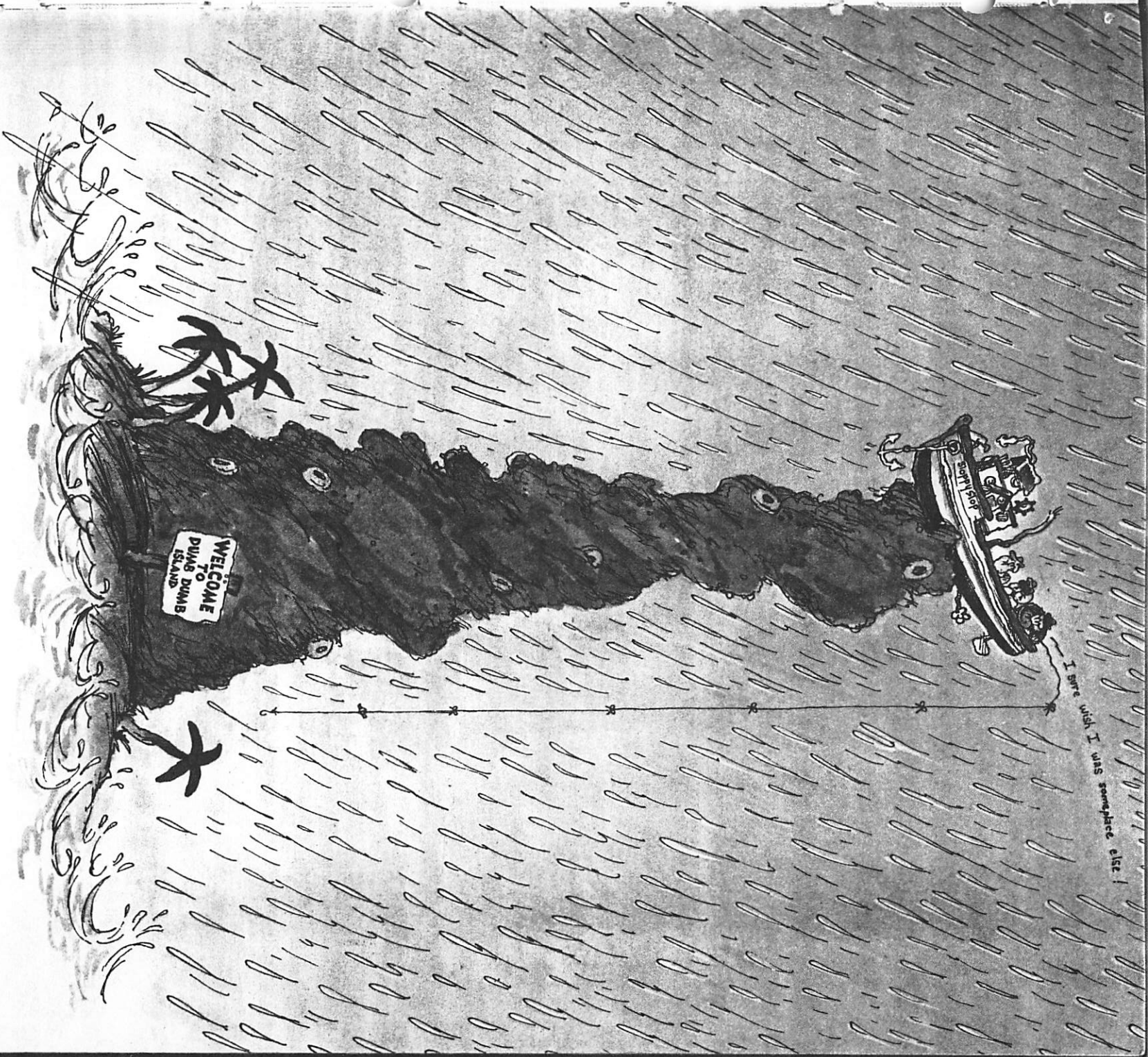
"Fisher-Man," said Greedy Grimes, "you had no right to throw all of our fish back into the ocean!"

"You're wrong, Greedy Grimes," said Fisher-Man. "Your boat was sinking because you had too many fish. Now! Not only won't you get your fish back, but I'm going to get all of the garbage and junk that you've ever thrown in the water and put it back on your boat."






Then the fantastic Fisher-Man scrounged up all of the junk in all of the water in the world and piled it all on top of the Bad Ship Sloppyslop. And in one great movement, he picked up the junky boat with one hand and swam back to Dumb Dumb Island. There he dumped the boat, the junk, Sardine Davis, Trapping Travis, and right on top of this huge pile, Captain Greedy Grimes himself.



And there they all are to this day, living in the Bad Ship Sloppyslop, up on top of all that garbage, and wishing they were someplace else.

MEMORANDUM

TO: Council, SSC, and AP Members

FROM: Clarence G. Pautzke 
Executive Director

DATE: June 16, 1989

SUBJECT: Gulf of Alaska and Bering Sea/Aleutian Islands Groundfish Fishery Management Plans

ACTION REQUIRED

Approve pollock utilization amendment for public review.

BACKGROUND

At its April 1989 meeting, the Council considered a request from industry to prohibit pollock roe stripping and to require full utilization in all groundfish fisheries. This action was requested because of the rapid attainment of the Gulf of Alaska pollock quota early in 1989 and because of industry concerns over the practice of removing roe from a portion of the pollock catches in the Gulf and the Bering Sea and subsequently discarding the males and stripped carcasses.

The Council requested that the Gulf of Alaska and the Bering Sea/Aleutian Islands Groundfish Plan Teams prepare an amendment to the groundfish FMPs which addresses the pollock utilization issue. The Council also requested that the Plan Teams prepare a list of alternatives addressing the broader issue of discards and waste in groundfish fisheries, including roe stripping in other fisheries. The latter document dealing with discards and full utilization is under Agenda Item C-8.

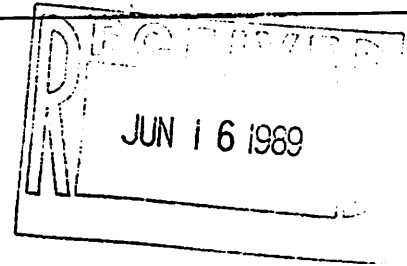
The pollock roe-stripping amendment document was mailed to you June 9. The major alternatives for Council consideration are:

1. Do nothing. Maintain the status quo.
2. Prohibit roe-stripping in the pollock fisheries in the Gulf of Alaska and Bering Sea.
3. Require full utilization in the pollock fisheries in the Gulf of Alaska and Bering Sea.
4. Implement a split harvesting season to place limits on the winter-early spring harvest and ensure the availability of product later in the year in the Gulf of Alaska and Bering Sea.
5. Prohibit roe-stripping and implement a split harvesting season in the Gulf of Alaska and Bering Sea (a combination of Alternatives 2 and 4).

The Council should review the document and consider its release for public review. After a public review period, the Council could select a preferred alternative at its September meeting and then forward the amendment package to the Secretary for review and approval. The amendment could be in place for the 1990 fishery.



ARCTIC ALASKA FISHERIES CORPORATION



June 14, 1989

Mr. John Peterson, Chairman
North Pacific Fisheries Management Council
P.O. Box 103136
Anchorage, AK 99510

Dear John:

I encourage the Council to consider allowing utilization of prohibited species as a means of obtaining funds to finance a domestic observer program. I am certain some people will initially react negatively to this suggestion, but I am also convinced such a program properly constructed would be appropriate and acceptable to the majority. It simply does not make sense to waste those resources when they could be utilized in a manner that would not be detrimental to the resources or their traditional users. The target and retainable by-catch groundfish species that become prohibited species sometime during the fishing year would be the largest component of the program. Some of the species initially designated as prohibited species such as halibut could be utilized to a lesser extent.

Following are key elements of the program which must be carefully crafted to insure its acceptability and appropriateness:

1. Lack of incentive to catch prohibited species.

Targeting on prohibited species would not be allowed. They could only be taken incidental to other species in the traditional manner, areas, times, quantities, etc.

Caps, time/area closures and other limitations on the taking of prohibited species would continue.

Proceeds from the sale of prohibited species would go to fund a domestic observer program except for reimbursement to the processors for some portion of expenses.

Mr. John Peterson
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2. Accountability.

Observers would be required on at sea processors and in shore side facilities where prohibited species were processed.

Observer records would verify quantities retained, processed and offloaded or shipped. Prohibited species products would be stored separately from other products and subject to inspection at all times.

Records of sales (both quantity and value) would be submitted to NMFS to account for funds.

Reimbursements to processors to cover expenses would be computed by NMFS on the basis of documented costs.

3. Fish to be processed.

Only those fish which are dead or mortally injured could be retained. The resulting retention rate would vary between species and gear types. Observer viability determinations on board catcher and catcher/processor vessels could determine which fish could be retained for processing.

4. Marketing.

Prohibited species could only be marketed in a manner that would not detrimentally affect the marketing of traditional products. This includes impacts on quantities, quality and price of traditional products. Few if any problems of this type would occur with the target or retainable by-catch groundfish species that become prohibited species during the fishing year. It is questionable if a substantial quantity of salmon and crab would be marketable. A sizable quantity of halibut would be marketable without a negative impact. Fillets immediately frozen at sea or within a day of catch by shore side facilities would be of good quality and probably not compete with the traditional halibut product. An industry committee could be formed to set product standards and marketing limitations.

Products would be marketed by the processors. Accountability would be as described in item 2 above.

I envision this program generating enough funds to finance an across the board observer program--all types of vessels in all fisheries. The proceeds from all sales would go into one fund

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designated by NMFS. The observer program should be administered by one agency to ensure uniformity in training and collection of data and appropriate distribution of observer coverage. The Northwest and Alaska Fisheries Center would be the appropriate agency because of its extensive experience and expertise, and its ability to process a high volume of data.

No doubt I have left many questions unanswered and omitted many details I would hope, however, this could provide a basis for evaluation and development of a workable program.

Regards,



Philip E. CHitwood
Director, Government Affairs

SM
053PC

TO: John Peterson , Chariman, North Pacific Fisheries Management Council
FROM: Brad A. Resnick, President, Aleutian Dragon Fisheries
SUBJECT: Comments on Observer Program Admendment, Agenda Item D-1 (B)

Mr. Chairman, members of the Board -

I come before you today with a plan which could, I believe, end the incessant bickering and procrastination surrounding the observer situation and will ensure that we acquire the necessary baseline data needed in order to ensure the long term manageability and survivability of the groundfish in the EEZ.

The program would run for a period of 2 years beginning as early as procedurally possible in 1990, and would be reduced substantially thereafter.

It would require:

100% coverage on any vessel 90' LOA or longer who sort fish except that all cather processors regardless of size would be required to carry an observer.

100% on motherships who receive cod ends only.

100% for shorebased in that there will be a full time observer on shore at each and every facility that participates in the NMFS quarterly survey.

All observer information will be held strictly confidential by NMFS, except that its aggregate results will be released to the public on a timely basis.

This program will be funded through the mandatory retention and subsequent sale of PSC other than undersized halibut, simalarly to what is described in Alternative # 4 of agenda item D-1 (B).

Discards at sea would be prohibited during the duration of this program, at the end of which we will have true baseline data which will result in published by catch values which need only to be checked from time to time as gear changes and fishing habits change.

All funds collected from processors from the sale of finished PSC product will be remitted to a duly authorized organization who's function is to recruit, train and deploy and insure observers. This would not preclude the transfer of funds to private companies who supply observers to the program. Otherwise, any funds remaining after all costs are covered will be utilized to fund whatever reduced observer coverage is necessary in the future.

The council should take the appropriate steps to insure that any funding for an observer program which becomes available from any source outside this program, will be applied to the costs incurred by this program.

Available observers will be distributed through a lottery system until such time as the available observer pool has reached full strength. In the interim, available observers will be assigned on an equitable basis throughout the different sectors of the harvesting and processing participants.

I fully realize that the spectre of retaining PSC may be abhorrent to some of us, but I see it as the only rational fashion of determining true bycatch rates, and at least the fish which would normally go to waste would be put to good public use. I believe that even the IPHC would go along with this plan in order to be assured of finally really knowing how much halibut is being harvested as bycatch.

All fishermen need to understand the ramifications of this program. The results of this program will result in the creation of published bycatch rates which NMFS will use thereafter. However, if an individual fisherman or a vessel smaller than 90', elects to discard in an effort to lower his gear type's effective bycatch rate, he first runs the risk of license revocation but he runs the risk of his numbers standing out like a sore thumb amongst the numbers from observed vessels, which could result in authorized inspections.

This program is the only fair and equitable manner which results in NMFS obtaining the accurate data which we all need in order to insure orderly management of the groundfish fisheries into the future.

GREENPEACE U.S.A.

P.O. Box 104432
Anchorage, Alaska 99510

Tel. (907) 277-8234

TESTIMONY OF
CINDY LOWRY
BEFORE THE

87th PLENARY SESSION
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
June 21, 1989

My name is Cindy Lowry and I am the Alaska Regional Director for Greenpeace, an international environmental organization with 1.25 million supporters in the United States. I appreciate this opportunity to comment on Amendment 13 to the Bering Sea/Aleutian Islands Groundfish Fishery Management Plan, specifically, the proposed groundfish fishery closure near the Walrus Islands and Cape Peirce.

As an organization dedicated to protecting the integrity of marine ecosystems and ensuring the future viability of all species found within, we are greatly concerned about the continuing decline in numbers of walrus found at traditional haulout sites.

Greenpeace urges the Council to adopt Alternative 3 under the plan amendment which would encourage more walrus to return to the Walrus Island State Game Sanctuary and ensure protection from acoustical disturbance by the yellowfin sole fishery in northern Bristol Bay.

This alternative would provide a closure in waters north of a line drawn from Cape Constantine to the southern most tangent of a 12-mile radius centered at Cape Peirce. The closure would be in effect from April 1 through September 30 when walrus are present in the area.

Since 1987 a joint-venture fishery targeting on yellowfin sole has moved into this area producing considerable noise and activity near the Round Island walrus haulouts. The numbers of walrus using the haulouts has declined 60-70% from a maximum number in 1986 of 12,500 to 4500 using the beaches in 1988. Sanctuary staff have also reported that noise associated with the fishing vessels was so loud that it interrupted sleep.

While evidence is not conclusive that this fishing operation is the sole source of the declining numbers of walrus returning to haulout areas, it cannot be discounted either. It is also our understanding that this fishing fleet may be able to take its quota outside this closure area thereby preventing undue hardship. Legal counsel advises that if future evidence shows a direct correlation between noise and disturbance, there is the potential for a "take" under the Marine Mammal Protection Act.

With the recent ban on elephant ivory into this country, the pressure may be on for an increase in walrus ivory. Therefore, sanctuaries will become even more important for the walrus as truly safe harbors.

Other alternatives to decrease disturbance to haul out areas have been implemented. In 1984 the Alaska Board of Game increased the restricted zone around Round Island from 1/2 mile to 2 miles, and most recently to 3 miles. In recent years, the Alaska Department of Fish and Game has also restricted the numbers of visitors to the island and discouraged the use of aircraft.

Adoption of Alternative 3 appears to be the only valid recourse to be taken at this time to help remedy the acoustical disturbance produced by the fishing fleet, and promote the return of walrus to their traditional haulout sites.

In the meantime, Fish and Wildlife Service can continue their acoustical studies around haulout sites and hopefully in the future more conclusive studies will be funded to document any correlation between sounds and walrus disturbance behavior.

Greenpeace believes that in management practices, it's best to err on the conservative side rather than risking the future viability of a species. We hope that the Council agrees and adopts Alternative 3.

Thank you for considering our views.



Working for the Nature of Tomorrow

NATIONAL WILDLIFE FEDERATION

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STATEMENT OF

ANN ROTHE

ON BEHALF OF

THE NATIONAL WILDLIFE FEDERATION

BEFORE THE

NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL

REGARDING

PROPOSED AMENDMENT THIRTEEN

TO THE

BERING SEA/ALEUTIAN ISLANDS GROUND FISH FISHERY MANAGEMENT

PLAN

June 21, 1989

Members of the Council, my name is Ann Rothe and I am the Alaska Regional Representative for the National Wildlife Federation (NWF). I appreciate the opportunity to testify today on Proposed Amendment 13 to the Bering Sea/Aleutian Islands Groundfish Fishery Management Plan.

The National Wildlife Federation is the nation's largest conservation organization with over five million members and supporters. We are actively involved in promoting the conservation and wise use of Alaska's wildlife resources and protection of the state's wildlife sanctuaries. To this end, we strongly support Alternative 3 identified in the Environmental Assessment for proposed Amendment 13 to the Bering Sea/Aleutian Islands Groundfish Fisheries Management Plan to ensure protection of Walrus Island State Game Sanctuary from disturbance by activities of the yellowfin sole fishery operating in the area.

Walrus Islands State Game Sanctuary was created by the Alaska Legislature in 1960. This was the first area to be specifically recognized by the state legislature for its

unique wildlife values. Careful management of the Sanctuary over the years has resulted in its becoming a significant haulout area for North Pacific Walrus, with up to 13,000 subadult and adult bulls using Round Island, the best known island in the sanctuary group, during the 1986 season.

As you are aware, since 1987 a large fishing fleet has been targeting on yellowfin sole in the area immediately east of Round Island during May and June. The fishing fleet produces considerable noise and activity near the Round Island walrus haulouts. In 1987, when the fleet was present from May until early June, the number of walrus using the haulout areas dropped from over 12,500 to only 4,800. Again in 1988, the use of Round Island haulouts was greatly reduced, with only 4,500 animals using the beaches. In 1988, sanctuary staff reported that the noise from the large fishing vessels was so loud at night they found it difficult to sleep, and visitors complained that the noise greatly interfered with their ability to appreciate the sanctuary.

We believe Alternative 3 of Proposed Amendment 13 instituting a seasonal closure on groundfish fishing in the

area north of a line from Cape Constantine to Cape Pierce will help to ameliorate the impacts of the yellowfin sole fishery on walrus populations using Round Island haulout areas. Closing the area from April 1 to September 30 would correspond to the period during which walrus use the Walrus Islands State Game Sanctuary in large numbers.

We think that a closure of the area described is the minimum required to provide adequate protection to important walrus haulouts, particularly those on Round Island, and we urge you to adopt Alternative 3 to amend the Bering Sea/Aleutian Islands Groundfish Fishery Management Plan to include this seasonal closure.

Thank you again for the opportunity to testify today.