


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke   
Executive Director

DATE: April 15, 1992

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

**ACTION REQUIRED**

- (a) Receive summary report of the February 4-6, 1992 National Industry Bycatch Workshop.
- (b) Receive AFSC report on the need for the joint U.S./Japan longline survey.
- (c) Review results of advanced notice of proposed rulemaking on total estimation and reporting of catch.
- (d) Review trawl testing zone proposal and analysis.

**BACKGROUND**

National Industry Bycatch Workshop

The National Industry Bycatch Workshop was held in Newport, Oregon on February 4-6, 1992. Invitations were sent to about 356 people, and 158 attended from 19 states and two Canadian provinces. You received a brief report on the workshop in a previous Council mailing. Bob Alverson, a member of the Workshop Steering Committee, will present an overview of the workshop and will have with him a summary of the meeting.

U.S./Japan longline survey

At the January 1992 meeting, the Council was scheduled to hear a report from the Alaska Fisheries Science Center (AFSC) on the need for the Japanese portion of the U.S./Japan joint longline survey. This agenda item was not covered at that meeting due to lack of time. At issue was whether or not the Japanese portion of the survey could be undertaken by U.S. vessels. A report from the AFSC concerning this issue is available to the Council at this meeting.

Total estimation and reporting of catch

This will be covered under the NMFS management report.

### Trawl test zone analysis

The Council's Advisory Panel presented a proposal to the Council at the January meeting in Portland, Oregon regarding the need for trawl testing areas to be used by fishermen to test their gear when trawling may be otherwise prohibited. The Council was advised by staff that this proposal would require a plan amendment to the groundfish FMP(s). The Council then requested staff to prepare the necessary analysis in time to implement the trawl test zones by the fall of 1992. Based on the Advisory Panel proposal, and consultation with industry, staff has prepared a draft Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) for the trawl test site proposal. This is included in your notebook as item D-2(d)(1).

The analysis estimates that no significant impacts would occur from implementation of such an amendment. The FMPs for both the Gulf of Alaska and the Bering Sea/Aleutian Islands would be amended to include framework type language which would authorize the establishment of such trawl test zones. Specific locations of the trawl test sites would be included under the authority of the implementing regulations and could be changed as necessary by regulatory amendment. As described in the draft EA/RIR/IRFA, these test sites would initially be only in the Gulf of Alaska, with one of the sites being located near Dutch Harbor.

Given the concise, non-controversial nature of this proposal, the Council could accept public review and comment of this analysis during the meeting week and take final action at this meeting. The amendment could then be implemented by the fall of 1992. Plan amendment language and regulatory language drafts will be available for Council review at this meeting.

ENVIRONMENTAL ASSESSMENT  
and  
REGULATORY IMPACT REVIEW/INITIAL REGULATORY FLEXIBILITY ANALYSIS  
OF FISHERY MANAGEMENT PLAN AMENDMENTS TO  
ESTABLISH PELAGIC AND BOTTOM TRAWL TEST AREAS  
IN THE GULF OF ALASKA

SUMMARY

NOAA proposes to establish three (3) trawl test areas in the Gulf of Alaska (GOA) for pelagic and bottom trawl fishermen to test their trawl fishing gear. These areas would be available when the GOA is closed to trawling. This action is necessary to allow these vessels the opportunity to test their trawl gear in preparation for the opening of the fishing seasons. This action is intended to promote the goals and objectives of the North Pacific Fishery Management Council with respect to groundfish management off Alaska.

PURPOSE AND NEED

The domestic and foreign groundfish fisheries in the exclusive economic zone (EEZ) of the Gulf of Alaska (GOA) and Bering Sea and Aleutian Islands Area (BSAI) are managed by the Secretary of Commerce (Secretary) under the Fishery Management Plan (FMP) for Groundfish of the Gulf of Alaska and the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area. These FMPs were prepared by the North Pacific Fishery Management Council (Council) under the Magnuson Fishery Conservation and Management Act (Magnuson Act) and are implemented by regulations for the foreign fishery at 50 CFR Part 611 and for the U.S. fishery at 50 CFR Part 672 and 675, respectfully. General regulations that also pertain to the U.S. fishery are implemented at 50 CFR Part 620.

At times, amendments to the FMPs and/or their implementing regulations are necessary to resolve problems pertaining to management of the groundfish fisheries. This action contains amendments to the FMP for Groundfish of the Gulf of Alaska and for the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area. Associated with these amendments are proposed regulations that would establish three (3) specific areas be designated as areas for trawl vessels to test their gear before fishing season openings. These FMP amendments were proposed by the Council at its January 13-18, 1992, meeting.

The following are reasons for, and a description of these proposed FMP amendments.

Until recently, the GOA has been open to trawling during most of the year, and fishermen could easily test trawl gear in preparation for a season opening. However, the situation has changed, and there are periods of time when the GOA is closed to trawling, making it impossible for fishermen to test their trawl nets. This has happened because Total Allowable Catches (TACs) for some species has been decreasing and the number of vessels (effort) has been increasing. These resulting smaller TACs can be exhausted more quickly by the larger fleets, prompting early closure of the fishery. In addition, prohibited species closures (PSC) have also significantly contributed to closures. It is therefore becoming increasingly important for vessels to have their trawl gear in good working order from the first day of the opening to successfully compete with the other vessels for the available TAC.

Therefore, the establishment of some trawl test areas would enable fishermen to test their gear and begin fishing efficiently at the beginning of a season, with no lost fishing time due to gear problems. A similar test trawl program exists in Washington state which allows vessels to use state waters in Puget Sound for trawl gear testing.

These proposed FMP Amendments state that trawl gear would be allowed to be tested during periods when trawling is prohibited, under the following conditions:

- 1) The cod end must be left open so that the trawl gear does not retain fish.
- 2) Trawl net testing would occur only in the following three (3) areas (Figures 1 and 2), and conform to the following criteria. In the future, these three areas may be expanded, contracted, or deleted, and new trawl test areas may be designated for trawl or other gear types.

The following criteria are proposed to be incorporated into the FMPs to stipulate that trawl test areas must:

- 1) Have depth and bottom type suitable for testing both pelagic and bottom trawl nets.
- 2) Be outside state waters.
- 3) Be in areas not normally closed to trawlers.
- 4) Be in areas that are not usually fished by trawlers and are not highly productive fishery areas.

- 5) Be adequately distanced from sea lion rookeries.

The location of the three trawl test areas are:

Kodiak:            57° 23' to 57° 37'  
                     151° 25' to 152° 02'

Sand Point:        54° 35' to 54° 50'  
                     160 30' to 161° 00'

Dutch Harbor:     53° 00' to 54° 00'  
                     166° 00' to 165° 30'

- 3) The time vessels spend testing trawl gear in these trawl test areas would not be allowed to contribute towards observer coverage requirements.

#### ALTERNATIVES

Alternative 1 (Status Quo) - Under this alternative, no trawl test areas would be designated. The present situation would continue whereby the FMPs would not be amended and trawl fishermen would not be allowed to test their trawl gear when trawling is prohibited.

Alternative 2 - Under this alternative, the Secretary of Commerce, in consultation with the Council, would be authorized to amend the GOA and BSAI FMPs to allow trawl net test areas to be designated for testing pelagic and bottom trawl nets when trawling is prohibited. These trawl test areas would occur in specifically designated areas that conform to certain criteria, and all trawling in these areas would be done with the cod end open when trawling is prohibited.

Because regulations are proposed at this time only under authority of the GOA FMP, this analysis is directed at impacts only in the GOA.

#### ENVIRONMENTAL IMPACTS OF THE ALTERNATIVES

This analysis considers the environmental impacts of alternatives for the above management measures. Physical, biological, and socioeconomic impacts are addressed in this analysis. Based on the analysis provided below, none of the alternatives are expected to have significant impacts on the environment within the meaning of the National Environmental Policy Act.

Physical and biological impacts - Alternative 1 (status quo) is the "no action" Alternative, which would not result in any additional physical or biological effect on the GOA.

Alternative 2 would have some physical and biological impacts due to the establishment of three trawl test zones in the GOA. The physical effects would be primarily due to increased bottom trawl activity in the trawl test areas when the GOA is closed to trawling. The trawling would disturb the sea floor sediment, creating some turbidity. No physical effects due to the pelagic trawl testing would be expected.

The biological effects are related to the physical effects, in that the bottom trawls would disturb the benthic communities and their ecology due to the effects of the otter trawl doors, foot rope and chafing gear. Another biological impact would be some incidental catch of fish in the trawl net even though the cod end would remain open. As fish attempt to evade a bottom or pelagic trawl net, they may try to go through the sides of the net and be "gilled" by the net. However, this should be a small amount of fish, limited to fish of a size that could get a part of their body trapped in the trawl mesh. Larger fish and marine mammals would be funnelled through the net and out the cod end. Larger marine mammals that would be too large to pass through the cod end should have the ability to move fast enough to escape a trawl being towed at 3-4 knots.

Finally, fish aggregate and they must be located using remote sensing gear or found in particularly productive areas to fish for them successfully. During trawl testing, the trawls are not towed through identified aggregations of fish, but are being towed at random in trawl test areas that have already been identified as areas of low productivity. Trawls being tested in this way would not likely come into contact with many fish.

The magnitude of these physical and biological effects would depend upon how many fishermen use the trawl test areas, how long it takes to test a trawl, and how many months of the year trawl test areas would be necessary. There are approximately 343 trawl vessels permitted to fish in Federal waters of the GOA and Bering Sea in 1991 that would possibly have had the need to test their trawl gear. The amount of time that these vessels would spend trawl testing would be quite short because they would not be fishing, but only testing gear to make sure that it was functioning correctly. Once the gear is observed to be functioning correctly, the vessel would move away from the area with its objectives completed.

The portion of the year when test areas would be needed to test trawl gear is different for pelagic and bottom trawl gear. In 1991, the entire GOA was never closed for all species to pelagic trawling, but a portion of the Eastern Regulatory Area was closed to all trawlers from 7/26 - 12/31, and might have forced some pelagic trawlers to travel some distance to test their gear. Bottom trawls were prohibited in the GOA in 1991 from 5/8 - 7/1 and 10/14 - 12/31, making it impossible for bottom trawlers to test their gear during these months. Therefore, the physical and biological impacts should be small, considering the relatively small number of vessels that might test bottom trawl gear in the test areas for short periods of time for approximately four months in 1991. However, the GOA possibly will be closed to trawling for a greater proportion of the year in the future, resulting in more use of the trawl test areas.

Socioeconomic impacts - The status quo Alternative 1 places an economic burden on fishermen. First, with decreasing TAC's for some species and the increased number of vessels, the length of time the GOA is open to trawling is decreasing. Prohibited species closures have also contributed to closure of the fishing grounds to trawl vessels. It is therefore becoming increasingly important for vessels to have their trawl gear in good working order from the first day of the opening to successfully compete with the other vessels for the TAC. Any delays due to gear problems could be very expensive in terms of opportunity lost. For example, the postponement of the GOA trawl season from January 1, 1992, to January 20, 1992, had the effect of postponing the opening until the time when pollock roe was in premium condition, and considering the value of the roe, any delay due to gear problems would have had a significant economic impact.

A potential socioeconomic impact relates to the possibility that fishermen sometimes test their trawl nets as needed regardless of regulations, especially vessels smaller than 60' that do not carry observers. This activity could impact fishermen if they were caught illegally testing their nets, because the law defines "fishing" as putting gear in the water.

The socioeconomic impacts of Alternative 2 are positive, and are the main reasons for this proposed FMP Amendment. Alternative 2 would address the negative socioeconomic impacts of Alternative 1 by allowing fishermen to test their trawl gear when needed.

## EFFECTS ON ENDANGERED AND THREATENED SPECIES AND ON THE ALASKA COASTAL ZONE

None of the alternatives are expected to have any adverse effect on endangered or threatened species or their habitat. Thus, formal consultation under Section 7 of the Endangered Species Act is not required.

Also, each of the alternatives would be conducted in a manner consistent, to the maximum extent practicable, with the Alaska Coastal Management Program within the meaning of Section 333307(c)(1) of the Coastal Zone Management Act of 1972 and its implementing regulations.

## OTHER EXECUTIVE ORDER 12291 REQUIREMENTS

Executive Order 12291 requires that the following three issues be considered:

- (a) Will the amendment have an annual effect on the economy of \$100 million or more?
- (b) Will the amendment lead to an increase in the costs or prices for consumers, individual industries, Federal, State, or local government agencies or geographic regions?
- (c) Will the amendment have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of U.S. based enterprises to compete with foreign enterprises in domestic or export markets?

Regulations do not impose costs and cause redistribution of costs and benefits. If the proposed regulations are implemented to the extent anticipated, these costs are not expected to be significant relative to total operational costs

The amendments would not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of U.S. based enterprises to compete with foreign enterprises in domestic or export markets.

The amendments should not lead to a substantial increase in the price paid by consumers, local governments, or geographic regions since no significant quantity changes are expected in the groundfish markets. Where more enforcement and management effort are required, costs to state and federal fishery management agencies will increase.



These amendments should not have an annual effect of \$100 million, since although the total value of the domestic catch of all groundfish species is over \$100 million, these amendments are not expected to substantially alter the amount of distribution of this catch.

#### IMPACT OF THIS AMENDMENT RELATIVE TO THE REGULATORY FLEXIBILITY ACT

The Regulatory Flexibility Act (RFA) requires that impacts of regulatory measures imposed on small entities (i.e., small businesses, small organizations, and small governmental jurisdictions with limited resources) be examined to determine whether a substantial number of such small entities will be significantly impacted by the measures. Fishing vessels are considered to be small businesses. Over 2,000 vessels may fish for groundfish off Alaska in 1992, based on Federal groundfish permits issued by NMFS. While these numbers of vessels are considered substantial, regulatory measures will only affect a smaller proportion of the fleet.

#### FINDINGS OF NO SIGNIFICANT ENVIRONMENTAL IMPACT

For the reasons discussed above, neither implementation of the proposed action nor any of the alternatives to that action would significantly affect the quality of the human environment, and the preparation of an environmental impact statement on the preferred action is not required by Section 102(2)(C) of the National Environmental Policy Act or its implementing regulations.

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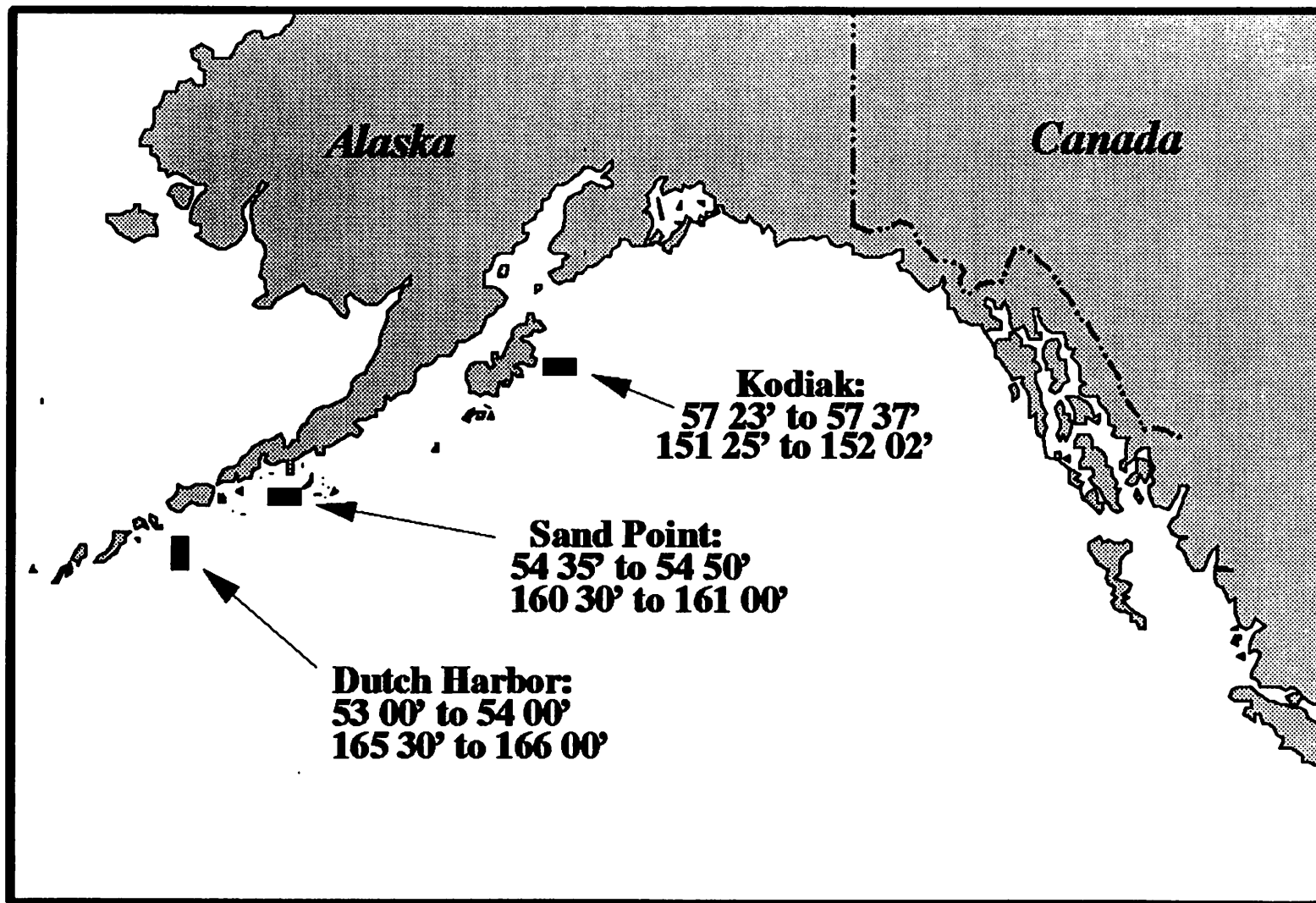
DATE

#### COORDINATION WITH OTHERS

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

#### LIST OF PREPARERS

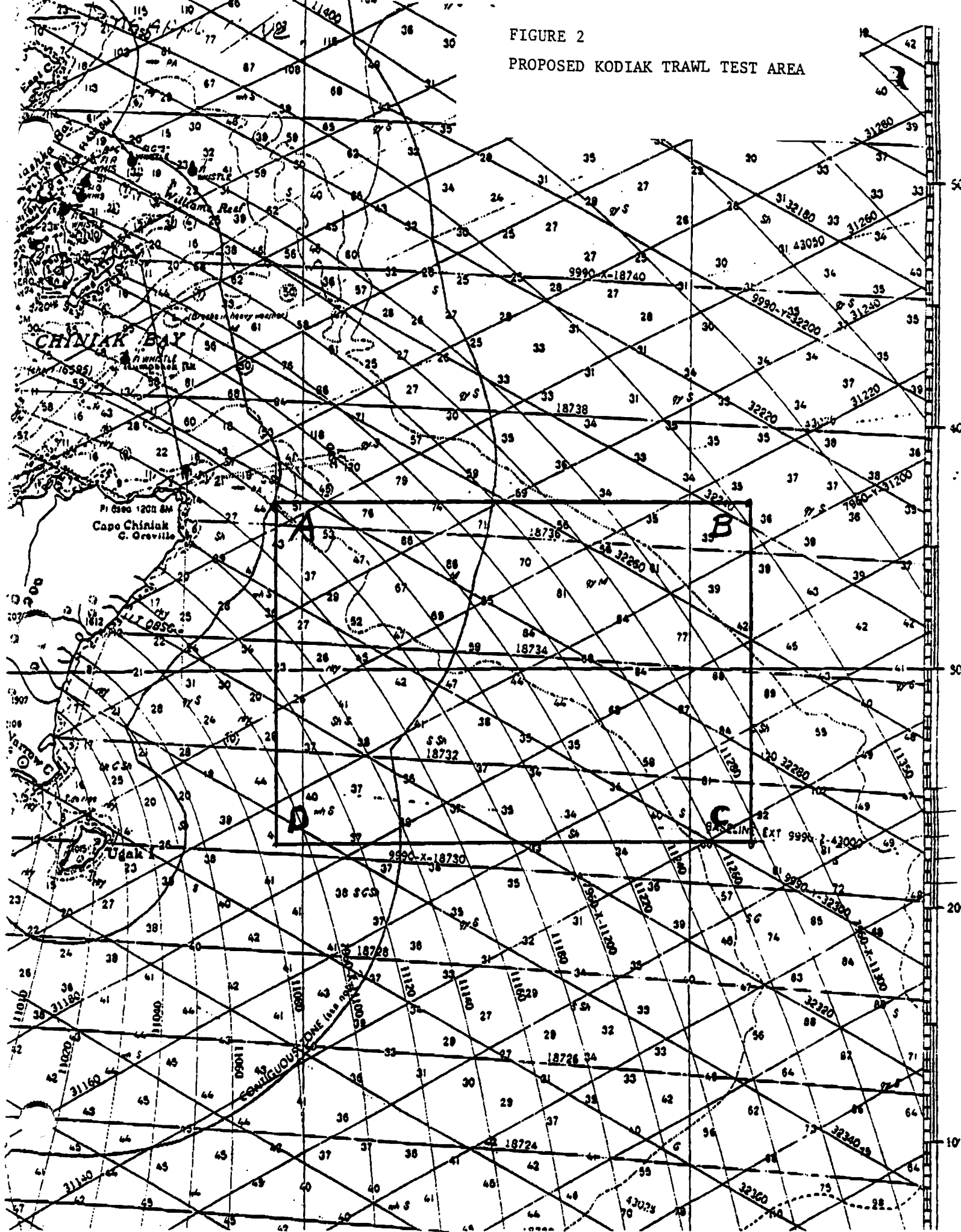
David C. Ham  
Resource Management Specialist  
Box 2-1668  
National Marine Fisheries Service  
Alaska Region  
Juneau, Alaska



**FIG 1 - LOCATION OF PROPOSED TRAWL TEST AREAS  
IN THE GULF OF ALASKA**

FIGURE 2

PROPOSED KODIAK TRAWL TEST AREA





3901 Leary Way (Bldg.) N.W., Suite #6 • Seattle, WA 98107 • (206) 547-7560 • FAX (206) 547-0130

February 24, 1992

Dr. William W. Fox, Jr.  
Assistant Administrator for Fisheries  
National Marine Fisheries Service  
Room 9334  
1335 East-West Highway  
Silver Spring, Maryland 20910

Dear Bill:

The Alaska Crab Coalition, an organization recognized for its substantial contributions to the control and reduction of wasteful bycatch in the Bering Sea and Gulf of Alaska groundfish trawl fisheries, is greatly disappointed that you decided to participate in the "National Industry Bycatch Workshop". Serious concerns regarding your participation in, and the use of federal funds for, that meeting were raised in our letters dated January 9 and 14, and in correspondence from the Fisheries Conservation Action Group and Greenpeace.

It was evident from the list of organizers and the agenda for the Workshop that the meeting would produce a result that would be biased toward the interests of those fishing industry groups and individuals who have consistently resisted vitally needed bycatch conservation measures. The Alaska Crab Coalition, Fisheries Conservation Action Group and Greenpeace, were afforded little if any opportunity to participate in the planning of the Workshop. Yet, were it not for the diligent and persistent efforts of those organizations, the groundfish trawl industry no doubt would have succeeded in frustrating the adoption of effective time and area closures and prohibited species limits. These measures have been essential for the protection of valuable and vulnerable populations of crab, halibut, herring, and salmon. However, it was the groundfish trawl industry that was overwhelmingly represented in the planning and execution of the Workshop.

The attached documents from the Workshop, though they may not reflect the last word of the organizers, clearly show that the Alaska Crab Coalition, Fisheries Conservation Action Group, and Greenpeace were justified in calling on you not to become involved in that meeting. The policy statement entitled, "Workshop I. Industry Goals" reflects superficial analysis of the problem and a bias against effective bycatch management. For example, the paper describes one element of "the fisheries industry's immediate goal" as being "to minimize bycatch on overfished species of fish...." This

statement, which also appears in a Workshop public relations document (attached), excludes bycatch conservation measures for those many species that are not "overfished", but which must be protected from trawl impacts during periods of particular vulnerability. Such measures are essential, if the populations are to be maintained in healthy condition or rebuilt where factors other than overfishing have led to declining or low abundance. For example, in the case of crab, this means no bottom trawling at times and in areas where the crab are mating or molting or where there are high concentrations of juveniles.

Moreover, it should be pointed out that the impacts of groundfish trawling on halibut, herring, and chinook salmon may, and in some cases do, have a greater impact on the stocks than do the directed fishing operations. The "immediate goal" of the policy statement would, it appears, exclude bycatch limits for such species. That goal would, were it accomplished, actually roll back hard-won conservation measures for those species.

The policy statement goes on to describe a goal of "reducing bycatch to its lowest practical minimum...with full consideration for the current participants in the fishing industry and the effects the necessary changes will have on them." The ACC does not regard the term, "lowest practical minimum", as representing a valid principle. Presumably, this standard would allow continued bycatch impacts on species, regardless of their low abundance (short of their being endangered or threatened or "overfished"), so long as the levels of bycatch were "the lowest practical minimum" for the trawl fleet. That is not a conservation principle, it is simply an exploitation standard.

The Alaska Crab Coalition strongly disagrees with the statement, "...existing attempts at single species management greatly aggravate the problem of bycatch, particularly through the implementation of prohibited species regulations." The attack on prohibited species regulations is aimed at the very foundation of the bycatch conservation measures. These "PSC's" have been central to the control of bycatch waste. The policy statement's suggestion of individual vessel responsibility provides only a procedural method of accounting for bycatch; substantive, fishery-wide limits are still required to protect the bycatch species.

The statement that, "Allocation issues...should not be treated as bycatch issues and should not be resolved under that guise" reflects a familiar theme of the groundfish trawl industry. The reality of the matter is that management measures favoring clean gear for conservation purposes inevitably have allocation consequences. However, the fact that there are such consequences should not defeat the primary management objective, in accordance with the Magnuson Act, which is conservation.

The public relations piece released by the Workshop organizers is even more explicit. "Bycatch problems have been used as a political tool against segments of the commercial fishery by various groups who compete for other consumptive and non-consumptive uses of the same resource. They include recreational fishermen, environmentalists, and other commercial fishermen."

The Alaska Crab Coalition has requested a copy of your own Workshop statement. We have been informed by your office that the remarks will not be available

for "a couple of weeks". We find this particularly disappointing views should be available to the entire public in a timely manner. you will recall, open only to those who were invited. If you must insist in meetings which are closed to the interested public, yet which purport to comprehensively with issues of vital public concern, you have a clear obligation to ensure that your expressed views are not withheld unreasonably from all those who are interested in them.

The Alaska Crab Coalition is considering further responses to your decision to participate in, and expend federal money on, a selective, biased, and counterproductive industry meeting. We have, in the past, applauded your personal commitment to conservation. In light of that history, we hope that we will find a constructive remedy to the situation with which you now have confronted us.

Sincerely,



Arni Thomson  
Executive Director

cc: Washington, Oregon, and Alaska Congressional Delegations  
House and Senate Committees on Appropriations  
Senate Committee on Commerce, Science and Transportation  
House Committee on Merchant Marine and Fisheries  
North Pacific Fishery Management Council

Executive Summary of National Industry Bycatch Workshop  
Newport, Oregon, February 4-6, 1992

Bycatch, the unintentioned part of any fisheries catch, is receiving increasing national and international attention because of its perceived and actual impact on a variety of marine resources worldwide. Bycatch may be the wrong sex or size of target species, or it may be other species of finfish or shellfish, marine mammals, birds, or other sea life. There is some bycatch in essentially every commercial fishery, and its magnitude may vary tremendously with the fishery, species, gear, area, time, method of operation, and management regulations.

The vast majority of the commercial fishermen want to fish for intended species, catch the quota, market them for an acceptable price, make a reasonable living, and continue to do so indefinitely. They don't seek to overfish directed species, catch prohibited, unwanted, or undersize desired species, or discard unsaleable ones. But that is what happens, and many stocks suffer as a result. Optimum sustainable harvests are frequently denied as an outcome. No one is content with that format, least of all the commercial fisherman whose livelihood depends on healthy stocks.

Many fisheries are being more closely managed and the catches more precisely monitored and observed than ever before. Biological, economic, social, and political evidence is developing that dictates greater attention to bycatch in the management and conduct of fisheries. The amount of bycatch in many fisheries, and its consequence on the populations of bycatch species, is frequently unknown, but in some instances has been known to contribute to significant declines in their abundance. In other situations, target species are not harvested to their optimum because of bycatch-associated problems. The potential and actual effect on the ecosystem of the capture and subsequent return to the water dead of some bycatch species is not well understood.

Approaches must be developed that will result in a reduced bycatch being captured and brought aboard the vessel, or simply being captured. Greater survival of the ones returned to the water is important as well. Much progress has already been made in countless fisheries, but there are very encouraging indications from field work that much more can be done.

In recognition of the pressing problems associated with bycatch, elements of the commercial fishing industry throughout the U. S. organized and conducted a National Industry Bycatch Workshop held in Newport, Oregon, February 4-6, 1992. The purpose was to exchange pertinent

information and lay the groundwork for industry to take the lead as a unified voice in addressing its bycatch problems nationwide in a sincere, positive, and constructive manner.

About 350 individuals were invited and over 160 from 33 fisheries organizations in 18 states and two Canadian provinces attended this industry-sponsored and invitation-only workshop. Fishing gears represented included longline, trawl, pot, seine, and gill net.

The more than 30 individuals on the three-day program represented all major geographical fishing areas of the country and discussed wide-ranging aspects of bycatch-related matters. Speakers included fishermen, vessel owners, processors, union and association representatives, industry newspaper editor, state, federal, university, and private industry scientists, and regional, national, and international fisheries organization directors and former directors.

Perspectives from the bycatch aspect were offered on national and international resource management; international legal implications; conservation, public opinion, and political ramifications; the importance of identifying and clarifying national management objectives; and conservation relationships. Fishermen and fishermen association leaders discussed the individual fisheries of the nation and the associated bycatch problems in the eight regional fishery management council areas. Past progress, present activities, and future plans were mentioned.

Several of the scientists reported on their own and others' studies and things learned from them. The importance was stressed of (1) widespread coordination and cooperation involving varied interests, (2) the development of a trusting and productive relationship between researcher and captain and crew, (3) a statistically sound and carefully developed research plan, (4) a willingness to try new approaches, (5) a learning of things that wouldn't work as well as would work, and (6) an objective and accurate interpretation and use of the data.

National Marine Fisheries Service Director Dr. William W. Fox offered some of his government perspectives on bycatch and endorsed industry taking the lead in addressing this critical problem. He congratulated the leaders for convening the workshop and promised cooperation by his national office and regional staffs.

Private consultant Dr. Dayton L. Alverson, speaking for industry as a whole, suggested things segments of industry would be willing to do, and offered views on mutually beneficial actions government could take. He



emphasized the importance of and need for cooperation and dialogue between industry and government. Both Fox and Alverson stressed that industry should develop and control its own program but federal funding assistance was appropriate to address this critical universal problem.

Three simultaneous workshops were convened to (1) develop national bycatch goals, (2) standardize nomenclature and methods of defining bycatch levels and implications, and (3) suggest solutions from industry. Attendees participated in one or more according to their interests. More time could have been used effectively in surfacing issues and allowing all participants adequate input before and during development of the important summaries. Notwithstanding this, there was much discussion, widely ranging views, and general agreement on basic concepts, intents, and approaches. Refinement will come with the development and editing of the proceedings and proposed subsequent regional meetings.

An on-the-spot summary was offered which highlighted key points made by the speakers and/or which surfaced from the various deliberations. It included this admonition: "All of us here attend far too many meetings. If we allow this meeting just to be another one of those meetings, we have done an injustice to what has transpired here this week. We can't wait until next year for change to happen. We must depart with a commitment within each of us to support the continuation of what we've been involved in here. We must have an ongoing program."

The remaining steering committee members met following adjournment to discuss preliminary plans for the future. The information agreed upon will be sent to all steering committee members for comment and approval before public dissemination.

A questionnaire to evaluate the workshop was distributed near closing and over 100 were returned. The overall response was very favorable and supportive of continuation of the industry leadership effort. Constructive suggestions were made for improvement of subsequent workshops.

During the course of the three days many ideas were offered, views expressed, suggestions made, and agreement reached. The exchanges were notably peaceful, harmonious, non-antagonistic, informative, and productive. Some of the most significant points are summarized below. Not all of them had unanimous agreement.

Fisheries bycatch nationally and internationally is an increasingly important issue gaining attention and involvement of commercial and

recreational fishermen, conservationists, environmentalists, politicians, and the general public. Views about its status and appropriate remedial actions vary greatly. The need for early, positive, and meaningful actions by different segments of the industry is urgent. The growing public concern about wastage in some fisheries could threaten the continued existence of commercial fishing.

It is recognized that some bycatch is inevitable, but significant reductions in the volume and composition of bycatches and improvement in the survival of individuals returned to the water in many fisheries are achievable. Continued and expanded research and cooperative field programs with fishermen are essential, promising, and potentially mutually beneficial. Support should come from government, industry, various commissions, councils, and other conservation-oriented organizations in monetary and various inkind forms. Saltonstall-Kennedy and Sea Grant funds were most commonly mentioned. The National Coastal Resources Institute was also listed.

Several speakers highlighted encouraging results from innovative approaches and suggested other promising possibilities.

The time is past to point fingers at "others" being the culprits. Unrelated to what "others" are or are not doing, there is overwhelming evidence of the immense bycatch that is wasted by the domestic industry as a whole, with the magnitude varying greatly among fisheries. Depending on the species caught incidentally, other interest in and uses of that species, and its biological and administrative status, the numbers involved can be relatively small but immensely important and controversial. Rightly or wrongly, individual fisheries and commercial fisheries as a whole are being tarred with the same brush. Bycatch problems have been used as a political tool against segments of the commercial fishery by various groups who compete for other consumptive and non-consumptive uses of the same resource. They include recreational fishermen, environmentalists, and other commercial fishermen.

Instances were cited in which a very few vessels were responsible for the great majority of the bycatch because of calloused indifference to management or operational guidelines, or intense desire for profit irrespective of the consequences, and thereby penalizing the rest of the fleet. It was agreed that the industry must unite, police its own ranks, and develop a program to seek objective solutions to real situations. Many attendees agreed that they are prepared to make further changes in fishing practices and equipment to minimize bycatch and increase survival of discards while maintaining their important food-producing role within the

limits of the marine environment.

The shortage of good bycatch data was cited for some fisheries, while others have industry-financed observer programs providing reliable useful information. There were differing views on a mandatory observer program financed by the individual domestic vessels. However, the need for and value of good data were not questioned. Too many harmful inaccurate statements and perceptions circulate in its absence.

It was acknowledged that bycatch is not only becoming a significant public relations issue but it also seriously adversely hampers effective resource management and the achievement of optimum yield by both overharvesting or underharvesting various stocks. Biological complications and economic loss can result. The incidental harvesting of threatened or endangered species and marine mammals is critical and must be dealt with promptly and meaningfully in a more mutually beneficial way. The potential consequences of failure to do so in a reasonable time frame are enormous.

There was satisfaction with NMFS Director Fox's endorsement of the industry leadership in addressing bycatch and its declared intent to actively pursue solutions; also, with his offer of staff cooperation. It was agreed that strengthening of relationships with various NMFS leaders would be mutually beneficial and should be pursued nationwide. It is absolutely essential, and common sense as well, to have the commercial harvesters of the nation's fisheries resources work closely with the federal government agency with overall responsibility for their proper management. Attending representatives of both groups agreed.

Which specific individuals initiated the workshop, developed the agenda, were invited, chose to attend, and appeared on the program is far less significant than the fact that an excellent cross section of the industry heard much information about many fisheries on the most critical issue facing it today, deliberated candidly and productively within itself for three days, and agreed to take action. There were disagreements on some things, as there always will be when such a diverse group of individuals with common and uncommon problems meet. But there was agreement on several major aspects of the bycatch problem.

Each of the three simultaneous workshops developed a summary of its deliberations. Their formats are different but all contain the fundamental points agreed upon by the majority. Probably few if any participants are totally satisfied with the present contents, but valuable strawmen have

been created in open forum of the attendees for use in future deliberations by all interested parties. They are not cast in stone. They are flexible, as good plans frequently are, and will be modified as information and circumstances dictate. They are a starting point from this time on, and it is time to start. They are enclosed as appendices in the unchanged detail as presented at the concluding session. A brief elaboration of highlights which industry members at the workshop committed themselves to to further the adopted goals and to expedite solutions are listed below.

1. Establish a goal of minimizing bycatch and maximizing survival of discards with special emphasis on reducing to the absolute minimum the catch of all threatened and endangered species and to minimizing bycatch of overfished species.

2. Sponsor an education program to inform all elements of the U. S. industry of the importance of resolving bycatch issues and managing the ecosystem for all concerned.

3. Conduct and/or assist in financing gear research and handling experiments designed to reduce bycatch and increase survival with varying regional responses.

4. Provide platforms of opportunity for state, federal, and international entities or universities to conduct studies and/or collect data that will (1) improve the data base concerned with bycatch, (2) decrease bycatch rates, and (3) improve survival of bycatch species.

5. Establish relationships with NMFS, conservation groups, recreational fishermen, and others to develop and test solutions to the bycatch problem.

6. Seek and support federal and other funding for a significant conservation engineering program.

7. Promote regional bycatch workshops and technical studies with the intent of reducing bycatch and/or increasing bycatch survival.

8. Assist government in the collection of needed biological or statistical data associated with bycatch.

9. Support observer programs for vessels of sufficient sizes for the collection of bycatch data, recognizing that such programs may need to be regional or voluntary, depending on need and physical and economic limitations.

10. Develop within industry meaningful deterrents to excessive bycatches including self policing, individual accountability, and appropriate penalties.

The industry believes that NOAA/NMFS has major capabilities and responsibilities to address bycatch issues, and understands that it is developing policies, goals, and a program to utilize and carry them out, respectively. Industry seeks involvement in this process and looks forward to suggestions from government on actions industry should take. In a sincere attempt to be helpful, industry developed some proposals for government consideration and possible action. It is believed that they will effectively complement and expand appropriately on industry's own plans. Major suggestions are listed below.

1. Develop goals and objectives including clear guidelines for achieving stated economic goals.

2. Establish bycatch as a number one SK funding priority.

3. Request Sea Grant to direct activities toward bycatch statistics.

4. Join with industry and others in support of a significant cooperative conservation engineering program.

5. Encourage continuing regional NMFS/industry/recreational fisheries/conservation organizations pro-active and positive discussions to assist in the development and implementation of coordinated bycatch reduction.

6. Conduct with the regional fishery management councils a careful detailed review of all regulations to determine their relationship to the overall bycatch situation and develop appropriate recommendations.

7. Work with industry to formulate standardized terms and methods for quantifying bycatch.

In short, there was agreement on the following several major aspects of the bycatch situation:

The problem is real, critical, international in scope, and widely viewed as demanding a prompt solution.

Much improvement can be made through coordinated, cooperative

soundly-based effort by dedicated interested parties.

Segments of industry are prepared and willing to make significant adjustments in fishing gear and practices to achieve needed solutions.

There was an explicit commitment by workshop participants to search for solutions that will allow the industry to conduct its activities in a manner consistent with optimum management of the ecosystem.

Representatives of a broad cross section of the domestic commercial fishing industry have agreed to a coordinated and unified single voice on developing and implementing a program to minimize bycatch problems.

There was agreement by the industry attendees that this workshop would be the beginning of a continuing unified nationwide effort by the commercial industry to objectively and productively attack the problem. The entity will be called National Industry Bycatch Coalition. As soon as an industry position and proposed program are finalized, contact will be made with NMFS Director Dr. William W. Fox, Jr. Following that, there will be interaction with interested recreational fishermen, conservationists, environmentalists, government agencies, and congressional leaders to initiate cooperative programs and acquire needed funding and other support. The next step would then be regional meetings to address specific problems and develop responsive programs consistent with the overall national priorities.

Additional information can be obtained from Robert W. Schoning, 1775 NW Arbol Place, Corvallis, OR 97330-1770, Phone (503) 753-2700 or Dr. Dayton L. Alverson, 4055 21st Avenue West, Seattle, WA 98199. Phone (206) 285-3480.

**Workshop 1**  
**Industry Goals**  
Jim Branson, Session Chairman

The fishing industry recognizes the problems bycatch has imposed on certain marine sea life and commits itself to searching for solutions which will allow industry to carry out its activity in a manner which is not threatening or does not endanger any species.

We are working on and are prepared to make the further necessary changes in equipment and in methods of operations to achieve this goal while maintaining maximum food production consistent with the conservation and sustained production of all species from the marine environment. Our immediate goals are to reduce to the absolute minimum the catch of all threatened and/or endangered species and to minimize bycatch on overfished species of fish and invertebrates.

Nevertheless, we recognize that the goal of achieving zero bycatch is probably not possible, and that achieving our goal of reducing bycatch to its lowest practical minimum must be done with full consideration for the current participants in the fishing industry and the effects the necessary changes will have on them.

Second, the industry agrees that catches of undersized non-target species which are discarded reduce opportunities to harvest the bycatch species as adults in the target fishery or in other fisheries which normally harvest the discarded species. Thus a program which successfully harvests bycatch can significantly increase the economic and social return to all U.S. fishermen. Finally, the industry should search for wise uses for dead bycatch, either through returns to the environment or utilization by humans.

To further the above goals, the industry is prepared to sponsor a program to inform all members of the industry of the importance of resolving bycatch issues and the importance of careful management to protect the marine ecosystem by all concerned. Close contact should be maintained with all segments of the public, including recreational fishermen and conservation groups, to make them aware of specific actions the industry has taken and expects to take to minimize bycatch.

### Recommendations to Government

The industry recognizes that because of the extent, variety and complexity of bycatch problems throughout the nation, resolutions of all of them will not be possible in the near term, but immediate action is necessary to expedite solutions where work is already underway, particularly through the collection and analysis of data, and to start the process where it is not. To further that action we recommend that the priorities of the S-K program be directed toward it and that S-K funding be increased to the limits of its authorization to help accomplish this goal. Sea Grant activities should also be directed toward gathering and analyzing the necessary data for resolution of existing problems. The industry is prepared to support these activities through log book programs, observer programs, and, where possible, financially.

### Management

The industry believes management of the resource must look to the assemblage of living resources in the marine ecosystem, that existing attempts at single species management greatly aggravates the problem of bycatch, particularly through implementation of prohibited species regulations. The industry also believes that management systems must be developed that hold the individual vessel/fisherman responsible for their actions, both through incentives that reward careful ("clean") fishing and through swift and effective censure for "dirty" fishing. The industry recognizes that effort limitation will be necessary to achieve the required individual responsibility.

### Allocation

It is the industry's intentions to work within its various components and with the managing agencies to reduce conflicts over harvestable resources between segments of the industry. They recognize that such competition increases the possibility of bycatch in all fisheries. Allocation issues, however, should not be treated as bycatch issues and should not be resolved under that guise.



**Workshop 2**  
**Standardized Nomenclature and Methods of**  
**Defining Bycatch Levels and Implications**

1. **Target Catch** - The catch of a species or species assemblage which is primarily sought in a fishery.
2. **Incidental Catch** - Retained catch of non-targeted species.
3. **Discarded Catch** - That portion of the catch returned to the sea as a result of economic, legal, or personal considerations.
4. **Bycatch** - Discarded catch plus incidental catch.
5. **Incidental Catch Rate** - The proportion of total catch which is incidental catch.
6. **Discard Rate** - The proportion of total catch which is discarded. Rates may be computed for individual species or combined groups of species.  
(Units of Measure (UM): kg/mt, numbers/mt, numbers/number, etc.)
7. **Discard Mortality Rate** - That proportion of the discarded catch that dies as a result of catching or handling processes.
8. **Discard Mortality** - Discard mortality rate multiplied by discarded catch.
9. **Prohibited Species** - Any species which must, by law, be returned to the sea.
10. **Unobserved Fishing Mortality** - Mortality imposed on a species by the encounter with fishing gear that does not result in capture.
11. **High-Grading** - The discard of a marketable species in order to retain the same species at a larger size and price. The discard of a marketable species in order to retain another species of higher value. The retention of only those species or individuals within a species complex having the greatest market value; less valuable species or individuals are discarded.
12. **IDQ - Individual Discard Quota** - A quantity of prohibited species which is initially apportioned amongst individuals or groups of individuals to allow effective harvest of non-prohibited species. The IDQ may or may not be traded/sold within this group or between this group and other groups.
13. **Discard Quota** - An amount of a prohibited species allowed to be caught by a particular gear type before constraining a fishery. It may be the sum of all IDQs if such a system were in place.
14. **Discard Mortality Quota** - The discard quota multiplied by the discard mortality rate.

**Workshop 3**  
Solutions from Industry  
Guy N. Thornburgh  
Pacific States Marine Fisheries Commission  
Session Chairman

I. The Bycatch/Discard "Problem"

- A. Public image
- B. Industry awareness and accountability
- C. Mortality
- D. Research/Data
- E. Money

II. The Solutions to the Problem

- A. Public image
  - 1. National steering committee (short term)
    - a. Action plan
    - b. Research protocol and priorities
  - 2. National organization of fishermen
- B. Industry awareness and accountability
  - 1. Education of industry
  - 2. Accept their individual accountability
  - 3. Penalties necessary
- C. Mortality - The control and reduction of discards
  - 1. Identify and implement fishing techniques and handling procedures which will improve discard survivability; and provide incentives for their use
  - 2. Gear technology/selectivity
  - 3. Privatization, limited entry, IFQ, etc.
  - 4. Individual accountability
  - 5. Minimize discards which stem from regulatory programs
  - 6. Develop markets for unutilized discards
  - 7. Mandatory retention of dead marketable species
  - 8. State/federal rulemaking entities should review their existing regulations which contribute to discards and also evaluate the effectiveness of their current discard reduction efforts (short term)
- D. Research/Data
  - 1. Timely processing and public access to data being collected (short term)
  - 2. At-sea data collection
  - 3. Utilize university systems
  - 4. Regulatory and legislative analyses
  - 5. Survivability, gear selectivity, behavior, social-economics, etc.
  - 6. Begin systematic fishery data reporting where it doesn't already exist
- E. Money
  - 1. Saltonstall-Kennedy
  - 2. Magnuson Act changes - fish receipts, penalties, etc.
  - 3. Reprogram existing state/federal funding (NMFS, Sea Grant)
  - 4. Industry assessments (short term)
  - 5. Foundations (short term)

April 6, 1992

To: Dr. William W. Fox, Jr.  
From: Steering Committee, National Industry Bycatch Workshop *Beh*  
Subject: Recommended Industry and Government Programs to Respond to  
the Bycatch Problem

Bycatch, the unintentioned part of any fisheries catch, is receiving increasing national and international attention because of its perceived and actual impact on a variety of marine resources worldwide. Bycatch may be the wrong sex or size of target species, or it may be other species of finfish or shellfish, marine mammals, birds, or other sea life. There is some bycatch in essentially every commercial fishery, and its magnitude may vary tremendously with the fishery, species, gear, area, time, method of operation, and management regulations.

The vast majority of the commercial fishermen want to fish for intended species, catch the quota, market them for an acceptable price, make a reasonable living, and continue to do so indefinitely. They don't seek to overfish directed species, catch prohibited, unwanted, or undersize desired species, or discard unsaleable ones. But that is what happens, and many stocks suffer as a result. Optimum sustainable harvests are frequently denied as an outcome. No one is content with that format, least of all the commercial fisherman whose livelihood depends on healthy stocks.

Many fisheries are being more closely managed and the catches more precisely monitored and observed than ever before. Biological, economic, social, and political evidence is developing that dictates greater attention to bycatch in the management and conduct of fisheries.

The potential and actual effect on the ecosystem of the capture and subsequent return to the water dead of some bycatch species is not well understood. However, with the tremendous volume of dead bycatch discarded by the combined domestic fishery, there is biological and economic waste, notwithstanding the fact that some of this discard undoubtedly is beneficially utilized in the ocean's life processes. It is absolutely essential that this situation be changed soon. Further, available information indicates a potential for very significant reductions in bycatch in several fisheries by modifications in gear, fishing practices, and management regulations.

In recognition of the critical bycatch problems, elements of the commercial fishing industry throughout the U. S. organized and conducted a

National Industry Bycatch Workshop held in Newport, Oregon, February 4-6, 1992. The purpose was to alert the industry to the magnitude and seriousness of the situation, exchange pertinent information, and lay the groundwork for industry to take the lead as a unified voice in addressing its bycatch problems nationwide in a sincere, positive, and constructive manner.

About 350 individuals were invited and over 160 from 33 fisheries associations in 18 states and two Canadian provinces attended this industry-sponsored and invitation-only workshop. Fishing gears represented included longline, trawl, pot, seine, and gill net.

The more than 30 individuals on the three-day program represented all major geographical fishing areas of the country and discussed wide-ranging aspects of bycatch-related matters. Speakers included fishermen, vessel owners, processors, union and association representatives, industry newspaper editor, state, federal, university, and private industry scientists, and regional, national, and international fisheries organization directors and former directors.

You played a key role by taking time from a very busy schedule to attend, offering some of your perspectives on bycatch, and encouraging industry to aggressively take the lead in pursuing acceptable solutions. Committing your organization to cooperate in a coordinated program was of note and appreciated.

We believe government and industry have many common goals including understand the ecosystem and the interaction of the various forms of marine life, maintain optimum population levels, develop and implement scientifically sound management programs, prevent overfishing, fully utilize catches, and minimize wastage. It follows that each should develop programs to achieve these goals and implement them in a manner to maximize mutual benefits. Because of differing responsibilities and capabilities, some approaches may differ as well.

During the course of the three days, many ideas were offered, views expressed, suggestions made, and agreement reached. The taped record of the workshop is being reviewed for eventual printing of a proceedings. In the interim, and in the interest of getting something to you as soon as practical, we have highlighted what we believe are the most significant points. This may be modified slightly after the review of the tapes. We are presenting them in three categories. The first is fundamental points of agreement by the attendees, the second is proposed industry areas of emphasis, and the third contains things industry feels NMFS should do.

## FUNDAMENTAL POINTS OF AGREEMENT

1. Bycatch is essentially inherent in all commercial fisheries to widely varying degrees.

2. The problem is real, international in scope, and widely viewed as demanding immediate action.

3. The amount of bycatch in many fisheries and its consequence on the populations of bycatch species is frequently unknown, but in some instances, is known to contribute to significant declines in their abundance.

4. The potential and actual effect on the ecosystem of the capture and subsequent return to the water dead of some bycatch species is not well understood.

5. Significant reductions in the volume and composition of bycatches and increases in the survival of individuals returned to the water are achievable.

6. Better uses of underutilized non-target species of fish and shellfish should be developed.

7. Additional research is needed on a broad array of problems in several fisheries to develop statistically valid information.

8. More complete and accurate data on the volume, composition, and seriousness of bycatch in many fisheries is needed.

9. Industry should assist in obtaining funding for needed programs in addition to providing financial and in-kind contributions of its own.

10. Segments of industry are prepared and willing to make significant adjustments in fishing gear and practices to achieve needed solutions.

11. Some of the needed changes will result in reduced catches of target species and associated economic losses.

12. Industry must be accountable for its actions, take the lead in cleaning up its own act, and encourage peer compliance with established standards of performance.

13. Industry must coordinate its efforts nationwide in working with government, recreational fishermen, conservationists, and other interested entities in developing rational solutions to this common problem on a timely basis.

It is well and good to acknowledge that problems exist and something should be done about them, even to the extent of outlining possible approaches. It is another thing to "put your money where your mouth is" and to make and fulfill a commitment to participate meaningfully by interest, intent, financial or in-kind contribution, and action. A commitment was made by the leaders in attendance to do just that. General thrusts were developed with detail to be added later. They are

listed below.

#### INDUSTRY AREAS OF EMPHASIS

1. Establish a goal of minimizing bycatch and maximizing survival of discards with special emphasis on reducing to the absolute minimum the catch of all threatened and endangered species and to minimizing bycatch of overfished species.

2. Sponsor an education program to inform all elements of the U. S. industry of the importance of resolving bycatch issues and managing the ecosystem for all concerned.

3. Conduct and/or assist in financing gear research and handling experiments designed to reduce bycatch and increase survival with varying regional responses.

4. Provide platforms of opportunity for state, federal, and international entities or universities to conduct studies and/or collect data that will (1) improve the database concerned with bycatch, (2) decrease bycatch rates, and (3) improve survival of bycatch species.

5. Establish relationships with NMFS, conservation groups, recreational fishermen, and others to develop and test solutions to the bycatch problem.

6. Seek and support federal and other funding of a significant conservation engineering program.

7. Promote regional bycatch workshops and technical studies with the intent of reducing bycatch and/or increasing bycatch survival.

8. Assist government in the collection of needed biological or statistical data associated with bycatch.

9. Support observer programs for vessels of sufficient sizes for the collection of bycatch data, recognizing that such programs may need to be regional or voluntary, depending on need and physical and economic limitations.

10. Develop within industry meaningful deterrents to excessive bycatches including self policing, individual accountability, and appropriate penalties.

The industry believes that NOAA/NMFS has major capabilities and responsibilities to address bycatch issues, and understands that it is developing policies, goals, and a program to utilize and carry them out, respectively. We seek involvement in this process and look forward to suggestions from government on actions industry should take. In a sincere attempt to be helpful, proposals have been developed for government consideration and possible action. It is believed that they will effectively complement and appropriately expand on industry's own plans. This is consistent with your guidance to industry to take a leadership role in

addressing this critical matter. Major suggestions are listed below.

#### INDUSTRY SUGGESTIONS FOR NMFS EMPHASIS

1. Develop goals and objectives including clear guidelines for achieving stated economic goals.
2. Establish bycatch as a number one SK funding priority.
3. Request Sea Grant to direct activities toward bycatch statistics.
4. Join with industry and others in supporting a significant cooperative conservation engineering program.
5. Encourage continuing regional NMFS/industry/recreational fisheries/conservation organizations pro-active and positive discussions to assist in the development and implementation of coordinated bycatch reduction.
6. Conduct with the regional fishery management councils a careful detailed review of all regulations to determine their relationship to the overall bycatch situation and develop appropriate recommendations.
7. Work with industry to formulate standardized terms and methods for quantifying bycatch.

There was agreement by the industry attendees that the Newport workshop would be the beginning of a continuing unified nationwide effort by the commercial industry to objectively and productively attack the problem. The entity will be called National Industry Bycatch Coalition. As our first followup action we are sending you this memorandum to start the ball rolling.

We believe the industry is truly serious about searching for solutions to this dilemma. Some elements are prepared to move much more rapidly and meaningfully than others, and that is expected. But we believe most if not all will participate if properly coordinated cooperative programs are initiated that are intended to help resolve the bycatch problems and not just eliminate commercial fishing.

The interest, effort, and support NMFS is willing to devote to such a program is critical to its success. Industry wants to provide leadership, but it must have assistance and support in many ways. We were impressed with your statements and attitude at the workshop. We are now prepared, as a followup, to meet with you personally and discuss actions needed to start what we hope will be a successful resolution of the bycatch situation.

We suggest members of the steering committee meet with you and staff of your choice in Washington at your earliest convenience after you

have received and read this memo. We are requesting the meeting and feel it would be most productive if only industry and NMFS leadership attend at this time. Other interests should be involved at a later date. We seek at least the following three things from such a meeting.

1. Candid discussion on the information in this memorandum and, hopefully, agreement on the relative roles and actions of government and industry in attacking bycatch problems.
2. Creation of a mechanism for the early cooperative development of a strategic plan to address bycatch.
3. Agreement on the approach of establishing realistic time frames in which to achieve specific objectives and goals.

We cannot give you at this time an accurate estimate of how many steering committee members might attend the proposed meeting, but we will provide the names soon after we hear if you will meet. Please call Lee Alverson at (206) 285-3480 if you have any questions; and if you agree to the meeting, please suggest some alternative dates. We assume the session would require at least a half day and the location would be Washington, D.C. with specifics to be developed later. This could begin what we believe can be a win-win situation. We hopefully await your affirmative response.

This memo is endorsed by the following members of the National Industry Bycatch Workshop Steering Committee:

William A. Adler, Massachusetts Lobstermen's Assoc., Scituate, MA  
 Dayton L. Alverson, Natural Resources Consultants, Inc. Seattle, WA  
 Robert D. Alverson, Fishing Vessel Owners' Assoc., Seattle, WA  
 Alvin R. Burch, Alaska Druggers Assoc., Kodiak, AK  
 James D. Cook, Pacific Ocean Producers, Honolulu, HI  
 R. Barry Fisher, Midwater Trawlers Coop., Newport, OR  
 Jan J. Harper, B & H Seafood, Freeport TX  
 L. John Iani, Pacific Seafood Processors Assoc., Seattle, WA  
 Herbert A. Larkins, American Factory Trawler Assoc., Seattle, WA  
 Peter P. Leipzig, Fishermen's Marketing Assoc., Eureka, CA  
 Richard T. Lofstad, Jr., Inlet Seafood, Montauk, NY  
 Christopher L. Nelson, Bon Secour Fisheries, Inc., Bon Secour, AL  
 John J. Royal, Fishermen's Union, Local 33, San Pedro, CA  
 Jerry H. Sansom, Organized Fishermen of Florida, Melbourne, FL  
 Walter J. Shaffer, South Carolina Shrimpers Assoc., Mt. Pleasant, SC  
 Robert D. Smith, Point Judith Fishermen's Coop. Assoc., Charleston, RI  
 Beth A. Stewart, Peninsula Marketing Assoc., Juneau, AK  
 Nils E. Stolpe, New Jersey Commercial Fishermen's Assoc., Haddonfield, NJ  
 Konrad S. Uri, K Fisheries, Inc., Seattle, WA



Chris Chavasse  
P.O. Box 15003  
Fritz Creek, Ak  
99603

April 25th, 1992

Mr. Rick Lauber, Chairman  
North Pacific Fishery Management Council  
Anchorage Hilton Hotel  
Anchorage, Alaska 99501

Mr. Chairman and Members of the Council:

It was interesting to see the bar charts presented by NMFS yesterday evening. My attention was drawn to the chart showing the total catch, retained catch and discards. What I found interesting was the manner by which, through visual inference, the disparity between the retained catch and discards made one assume that the discards were minimal.

I am sure that this was unintentional, because as we know, if a similar scale were to show the 400 to 600 million pounds of discards in relation to food produced the disparity would be greater than that between retained catch and discards, in fact the food produced column would be at zero, then if the variable of jobs produced by the discards were included, we would of course see a diminutive or minus column extending well below the zero scale line. So relativity as you know, is an important consideration in this matter.

This is evident in the discussions regarding confidence levels of bycatch estimation for both the management and enforcement aspects of the fishery, with however, little room for error if the discards were accounted for, which is just another good reason for retention, as is the research value.

So, if we are indeed to move toward the goal of full utilization in conjunction with effective bycatch management techniques we must examine the connotations in concluding what we as a region and people may expect to gain. One sector of the industry has notably given the go ahead to its commitment to full utilization and that is the longline group, from whom no testimony against Clem's amendment under Alternative 2 was heard during the recent IFQ debates.

At the regional level we have the responsibility to maintain the sustainability of the marine resources, at the same time assuring those resources are utilized in rational, meaningful and humanly beneficial ways. Assuming that the basis of all fisheries lies in the human need for food, it follows that those resources capable of conventional conversion for human food be so converted, with the balance being utilized in some other manner. Due to overcapitalization problems we need to be careful that the concept of full utilization is not manipulated to the detriment of the traditional and coastal community fisheries or the resources.

ne

resources and that those agencies review fisheries policies to assess their impact on nutrition, and re-orient those policies to help alleviate hunger and malnutrition, where feasible.

PASSED AND ADOPTED BY THE HOMER CITY COUNCIL OF THE CITY OF HOMER, ALASKA dated this 13th day of April, 1992.

CITY OF HOMER

  
HARRY E. GREGOIRE, MAYOR

ATTEST:

As a people, the implications of the abhorrent overall waste and the rampant destruction of rearing habitats, spawning stocks and forage bases is a good indicator that our role models and policy makers have dismally failed in applying the moral value standards to which so much lipservice and posturing is given. Which under the current economic ethic is entirely understandable, and correctable. I suggest that without correction we can expect to see continued dehumanization and societal degradation within the fishing communities and society at large. Consequently I would like to see this Council send a message to the industry and regulatory agencies that wanton waste is no longer acceptable in this region, and set up a Task Group to examine this issue and report back with recommendations at the June meeting in Sitka.

It is interesting to note that compared to the fishing industries the...

Chris Chavasse  
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At the regional level we have the responsibility to maintain the sustainability of the marine resources, at the same time assuring those resources are utilized in rational, meaningful and humanly beneficial ways. Assuming that the basis of all fisheries lies in the human need for food, it follows that those resources capable of conventional conversion for human food be so converted, with the balance being utilized in some other manner. Due to overcapitalization problems we need to be careful that the concept of full utilization is not manipulated to the detriment of the traditional and coastal community fisheries or the resources.

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It is interesting to note that compared to other food producing industries, the fishery is the most wasteful on the planet. This region's fisheries waste based on FAO, U.S. Agribusiness and NMFS records, exceeds total U.S. Agribusiness waste by 100's of millions of pounds, given that a paltry 20 million pounds of agribusiness produce is lost between the farmhouse and the consumer.

To sum up, I urge the Council, Industry, Politicians, Public and Media to step up their efforts in eliminating the perpetuation of this wanton aspect of the fishery. And, in response to the Council's position that my proposal regarding the retention of PSC's for food programs is out of cycle, I respectfully submit that the Council process is in itself way out of cycle for not having dealt with this waste problem years ago.

Sincerely,



Submitted by Councilmember Godfrey  
CITY OF HOMER  
HOMER, ALASKA

RESOLUTION 92-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, ENCOURAGING THE STATE OF ALASKA AND FEDERAL GOVERNMENT TO RE-EXAMINE FISHERIES POLICY, AMENDING SAID POLICIES TO EFFECTUALLY REDUCE THE WASTE OF NUTRITIONAL MARINE RESOURCES AND CHANNEL TYPICALLY DISCARDED BUT EDIBLE FISH INTO LOCAL FOOD PROGRAMS.

WHEREAS, the City of Homer, a port city, situated on Kachemak Bay, Alaska, derives substantial benefits from marine resources; and

WHEREAS, the City Council has been apprised by leaders of the NPFMC of gross waste of those resources in both the Territorial Waters of the State of Alaska and within the Exclusive Economic Zone of the United States of America; and

WHEREAS, typically discarded bycatch species have been utilized for food by such local groups as senior citizens, those persons in need of emergency food assistance, and others relying upon local food programs; and

WHEREAS, a local program instituted within the City will provide employment and nutritional food for local food programs.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Homer, Alaska, finds it morally and ethically wrong that the waste of our marine living resources continue and that those resources considered unmarketable, but nutritional, be utilized for local and state institutional and emergency food programs; and

BE IT FURTHER RESOLVED, that both State of Alaska Fisheries Regulatory Agencies, and Federal Fisheries Regulatory Agencies do all within their power to reduce the waste of our marine living resources and that those agencies review fisheries policies to assess their impact on nutrition, and re-orient those policies to help alleviate hunger and malnutrition, where feasible.

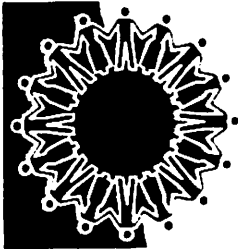
PASSED AND ADOPTED BY THE HOMER CITY COUNCIL OF THE CITY OF HOMER, ALASKA dated this 13th day of April, 1992.

CITY OF HOMER

  
HARRY E. GREGOIRE, MAYOR

ATTEST:

  
MARY L. SHANNON, CITY CLERK



# COMMUNITY MENTAL HEALTH CENTER

3948 Ben Walters Lane

Homer, Alaska 99603

(907) 235-7701

March 12, 1992

**To Whom This Matter Concerns:**

We at the Community Mental Health Center would like to voice our support for the fish by product give away program Chris Chavasse is coordinating. It is of great benefit to the community in a variety of ways.

First, 6-7 people of our client population will receive supplements of by product fish which greatly augments their limited food budgets. Secondly, our CMHC lunch program is able to stretch limited state dollars by utilizing this fish in our menu planning for serving 15 persons daily, four days a week.

Third our vocational training program sees the opportunity to participate in the fish processing and delivery as a valuable chance to train folks with marketable skills. Learning while doing productive community service makes everyone feel good. This also allows our program participants the opportunity for supervised yet integrated work that can lead to long term employment options.

We wholly support this use of an otherwise wasted resource and applaud Chris Chavasse and participating fisherman and women for their parts in this innovative project.


Sincerely,

*Chris Laing, MS*  
Chris Laing, MS *bybara simm*  
Clinician

CL:lks

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke   
Executive Director

DATE: April 15, 1992

SUBJECT: Pollock Season Delays and Exclusive Registration

**ACTION REQUIRED**

1. Receive status report on the analysis of a proposed delay in the BSAI pollock "B" season for the 1993 fishery. Consider emergency action to delay the "B" season for 1992.
2. Receive staff report on the exclusive registration proposal.

**BACKGROUND**

1. Pollock "B" Season Delay

In January the Council discussed changing the BSAI pollock "B" season start date from June 1 to a later date. The Council agreed to initiate a regulatory amendment to modify the BSAI "B" season opening dates for 1993 and beyond, using July 1 through September 15 as possible dates. Staff reported that work on the moratorium and IFQ analyses would preclude analysis of the "B" season delay until after the April Council meeting. Some of the issues raised during public comment included optimal timing of the fishery to improve value, quality and safety; impacts on Gulf of Alaska fisheries; implications of the inshore/offshore allocation, if approved; and the opportunity for pollock processors to process salmon during the summer.

Writing to the Council on February 18, 1992, Steve Pennoyer suggested that the "B" season regulatory amendment be developed on a separate schedule from the proposed exclusive registration. He recommended that the draft analysis be completed for initial review this coming September and that final action be taken in December. The regulatory amendment then could be implemented by June 1, 1993.

If the Council approves that schedule, analysis of a range of dates from July 1 to September 15 will begin this summer.

Emergency Action for 1992. In January the Council considered implementing an emergency rule to delay the BSAI "B" season for the 1992 fishery. Two motions were made: one to change the date to August 15 and another to change the date to July 15. Both motions failed. The Council was requested to again consider such emergency action at this meeting.

2. Exclusive Registration

In January, the Council requested NMFS to develop an exclusive registration amendment for trawl fisheries in the Gulf of Alaska and Bering Sea and Aleutians, for (1) pollock and (2) all groundfish species, as options. In contrast to a delay in the "B" season, this will require a plan amendment. The Region has suggested that the analysis for exclusive registration be developed for initial review in June. Final action in September would have the regulation in place for April 1, 1993. Unless the Council directs otherwise, we will move ahead with the analysis after this meeting, possibly consulting it out if our own staff is unavailable.





UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

AGENDA D-2(e)  
SUPPLEMENTAL

April 13, 1992

APR 16 1992

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

Dear Clarence,

Attached is a Federal Register notice that pertains to emergency rules. It specifically provides guidance to the Regional Fishery Management Councils in determining whether the use of emergency rules is appropriate under the authority of the Magnuson Fishery Conservation and Management Act. This guidance is new since the January 1992 meeting of the North Pacific Fishery Management Council (Council). NMFS has published this guidance in response to the large number of emergency rules that regional councils have submitted to the Secretary of Commerce for implementation. I recently learned during meetings with the Central Office that emergency rules are being submitted so frequently that they are overwhelming the review and implementation of other needed management actions.

NMFS is concerned that the use of emergency rules is circumventing the public review and comment process. Because emergency rules usually are published without a comment period, economic analyses of impacts are not required. NMFS believes, therefore, that the use of emergency rules is circumventing the need for meaningful analyses and consideration of alternatives.

I am emphasizing these guidelines at this time, because the Council will be considering during its upcoming April 1992 meeting, an emergency rule to delay the start of the "B" season for the Bering Sea and Aleutian Islands pollock fishery from June 1 to a later date, possibly July 15. The Council must consider these attached guidelines when it deliberates the necessity of the "B" season emergency rule and all other future emergency rules as well.

If the Council votes to recommend approval of a delay of the "B" pollock season by means of an emergency rule, it must provide a record during the meeting to satisfy the criteria and justification requirements of these guidelines. I will be



available to discuss further the reasons for these guidelines at the April meeting.

Sincerely,



Steven Pennoyer  
Director, Alaska Region

Enclosure

[Docket No. 911179-1279]

## 50 CFR Chapter VI

### Policy Guidelines for the Use of Emergency Rules

**AGENCY:** National Marine Fisheries Service (NMFS), NOAA, Commerce.

**ACTION:** Notice of policy guidelines for the use of emergency rules.

**SUMMARY:** NMFS provides guidelines for the Regional Fishery Management Councils (Councils) in determining whether the use of an emergency rule is justified under the authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act). The guidelines were also developed to provide the NMFS regional directors guidance in the development and approval of regulations to address events or problems which require immediate action.

**EFFECTIVE DATE:** February 5, 1992.

**FOR FURTHER INFORMATION CONTACT:** CDR Thomas L. Meyer, NOAA, Office of Fisheries Conservation and Management, NMFS, telephone: 301-427-2337.

**SUPPLEMENTARY INFORMATION:** Section 305(c) of the Magnuson Act provides for taking emergency action with regard to any fishery but does not define the circumstances that would justify such emergency action. Section 305(c) provides that:

1. The Secretary may promulgate emergency regulations to address an emergency if the Secretary finds that an emergency exists, without regard to whether a fishery management plan exists for that fishery;

2. The Secretary shall promulgate emergency regulations to address the emergency if the Council, by a unanimous vote of the voting members, requests the Secretary to take such action; and

3. The Secretary may promulgate emergency regulations to address the emergency if the Council, by less than a unanimous vote of its voting members, requests the Secretary to take such action.

The NOAA Office of General Counsel has defined the phrase "unanimous vote," in items 2 and 3 above, to mean the unanimous vote of a quorum of the voting members of the Council only. An abstention has no effect on the unanimity of the quorum vote. The only legal prerequisite for use of the Secretary's emergency authority is that an emergency must exist. Congress intended that emergency authority be

available to address conservation, biological, economic, and social emergencies. In addition, emergency regulations may make direct allocations among user groups. If strong justification and the administrative record demonstrate that, absent emergency regulations, substantial harm will occur to one or more segments of the fishing industry. Controversial actions with serious economic effects, except under extraordinary circumstances, should be done through normal notice-and-comment rulemaking.

The preparation or approval of management actions under the emergency provisions of section 305(c) of the Magnuson Act should be limited to extremely urgent, special circumstances where substantial harm to or disruption of the resource, fishery, or community would be caused in the time it would take to follow standard rulemaking procedures. An emergency action may not be based on administrative inaction to solve a long-recognized problem. In order to approve an emergency rule, the Secretary must have an administrative record justifying emergency regulatory action and demonstrating its compliance with the national standards. In addition, the preamble to the emergency rule should indicate what measures could be taken or what alternative measures will be considered to effect a permanent solution to the problem addressed by the emergency rule.

The process of implementing emergency regulations limits substantially the public participation in rulemaking that Congress intended under the Magnuson Act and the Administrative Procedure Act. The Councils and the Secretary must, whenever possible, afford the full scope of public participation in rulemaking. In addition, an emergency rule may delay the review of non-emergency rules, because the emergency rule takes precedence. Clearly, an emergency action should not be a routine event.

NMFS provides the following guidelines for the Councils to use in determining whether an emergency exists:

#### Emergency Criteria

For the purpose of section 305(c) of the Magnuson Act, the phrase "an emergency exists involving any fishery" is defined as a situation that:

(1) Results from recent, unforeseen events or recently discovered circumstances; and

(2) Presents serious conservation or management problems in the fishery, including impacts on protected species or habitats; and

(3) Can be addressed through emergency regulations for which the immediate benefits outweigh the value of advance notice, public comment, and deliberative consideration of the impacts on participants to the same extent as would be expected under the normal rulemaking process.

#### Emergency Justification

If the time it would take to complete notice-and-comment rulemaking would result in substantial damage or loss to a living marine resource, habitat, fishery, industry participants, or communities, emergency action might be justified under one or more of the following situations:

(1) Ecological—(A) to prevent overfishing as defined in a fishery management plan (FMP), or as defined by the Secretary in the absence of an FMP; or (B) to prevent other serious damage to the fishery resource or habitat; or

(2) Economic—to prevent significant direct economic loss or to preserve a significant economic opportunity that otherwise might be foregone; or

(3) Social—to prevent significant community impacts or conflict between user groups.

Dated: December 27, 1991.

Samuel W. McKean,

Acting Assistant Administrator for Fisheries,  
National Marine Fisheries Service.

[FR Doc. 92-204 Filed 1-3-92; 8:45 am]

BILLING CODE 3510-22-01

## 50 CFR Parts 601 and 605

[Docket No. 910496-1307]

### Regional Fishery Management Councils; Guidelines for Council Operations and Administration

**AGENCY:** National Marine Fisheries Service (NMFS), NOAA, Commerce.

**ACTION:** Final rule.

**SUMMARY:** NMFS revises the regulations and guidelines governing appointments to, and the operation and administration of, the Regional Fishery Management Councils (Councils) established by the Magnuson Fishery Conservation and Management Act (Magnuson Act) and the preparation of fishery management plans (FMPs) and FMP amendments under the Magnuson Act. These revisions make existing regulations and guidelines consistent with the requirements of sections 302 and 303 of the Magnuson Act as amended by sections 108 and 109 of Public Law 101-627. The revisions: (1) Define Council members' qualifications and strengthen

# ALEUTIANS EAST BOROUGH

SERVING THE COMMUNITIES OF

■ KING COVE ■ SAND POINT ■ AKUTAN ■ COLD BAY ■ FALSE PASS ■ NELSON LAGOON

April 8, 1992

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

APR 10 1992

Dear Mr. Lauber:

Many of the residents of Sand Point and other communities within the Aleutians East Borough have spent thousands of dollars gearing up for the Gulf of Alaska Cod and Pollock fisheries the past five years. These fisheries have been crucial to the financial structure of the area. We are very concerned about the large Bering Sea Trawlers, Factory Trawlers, and Longliners that move between the Bering Sea and Gulf of Alaska. This fleet of large fishing vessels harvest the Gulf of Alaska Cod and Pollock quota very fast. Our seasons went from several months of fishing to 2 months this past season. With the fleet growing each year, it is predicted the 1993 season will be one month. The Cod and Pollock fleet from this area is comprised of very small vessels, most are 58 feet and a few up to 90 feet. Weather is a controlling factor for accumulated fishing time.

We support a registration area for the Gulf of Alaska; this regulation if adopted would restrict all fishing vessels to register either in the Gulf of Alaska or the Bering Sea for Cod and Pollock. We also feel this regulation would allow the small fishing vessels to harvest their fair share of the Cod and Pollock stocks over a reasonable period of time. The Cod and Pollock quotas in the Gulf of Alaska are very small compared to the Bering Sea quotas.

Our Shrimp, King Crab, and Tanner Crab stocks have been completely annihilated by large Bering Sea vessels. We urge you to act now and register the Gulf of Alaska and the Bering Sea before our Cod and Pollock stocks follow the history of our shellfish stocks. We're positive that all the communities of the Gulf of Alaska would appreciate action by the North Pacific Fishery Management Council to help preserve the Cod and Pollock fishery for residents of the Gulf of Alaska.

Respectfully,



Dick Jacobsen  
Mayor


ERK/PLANNER  
P.O. BOX 349  
SAND POINT, ALASKA 99661  
(907) 383-2699  
(907) 383-3496 FAX

BOROUGH ADMINISTRATOR  
1600 A STREET, SUITE 103  
ANCHORAGE, ALASKA 99501-5146  
(907) 274-7555  
(907) 276-7569 FAX

FINANCE DIRECTOR  
P.O. BOX 49  
KING COVE, ALASKA 99612  
(907) 497-2588  
(907) 497-2386 FAX

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke   
Executive Director

DATE: April 15, 1992

SUBJECT: Amendments to the Groundfish Fishery Management Plans

**ACTION REQUIRED**

Approve proposed groundfish amendments for public review.

**BACKGROUND**

In September 1991, the Council developed a list of priority topics and requested the Plan Teams, with assistance from the State of Alaska, to incorporate these topics, with reasonable alternatives, into a draft amendment package that includes an Environmental Assessment/Regulatory Impact Review (EA/RIR). The draft EA/RIR amendment package is presented as Amendment 21 to the Bering Sea/Aleutian Islands plan and Amendment 26 to the Gulf of Alaska Plan. A copy of the draft EA/RIR for Amendment 26 was sent to you on April 15. A copy of the draft EA/RIR for Amendment 21 will be available at the Council meeting.

**AMENDMENT 26**

Included in the EA/RIR for Amendment 26 to the GOA Groundfish FMP are the following amendment topics:

1. Prohibit trawl gear from fishing for groundfish in waters east of 140 degrees West longitude in the eastern Gulf of Alaska:

An FMP amendment is proposed which would prohibit trawl groundfish fisheries in waters east of 140 degrees West longitude. Alternatives include:

Alternative 1: no action;

Alternative 2: prohibit all groundfish trawling in waters east of 140°W longitude;

Alternative 3: prohibit on-bottom trawling only; and

Alternative 4: establish separate TACs by FMP species group for the new Southeast District.

2. Re-establish the no-trawl crab protection time/area closures around Kodiak Island:

An FMP amendment is proposed which would re-establish the time and area restrictions on non-pelagic trawling around Kodiak Island to protect king and Tanner crab resources. This action is being considered because the crab protection time and area closures established under Amendment 18 to the GOA FMP will expire December 31, 1992 unless the FMP is amended. Alternatives include:

Alternative 1: no action--there would be no specific closures to protect crab after December 31, 1992.

Alternative 2: extend the existing time/area closure measures for three years.

Alternative 3: implement permanent time/area closures for non-pelagic trawling.

**AMENDMENT 21**

Amendment 21 to the BSAI Groundfish FMP reflects the priority bycatch issues established by the Council. Included in the EA/RIR for Amendment 21 are the following amendment topics:

1. Establish trawl and non-trawl fishery halibut PSC limits:

An FMP amendment is proposed which would establish 1993 halibut bycatch limits in the BSAI. Amendment 19 to the BSAI groundfish FMP reduced the trawl fishery halibut PSC limit from 5,333 mt to 5,033 mt and established a non-trawl fishery halibut bycatch mortality limit of 750 mt. Both actions were only for 1992 and will sunset on December 31, 1992.

Alternative 1: status quo - would result in a halibut PSC limit of 5,333 mt for the trawl fishery and no limit for the non-trawl fishery.

Alternative 2: three options for each gear group - 50%, 100%, and 150% of the 1992 limits. These are equivalent to:

For trawl: bycatch of 2,516 mt, 5,033 mt, and 7,550 mt.

For non-trawl: mortality of 375 mt, 750 mt and 1,125 mt.

Alternative 3: same as Alternative 2 except replace the trawl bycatch limit with a mortality limit. Assuming a discard mortality rate of 75%, the three trawl options are 1,887 mt, 3,775 mt, and 5,662 mt.

Alternative 4: in addition to Alternatives 2 or 3, allow PSC limits to be changed by regulatory, rather than plan, amendment.

2. Improve chinook salmon bycatch management in the BSAI:

A plan amendment is proposed which would institute protective measures for chinook salmon. Chinook salmon is now a PSC and must be discarded when brought on board a groundfish vessel. Because there is no limit on the number taken in the groundfish fisheries, chinook salmon PSC does not constrain, or shut down groundfish fisheries.

Alternative 1: status quo - no chinook PSC limit for the groundfish fisheries in the BSAI.

Alternative 2: establish PSC limits for the BSAI trawl fisheries. The PSC options would be based on a range of annual chinook salmon bycatch rates ( 0.004 - 0.02 chinook per metric ton of groundfish). The caps would be apportioned to target fisheries.

Alternative 3: similar to Alternative 2, but instead of closing a fishery group, a specific time/area closure would occur on reaching the cap. Areas could include existing three-digit statistical areas (such as 511, 517 & 519, 518, and 540), or areas based on historical patterns of chinook bycatch.

3. Prohibit bottom trawling in IPHC Area 4C adjacent to the Pribilof Islands:

A plan amendment is proposed to eliminate bottom trawling in IPHC Area 4C to rebuild blue king and Korean hair crab stocks to exploitable levels, and increase seabird and marine mammal populations in habitat undisturbed by bottom trawl activities. Currently no area closures exist to protect blue king crab.

Alternative 1: status quo - no area closures adjacent to the Pribilof Islands.

Alternative 2: would close IPHC Area 4C to bottom trawling.

Alternative 3: would close IPHC Area 4C to all trawling.

The Council needs to approve the draft amendments for public review. A minimum 30-day public comment period on the amendment packages will commence soon after the Council meeting. The Council will review public comments and take final action in June. Approved amendments will be submitted for Secretarial review in early July and would be implemented by December 1992.

**A**laska **L**ongline **F**ishermen's **A**ssoc.

P.O. Box 1229 Sitka, AK 99835 (907) 747-3400

April 13, 1992

APR 17 1992

North Pacific Fishery Management Council  
P.O. Box 103136  
Sitka, AK 99835

**SUBJECT: PLAN AMENDMENT ANALYSIS FOR SOUTHEAST TRAWL CLOSURE**

Dear Members of the Council and Advisory Panel,

I understand that the Environmental Analysis/Regulatory Impact Review for the plan amendment to prohibit trawling east of 140 degrees West Longitude is now complete and will soon be distributed to Council family. As you know, Southeast Alaska residents are anxiously awaiting action on this issue. It is essential that this analysis be reviewed by the Council and released to the public at this meeting. Any delay in this process will seriously jeopardize the Southeast fisheries. As you are no doubt aware, when the Rockfish trawl fisheries reopen on June 29th, the only area left open to directed fishing for Pacific Ocean Perch will be the Eastern Gulf. Intensive trawl effort east of 140 can be expected at that time. Last year salmon bycatch by the rockfish trawlers in the Eastern Gulf was highest during July; salmon, along with the longline species the rockfish trawlers operating east of 140 degrees will take as bycatch, are the life blood of Southeast. Last year trawl bycatch of demersal shelf rockfish threatened to preempt local fisheries, creating an Emergency situation. If the Council acts now, a similar emergency may be averted. ALFA urges Council and AP members to review the EA/RIR and to approve it for public review as scheduled. This Southeast trawl closure is a State priority; immediate action is imperative.

Thank you for your attention. Sincerely,

*Linda Behnken*

Linda Behnken  
(exec. director, ALFA)

SENT BY FAX 4/19



# CITY OF PORT ALEXANDER

P.O. Box 8725 Port Alexander, AK 99836 909/568-2211

APR 16 1992

April 7, 1992

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

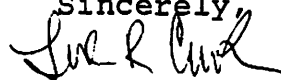
Dear Sirs:

At our regular City Council Meeting held last night, a motion was passed to re-submit a copy of our Resolution #91-3, passed last year, and supporting the permanent closure of the Eastern Gulf of Alaska to trawling. Attached is a copy of that resolution.

Being a small Southeast coastal community whose residents are entirely dependent upon commercial fishing, support for this permanent closure remains strong.

Thank you.

Sincerely,



T.R. Crook, Mayor

TRC:sl

cc: Senator Ted Stevens  
Senator Frank Murkowski  
Rep. Don Young  
NMFS  
ALFA

# CITY OF PORT ALEXANDER

P.O. Box 8725 Port Alexander, AK 99836 909/568-2211

## RESOLUTION 91-3

WHEREAS, the Alaska Longline Fishermen's Association (ALFA) has petitioned the North Pacific Fishery Management Council to prohibit trawling in the Eastern Gulf of Alaska, and

WHEREAS, a trawl fishery in the Eastern Gulf would have devastating effects not only economically on the traditional hook and line fisheries and the salmon fisheries but also ecologically and sociologically, and

WHEREAS, ALFA has requested the support of individuals, organizations, businesses and local governments, and

WHEREAS, Port Alexander is a small coastal community in southeast Alaska whose residents are entirely dependent upon commercial fishing, and

WHEREAS, these residents have expressed strong support for ALFA's petition,

NOW THEREFORE BE IT RESOLVED, that the City of Port Alexander strongly supports the request for a closure of the Eastern Gulf of Alaska to trawling.

ADOPTED this 1st day of April, 1991, at a Regular City of Port Alexander Council Meeting.

  
Lorraine E. Hughes, Mayor

ATTEST: Sandra S. Sanje  
City Clerk

AGENDA D-2  
SUPPLEMENTAL

APR 16

FROM : Seldovia Fish & Game Advisory Board  
234-7609

To : North Pacific Fisheries Management Council

## A RESOLUTION

A resolution of the Seldovia Fish & Game Advisory Board asking the North Pacific Fishery Management Council to start procedures to close the Federal waters of Cook Inlet to bottom groundfish trawling

Whereas, the State waters of Cook Inlet are closed to groundfish trawling

Whereas, there has never been a traditional groundfish trawl fishery or fleet in Cook Inlet

Whereas, the Cook Inlet crab and shrimp stocks would be adversely affected ( already in a depressed state )

Whereas, groundfish trawling would negatively impact the local economics, fishermen and processors

Whereas, groundfish trawling would negatively impact the local marine mammals

Now therefore be it resolved that the Seldovia Fish & Game Advisory Board that the Federal waters of Cook Inlet ( statistical area H, its East boundary the longitude of Cape Fairchild 148° 50' and its Southern boundary the latitude of Cape Douglas 58° 52' latitude be closed to commercial groundfish bottom trawling permanently.

**GROUND FISH FISHERY MANAGEMENT PLAN AMENDMENT PROPOSAL**  
**North Pacific Fishery Management Council**

**Name of Proposer:**

Ben Mobeck

Date: 3-11-92

**Address:**

P.O. Box 11  
 Sandpoint, AK 99661

APR 16 1992

**Telephone:**

(907) 383-2791 (206) 745-9156 (Temporary)

**Fishery Management Plan:****Brief Statement of Proposal:**

To allow fishing for cod in the winter by use of set net. The mesh to be 5 inches minimum, 12 and up twine.

③ SET OF 150 FATHOMS LONG AND 40 MESH DEEP  
 FOR COD FISH

**Objectives of Proposal: (What is the problem?)**

To reduce by - catch associated with trawl operations. To provide alternative uses for smaller local boats. I have been a drag fisherman for many years and know the waste from by - catch.

**Need and Justification for Council Action: (Why can't the problem be resolved through other channels?)**

I plan on taking this issue up with Alaska Board of Fisheries, but I'm not sure they will take any action.

**Foreseeable Impacts of Proposal: (Who wins, who loses?)**

Every one will win since by - catch will be reduced. Small Local boats will be affected the most because we would open a new fishery for the winter. Any losers would consist of larger boats as local people help fill quotas.

**Are There Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem?**

I am unaware of alternative solutions.

**Supportive Data & Other Information: What data are available and where can they be found?**

No specific data is available. Experience has proven that halibut can not be caught in this manner, set netting is a specific target method of fishing. This new fishery will not harm the environment and will provide local jobs.

**Signature:**

D-2(f)  
APRIL 1992

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

April 16, 1992

APR 21 1992

Dear Sirs:

I am writing to urge you to ban trawl fishing in the waters of Southeast Alaska. The statistics on dwindling fish stocks and marine mammal populations in those oceans worked by trawlers are terrifying. The ravages done to the sea bottom by the trawlers have yet to be realized, but reason tells one that they will be vast, and have long term repercussions.

I don't think that trawling should be allowed in any ocean on this earth. I certainly don't want it destroying my little piece of ocean. Too many of my friends and neighbors are fishermen, who longline and troll. Trawling doesn't just kill fish, it kills oceans. Thank you for your time.

Sincerely,

Paula Hardy  
15 year resident  
Box 6032  
Sitka, Alaska 99835

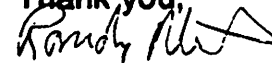
April 15, 1992

To: NPFMC, ATTN: CLARENCE PAUTZKE

I am writing in support of banning trawl fishing in the eastern Gulf of Alaska. As bycatch prematurely closes fisheries in the Bering Sea and the Gulf of Alaska the trawl fleet will be looking for areas to expand their fishing effort. The Eastern Gulf fisheries are fully utilized by hook and line fishing. Increased trawl effort in the Eastern Gulf will place unneeded pressure on the marine mammals, (including Stellar Sea Lions) established hook and line fisheries, and most importantly the fish stocks both target and bycatch species including salmon.

I urge you to support NPFMC plan amendment to permanently ban trawling in the Eastern Gulf of Alaska.

Thank you,



Randy Nichols

P. O. Box 3044

Sitka, Alaska 99835

April 11, 1992

TO: NPFMC  
ATTN Clarence Pautzke

APR 19 1992

The Alaska Longline Fishermans Association has requested that trawlers be prohibited in the Gulf of Alaska east of 140 degrees West longitude. I am completely in support of this ban for a variety of reasons and feel the North Pacific Fisheries Management Council should definitely act on this now.

The Eastern Gulf fisheries are fully utilized by the hook and line fishermen. Trawlers will only place unnecessary pressure on fish stocks while displacing the hook and line fleet already in existence.

Bycatch is the biggest concern statewide and the trawlers have very high halibut bycatch mortality. Rockfish cannot be returned to the ocean alive once brought to the surface. With the low TAC on them in the Eastern Gulf trawlers would quickly shut other fisheries down with their pressure on rockfish stocks.

A high percentage of salmon taken by trawlers in the Eastern Gulf would be of British Columbia, Washington, and Oregon origin. With the huge problems in the king salmon fisheries in S.E. Alaska today due to the Pacific Salmon Treaty the addition of trawlers to this problem would be very destructive to the established fisheries in S.E. Alaska who's efforts in enhancement and conservation have been very costly to the fishermen already.

If the NPFMC made the Eastern Gulf a trawl free zone it would provide an area for Steller sea lions to thrive. Sea lion populations are healthy in the Eastern Gulf which cannot be said for the rest of Alaska. They are on the threatened list. To allow trawlers in the Eastern Gulf may lead to the decline of the only remaining stable population of sea lions since evidence suggests trawling may be responsible for their huge decline elsewhere.

The trawlers have been shut down from fishing before reaching their caps due to their halibut bycatches in the Bering Sea and the Gulf of Alaska even earlier than expected this year. To continue fishing they must go to different areas. Where will they go next? To the Eastern Gulf? The fisheries in this area are both fully utilized and overcapitalized and do not need the addition of the trawlers! The trawlers have not fished very much in the Eastern Gulf in the past.

Please prohibit trawling in the Eastern Gulf permanently. There is no other way to provide Southeast Alaska with the protection it needs.

Sincerely,

*Carolyn R. Nichols,*

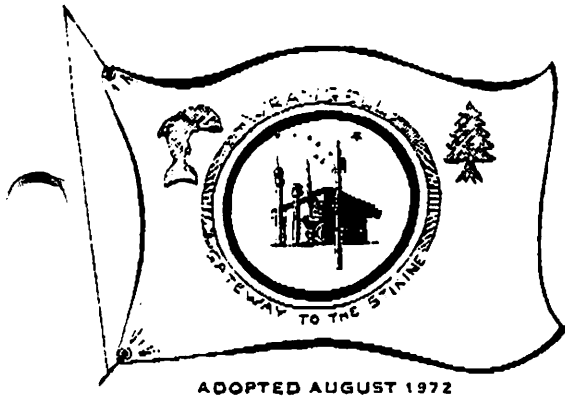
Carolyn Nichols  
305 Islander Drive  
Sitka, AK. 99835



# CITY of WRANGELL, ALASKA

INCORPORATED JUNE 15, 1903

BOX 531, 99929 (907) 874-2381  
FAX: (907) 874-3952



April 17, 1992

APR 19 1992

Alaska Longline Fishermen's Association  
Box 1229  
Sitka, AK 99835

Subject: Plan Amendment to prohibit trawling off Southeast Alaska

Gentlemen:

The Wrangell City Council, at their regular meeting held March 24, 1992, gave their full support of the above referenced Plan Amendment.

Wrangell's economy is based largely on the fishing industry. Along with our fishing fleet, there is a cannery and cold storage plant and three fish processors. A factory trawl company would provide no economic benefit to this area. If factory trawl companies are allowed to trawl off Southeast Alaska, the resource on which our local fleet depends will be destroyed. Allowing factory trawl companies to operate in Southeast Alaska would undermine our local fishing industry by eliminating the resource and the necessity for support employment.

The Wrangell City Council urges support from all groups for trawl closure off Southeast Alaska.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Edward R. Rilatos, Jr.', is written over a horizontal line.


Edward R. Rilatos, Jr.  
Mayor

ERR:fv

cc: Governor Hickel  
Senator Lloyd Jones  
Representative Robin Taylor  
Representative Cheri Davis  
North Pacific Fishery Management Council

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke   
Executive Director

DATE: April 15, 1992

SUBJECT: Status Reports on individual bycatch quotas and preferential allocations of Pacific cod

**ACTION REQUIRED**

1. Receive progress report from the Bycatch Team on individual bycatch quotas (IBQ) and provide further direction to the team.
2. Receive progress report on analysis of preferential allocations of Pacific cod to fixed gear fisheries that have low halibut bycatch.

**BACKGROUND**

1. Individual Bycatch Quotas

The agency Bycatch Team, comprised of individuals from the Council staff, NMFS-AKR, NMFS-AFSC, IPHC and state agencies, was formed to plan and prepare bycatch amendment packages. In January, the Team presented a summary report to the Council on its work on an IBQ program. Due to time constraints, the Council was unable to address most of the issues presented. Therefore, the Council requested that additional information on various implementation issues of an IBQ program be presented at the April meeting. The Team met on February 13, 1992. However, due to analytical work on other amendment packages, combined with the difficulties NMFS is incurring in implementing the expanded vessel incentive program, the Team has little new information to present at this time. Staff will provide a more detailed status report at the Council meeting. The Council can provide direction to staff on whether or not to proceed on the development of this approach to bycatch management.

2. Preferential Allocations of Pacific Cod

In January, the Council directed staff to initiate analysis on Pacific cod gear allocation in the Bering Sea, as time permits. Staff from the Alaska Fisheries Science Center has begun preparing the initial data base and will present a status report to the Council.

FISHERIES CONSERVATION ACTION GROUP  
P.O. Box 232  
Petersburg, Alaska 99830  
(907) 772-9323

April 10, 1992

APR 14 1992

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

Dear Rick,

The Fisheries Conservation Action Group is a coalition including 23 fishery trade associations whose members harvest and process fish from the Bering Sea and Gulf of Alaska. One of our primary concerns is the maintenance and improvement of effective bycatch conservation measures.

At the January meeting of the North Pacific Fishery Management Council we asked that analytical work on Individual Bycatch Quotas (IBQs) be abandoned in favor of expanding the application of traditional bycatch management measures now being analyzed by the Bycatch Committee and the Alaska Fisheries Science Center (AFSC). In our view, the IBQ concept is an impractical academic approach to bycatch management which is unnecessarily complex, expensive, and difficult to administer. If implemented, such a system would open the door to a takeover of our fisheries by large players with deep pockets. Substantial opposition may be expected if development of this proposal is continued.

Several of our members have participated in the activities of the Bycatch Committee, most recently at a meeting of February 13, 1992, at the AFSC. During that meeting we heard an explanation of micro-economic theory as it might apply to bycatch management in the groundfish fisheries. Alternative approaches were suggested under which IBQs might be used to supplement the existing bycatch management regime, with the objective of minimizing the cost of bycatch management. We listened. We understood. We explained to our members. They listened. They understood. They don't want IBQs. We respectfully request that development of this proposal cease, now. We do not want to spend the next two years fighting it.

Aside from the obvious difficulties with the IBQ approach-- complexity, associated costs, serious problems of proof--it is based on a false premise. The appropriate goal of contemporary bycatch management is not cost reduction. It is absolute reduction of bycatch mortality and discard of all species.

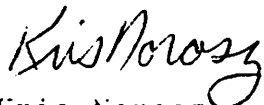
At the recent National Industry Bycatch Workshop in Newport, Oregon, several speakers made it clear that the environmentally-concerned public will no longer tolerate the bycatch mortality and waste generated by our commercial fisheries. Political action is anticipated. It was suggested that commercial fisheries are increasingly considered to be expendable in light of environmental concerns, and that our fisheries will have to be substantially restructured to minimize bycatch problems, no matter what the economic costs.. "no pain, no gain".

We encourage the Council to take decisive action before it is too late. Simple, effective, and credible measures must be employed. Recent prohibited species bycatch in the Bering Sea confirms the problems associated with bottom trawling. If bottom trawlers in that area cannot meet bycatch limitations, they should be encouraged to restructure their operations and employ fixed gear wherever possible. Some are already doing so, and will participate in the longline fishery for cod. If fixed gear were used exclusively in the BSAI cod fishery, a substantial portion of the overall halibut PSC cap would be saved and could be used to facilitate other trawl fisheries. Trawlers should not be rewarded with IBQs for creating and perpetuating bycatch problems. As the International Pacific Halibut Commission has stated, IBQs by themselves will do little or nothing to reduce bycatch. Under an IBQ system, trawlers would continue to focus their efforts on spawning stocks, sustaining the race for fish with its associated bycatch problems.

The objective of bycatch management should not be to "let the caps be taken by those who need them most". We have entered a new era of environmental awareness and political action in which our only option is to reduce bycatch and discards, dramatically. Traditional management measures and a restructuring of our groundfish fisheries offer the best available practical solution to contemporary bycatch problems.

It is our sincere hope that the Council will face the facts now and take direct, simple, and credible action to reduce bycatch in the groundfish fisheries. IBQs are not the answer.

Sincerely,



Kris Norosz  
President



# ALASKA CRAB COALITION

3901 Leary Way (Bldg.) N.W., Suite #6 • Seattle, WA 98107 • (206) 547-7560 • FAX (206) 547-0130

April 14, 1992

Dr. William W. Fox, Jr.  
Assistant Administrator for Fisheries  
National Marine Fisheries Service  
Room 9334  
1335 East-West Highway  
Silver Spring, Maryland 20910

Dear Dr. Fox:

The Alaska Crab Coalition, a trade association representing crab harvesting vessels based in Washington and Alaska, has closely followed the preparations for the United Nations Conference on Environment and Development. For the United States and other coastal nations that have substantial living marine resources, and for the people who produce and consume seafood, the work of the Preparatory Committee to UNCED has been exceedingly important.

Building upon established norms of international law and the global base of scientific knowledge, the UN committee has achieved consensus agreement on new principles, guidelines, and commitments for the effective conservation and sustained utilization of the living resources of the sea. This represents a remarkable achievement.

Attached is a statement by the Alaska Crab Coalition on the accomplishments of the UNCED Preparatory Committee. The ACC hopes you will agree that the conservation and management of fisheries in the United States, particularly in the waters off the coast of Alaska, would be greatly advanced by the conscientious application of the work of the UN Committee.

Sincerely,

Arni Thomson  
Executive Director



# ALASKA CRAB COALITION

3901 Leary Way (Bldg.) N.W., Suite #6 • Seattle, WA 98107 • (206) 547-7560 • FAX (206) 547-0130

April 9, 1992

## Alaska Crab Coalition Statement on

### The United Nations Conference on Environment and Development

On April 3, a Preparatory Committee comprised of delegations from the nations of the world concluded its historic task of paving the way for the United Nations Conference on Environment and Development, which will take place this June in Rio de Janeiro. Among the landmark accomplishments of the Preparatory Committee was a universally agreed set of principles, guidelines, and commitments for the conservation and sustainable use of living marine resources.

The Alaska Crab Coalition, an organization focussed on the conservation of the valuable fisheries of the North Pacific, closely followed the developments of the five-week preparatory meeting. We were very impressed with the outcome.

The UN Committee agreed that, "States commit themselves to the conservation and sustainable use of living marine resources" both in the Exclusive Economic Zones and on the high seas. It was recognized that, "overcapitalization and excessive fleet sizes...insufficiently selective gear, [and] unreliable data bases" are among the problems plaguing the world's fisheries.

The UN Committee further agreed that, "it is necessary to...promote the development and use of selective fishing gear and practices that minimize waste of catch of target species and minimize by-catch of non-target species...preserve rare or fragile ecosystems as well as habitats and other ecologically sensitive areas...take measures to increase the availability of marine living resources as human food by reducing wastage, post-harvest losses and discards, and improving techniques of processing, distribution, and transportation...[and] develop and promote the use of environmentally sound technology under criteria compatible with the sustainable use of marine living resources including assessment of environmental impact of major new fishery practices...."

There was a consensus achieved, as well, on the principle that, "States should identify marine ecosystems exhibiting high levels of biodiversity and productivity and

other critical habitat areas and provide necessary limitations on use in these areas, through, inter alia, designation of protected areas." "Priority should be accorded" to specific kinds of areas, including "spawning and nursery areas".

The Committee did not neglect the central issue of data collection and analysis. It was agreed that States should "promote enhanced collection and exchange of data necessary for the conservation and sustainable use of the marine living resources under national jurisdiction."

It is truly remarkable that consensus eluded the UN Committee on only two among the multitude of complex, substantive fisheries issues--straddling stocks and highly migratory species. (The question of financial assistance to developing countries across a wide spectrum of environmental matters also remains open.) The resolution of those matters must await the Rio meeting.

Many other important points of consensus arose in the UN Committee. However, the overarching principle, which reflected the most fundamental and universal commitment, was that living marine resources must be conserved.

The United States Delegation played a leading role in the negotiations on living marine resources. By joining in the consensus, the US Government signalled to the international community that America would respect the principles and adhere to the commitments adopted by the United Nations Committee.

The ACC believes that the Department of Commerce and the North Pacific Fishery Management Council are under a solemn obligation to implement the principles and commitments made by the United States at the United Nations. This means a renewed commitment to conservation, first and foremost, and a closer focus on measures to minimize the wasteful incidental catches of crab, halibut, salmon, and herring, and the massive discards of target species, in the groundfish fisheries. This also means the implementation of the comprehensive data collection program, including adequate start-up funding for observers.

The fisheries for which the Council and Commerce Department are responsible are among the most productive on the face of the planet. With the Preparatory Committee having done its work, and the UN Conference about to meet in Rio, it now can truly be said that the world is watching.

Arni Thomson  
Executive Director  
Alaska Crab Coalition



# Will Bush Go to Rio?

The environment is low on his priority list, but he can't afford the fallout of being a no-show at the Earth Summit

By MICHAEL D. LEMONICK



As moviegoers munch their popcorn before the main feature starts these days, many of them see an earnest commercial in which actor James Earl Jones urges President Bush to make a vital trip to Brazil this June. People who want to deliver the same message directly to the White House can call an 800 number and for \$6.95 send a personalized "Earth Telegram" to Washington.

These gimmicks are part of a determined campaign by environmental groups to pressure the President into being part of the Earth Summit in Rio de Janeiro, which is expected to be the largest gathering of world leaders in history—and could be the most important.

But with less than three months left before the meeting, Bush has still not revealed his plans. Says Senator Al Gore, a Tennessee Democrat: "History has given President Bush a mandate to lead at this critical juncture and he has not fulfilled it. It's a disgrace."

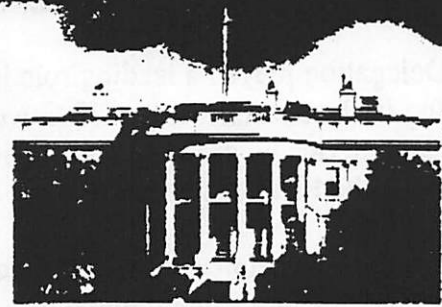
The goal of the United Nations-sponsored summit is dauntingly ambitious: to chart a course that will halt the steady degradation of the earth's air, land and water and protect the multitudes of animals and plants threatened with extinction. The organizers of the meeting, officially called the U.N. Conference on Environment and Development, intend to produce several landmark documents, including an Earth Charter (a set of principles designed to ensure environmental protection and responsible development), a program of action called Agenda 21 and treaties aimed at curbing climate change and limiting the loss of biodiversity.

The danger is that these agreements will be vague and unenforceable, a cosmetic solution not backed by political will. If so, much of the blame will rest with the U.S. In a series of pre-summit meetings at which agreements are being negotiated, American delegates have too often been naysayers, not leaders. A report released this month summing up the Administration's official attitude toward the issues has been widely criticized as being long on statistics but short on solutions. The paper gives little attention to the Rio summit's central theme: the need for sustainable development in which economic growth

no longer results in the net destruction of natural resources. For example, the Administration acknowledges the need for a global policy to protect forests, but offers no specific proposals.

Most disturbing has been the White House's resistance to any targets or timetables for cutting down on production

## CLOUDY THINKING ON GLOBAL WARMING



**ACTION** The Administration, in taking several steps to curb the amount of CO<sub>2</sub> in the atmosphere, has

- Supported the strengthening of the Clean Air Act
- Pledged to plant 1 billion trees a year
- Set up a program to spur the use of energy-efficient lighting

**INACTION** But leery of more sweeping measures, the White House has

- Opposed CO<sub>2</sub>-reduction targets proposed by Europe
- Refused to consider higher energy taxes
- Resisted raising auto fuel-efficiency standards

of greenhouse gases such as carbon dioxide, which may lead to global warming. The European Community wants to reduce CO<sub>2</sub> emissions to 1990 levels by the year 2000, but America's refusal to go along has effectively stymied the latest round of climate-change negotiations. Environmentalists, and even the conference organizers, argue that the U.S., as the world's largest producer of greenhouse gases, has an enormous responsibility to be cooperative on this issue. The

Americans say that adopting specific goals not only would be costly but could also put U.S. industries at a competitive disadvantage in the world marketplace.

That is a questionable assumption. The changes advocated in drafts of documents like Agenda 21—such as commitments to mass transit and energy efficiency—could ultimately improve Americans' standard of living. A recent study coordinated by the Union of Concerned Scientists contends that slashing CO<sub>2</sub> emissions by 70% over the next 40 years would cost the U.S. economy \$2.7 trillion, but would trim fuel and utility bills by \$5 trillion. Reducing waste and pollution will take fundamental changes in the American economy, but, says the U.N.'s Maurice Strong, secretary-general of the Earth Summit, "the U.S. hasn't yet realized the economic consequences of not making those changes."

The real competitive disadvantage could come from failing to protect the environment. Already Japan is developing a 100-year plan to capitalize on environmental concerns by designing "green" technologies, and European nations are moving in the same direction. Says one observer at the pre-summit meeting now being held at the U.N.: "Once again the U.S. is going to be left behind in the dust of a Honda."

In response, the Administration argues that it has done as much as any government to fight global warming. Speaking at the preparatory meeting this month, William Reilly, head of the Environmental Protection Agency, cited the strengthening of the Clean Air Act, Bush's promise to plant 1 billion trees a year and the EPA's Green Lights program, which helps state governments and corporations install energy-efficient lighting. Moreover, the U.S. has pledged to contribute \$75 million to international funds designed to aid developing countries in efforts to reduce production of greenhouse gases. Reilly is convinced that the U.S. will sign on to a climate-change treaty and all other agreements that come out of the Earth Summit.

Unless negotiations collapse, say White House insiders, Bush will almost surely decide to go to Rio. It will be difficult for him to beg off, since the leaders of the other six major industrial powers are expected to attend. Congress is pressing him to make the trip, and the Democrats are poised to blast his record on the environment. But if the President's motives are just political, the journey south will be an empty exercise. The summit cannot succeed unless the U.S. gets into the spirit of Rio and does its part to create strong new covenants to protect the planet.

—Reported by Andrea Dorfman/New York

\* Parallel to DOC/NOAA/NMFS national policies on fisheries conservation and management.



April 24, 1992 draft, 1:30 p.m.

DRAFT REGULATIONS  
TO ESTABLISH TRAWL TEST AREAS

PART 672--GROUND FISH OF THE GULF OF ALASKA

1. The authority citation for part 672 continues to read as follows:

Authority: 16 U.S.C. 1801 et seq.

2. In § 672.24, paragraph (f) is added to read as follows:

§ 672.24 Gear Limitations

\* \* \* \* \*

- (f) Gear Test Areas. Areas shall be designated to be used for gear testing. These areas would be available when a management area is closed to trawling.

- (1) Trawl test areas. Testing of trawl gear is allowed only in the following areas:

Kodiak:	57	23'	to	57	37'
	151	25'	to	152	02'
Sand Point:	54	35'	to	54	50'
	160	30'	to	161	00'
Dutch Harbor:	53	00'	to	54	00'
	166	00'	to	165	30'

- (2) While trawl net testing in these test areas when the areas are closed to trawling, the cod end must be left open so that the trawl gear does not retain fish.


- (3) Vessels may be required to carry an observer at the discretion of the Regional Director.

PART 675 -- GROUND FISH FISHERY OF THE BERING SEA AND ALEUTIAN ISLANDS AREA

Regulations will be developed as required.

M E M O

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke   
Executive Director

DATE: April 16, 1992

SUBJECT: Vessel Incentive Program Bycatch Rate Standards

ACTION REQUIRED

Recommend vessel incentive program bycatch rate standards for the third and fourth quarters of the 1992 fisheries.

BACKGROUND

The vessel incentive program now applies only to the following fisheries:

Halibut	BSAI and GOA Pacific cod trawl fisheries BSAI flatfish fisheries (yellowfin sole, rock sole and "other flatfish") GOA bottom rockfish trawl fisheries
Red king crab	BSAI flatfish fisheries in Zone 1

Last December the Council recommended first and second quarter halibut and red king crab bycatch rate standards for 1992 and now needs to consider standards for the second half of 1992. Table 1 of Steve Pennoyer's letter (Item D-2(i)(1)) contains the standards for 1991 and the first half of 1992 as well as the average observed rates in 1990, 1991, and the first two quarters of 1992.

The VIP will be expanded when Amendment 19/24 is implemented sometime in the third quarter. In his letter Steve Pennoyer recommends that the Council establish bycatch rate standards for the existing program at this meeting and for the expanded program at the June meeting.



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

AGENDA D-2(i)(1)  
APRIL 1992

April 16, 1992

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

Dear Clarence,

Regulations that implement the vessel incentive program require that bycatch rate standards be specified and published in the Federal Register for public review and comment. The North Pacific Fishery Management Council (Council) is scheduled to consider 1992 bycatch rate standards for the second half of 1992 during the upcoming April meeting.

Attached for the Council's consideration is a table that summarizes past bycatch rate standards and fishery bycatch rates for those fisheries currently included under the vessel incentive program. We recommend that the 1992 second quarter bycatch rate standards be extended into the third quarter, when a proposed regulatory amendment to expand the halibut incentive program to all trawl fisheries is scheduled to be implemented (Amendment 19 and 24 package). At that time, bycatch rate standards will be published in the final rule implementing the expanded program, and will supersede those specified for the existing program.

At its December 1991 meeting, the Council recommended bycatch rate standards to support the proposed regulatory amendment to expand the halibut incentive program to all Alaska groundfish trawl fisheries during the first half of 1992. At its June 1992 meeting, the Council should recommend bycatch rate standards to support the expanded incentive program during the second half of 1992. These recommendations could be submitted as a comment on the proposed rule and would be specified in the final rule implementing the expanded program. NMFS staff will provide additional information at the June meeting to support recommendations for bycatch rate standards. The bycatch rate standards implemented under the expanded incentive program would supersede those in place for the current incentive program.

Sincerely,

Steven Pennoyer  
Director, Alaska Region

Enclosure



Halibut Bycatch as a Percentage of Allocated Groundfish

Table 1. 1991-92 bycatch rate standards and average bycatch rates in 1990-92, by quarter of halibut and red king crab in the fisheries included in the current incentive program.

Fishery and quarter      Bycatch rate standards 1991      1992      Average bycatch rates 1991      1992

BSAI Pacific cod	QT 1	1.35	3.0	1.35	2.22	1.83
	QT 2	1.85	2.5	1.85	1.41	1.06
	QT 3	2.25		2.25	0.93	
	QT 4	2.25		2.25	*	

BSAI Flatfish **	QT 1	1.31	2.0	1.31	1.55	1.74
	QT 2	0.30	0.5	0.30	0.58	
	QT 3	0.50		0.17	0.72	
	QT 4	0.30		0.19	0.30	

GOA Bottom Rockfish	QT 1	4.00	5.0	2.91	8.29	5.76
	QT 2	4.00	5.0	3.31	7.85	
	QT 3	4.00		1.96	1.88	
	QT 4	4.00		0.54	1.98	

GOA Pacific cod (central gulf rates)	QT 1	3.31	5.0	7.55	1.45	1.54
	QT 2	4.13		11.11	2.61	
	QT 3	3.29		3.29	*	
	QT 4	5.15		5.15	*	

Zone 1 Red King Crab Bycatch Rates (number of crab/mt of allocated groundfish)

BSAI Flatfish

QT 1	2.88	2.5	2.74	1.09	1.12
QT 2	1.50	2.0	*	1.39	
QT 3	1.50		0.46	0.00	
QT 4	1.50		0.01	*	

\* Available data is less than two records

\*\* The BSAI Flatfish fishery is composed of the rock sole, yellowfin sole, and other Flatfish fisheries.