


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke   
Executive Director

DATE: June 5, 1997

SUBJECT: Bering Sea/Aleutian Islands Groundfish

ESTIMATED TIME  
2 HOURS  
(for all D-2 items)

ACTION REQUIRED

- (a) Final review of 2% jig allocation of Atka mackerel.

BACKGROUND

(a) Atka Mackerel Jig Gear Allocation

In December 1996, the Council adopted for analysis a proposal from the Unalaska Native Fishermen's Association for a 2% allocation of Atka mackerel to jig gear. Such an allocation would provide more opportunity to the local small vessel jig gear fleet. Under the existing management program, directed fishing for Atka mackerel closes to all vessels, including those that fish with jig gear. An analysis of the proposal was reviewed in April and released for public review with several modifications. An executive summary is provided as Agenda Item D-2(a)(1). Alternatives examined in the analysis include the following:

Alternative 1: Status quo, no action. The jig gear fleet would continue to compete with trawl gear operations for access to the Atka mackerel fishery.

Alternative 2: Allocate a portion of the annual Atka mackerel TAC specified for one or more of the Aleutian Island (AI) districts to vessels using jig gear. Under any of the allocation options listed below, a step-up provision may be adopted that would allow a gradual increase of the jig gear allocation during the annual groundfish specifications process, using an increment of 0.5 percent TAC and based on the determination that the previous year's allocation had been reached.

Option 1: Allocate 2 percent of the Atka mackerel TAC specified for the Eastern AI/ Bering Sea subarea to vessels using jig gear.

Option 2: Allocate 1 percent of the Atka mackerel TAC specified for the Eastern AI/ Bering Sea subarea to vessels using jig gear.

Option 3: Allocate 2 percent of the Atka mackerel TAC specified for each BSAI subarea or district.

Option 4: Allocate 1 percent of the Atka mackerel TAC specified for each BSAI subarea or district.

**Alternative 3:** Establish separate Atka mackerel TACs for the Eastern Aleutian Islands District and the Bering Sea and authorize directed fishing for Atka mackerel in the Bering Sea only by vessels using jig gear.

**Option 1:** Do not prohibit directed fishing for Bering Sea Atka mackerel by vessels using non-jig gear and provide for a separate Bering Sea TAC under the annual specification process. This option would not require any change to the FMP or to its implementing regulations.

## Executive Summary

At its December 1996 meeting, the Council reviewed proposals received from management agencies, the fishing industry, conservation groups, and other interested members of the public for changes to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands (FMP) or regulations implementing the FMP. One proposal received from the Unalaska Native Fishermen's Association requested that 2 percent of the TAC annually specified for Bering Sea Atka mackerel be allocated to vessels using jig gear. The purpose of this proposal would be to provide more opportunity to a local small-vessel jig gear fleet to fish for Atka mackerel and supply a bait fishery and a small, but allegedly growing fresh fish market for this species, without direct competition from the large trawl fleet that harvests Atka mackerel.

Under the existing FMP, a closure to directed fishing for Atka mackerel applies to all vessels. Thus vessels using jig gear are prevented from directed fishing for Atka mackerel once these directed fishing closures are effective, although bycatch amounts of Atka mackerel may be retained during a fishing trip equal to 20 percent of the retained amount of other species open to directed fishing. Atka mackerel may not be retained on board a vessel once Atka mackerel becomes a prohibited species upon the attainment of TAC or because of overfishing concerns for other species taken as bycatch in the Atka mackerel fishery.

Vessels using trawl gear harvest over 99 percent of the available Atka mackerel. In 1994 and 1995, 15 and 19 vessels using jig gear harvested 36 and 13 metric tons (mt) of Atka mackerel, respectively, in the combined Eastern Aleutian Islands District/ Bering Sea management area. All of this harvest occurred in the southern Bering Sea (reporting areas 519 and 518). These amounts equate to 0.22 percent and 0.09 percent of the harvest in the Eastern AI/Bering Sea during these 2 years. Vessels using jig gear have not fished in the Central or Western AI districts, which is not surprising considering that most vessels (71 percent) permitted to use this gear type are less than 60 ft LOA.

### Alternatives Considered

Alternative 1: Status quo, no action. The jig gear fleet would continue to compete with trawl gear operations for access to the Atka mackerel fishery.

Alternative 2: Allocate a portion of the annual Atka mackerel TAC specified for one or more of the Aleutian Island (AI) districts to vessels using jig gear. Under any of the allocation options listed below, a step-up provision may be adopted that would allow a gradual increase of the jig gear allocation during the annual groundfish specifications process, using an increment of 0.5 percent TAC and based on the determination that the previous year's allocation had been reached.

- Option 1: Allocate 2 percent of the Atka mackerel TAC specified for the Eastern AI/ Bering Sea subarea to vessels using jig gear.
- Option 2: Allocate 1 percent of the Atka mackerel TAC specified for the Eastern AI/ Bering Sea subarea to vessels using jig gear.
- Option 3: Allocate 2 percent of the Atka mackerel TAC specified for each BSAI subarea or district.
- Option 4: Allocate 1 percent of the Atka mackerel TAC specified for each BSAI subarea or district.

Alternative 3: Establish separate Atka mackerel TACs for the Eastern Aleutian Islands District and the Bering Sea and authorize directed fishing for Atka mackerel in the Bering Sea only by vessels using jig gear.

- Option 1: Do not prohibit directed fishing for Bering Sea Atka mackerel by vessels using non-jig gear and provide for a separate Bering Sea TAC under the annual specification process. This option would not require any change to the FMP or to its implementing regulations.

The small boat jig gear fleet typically operates in spring and summer months in the southern Bering Sea, compared to trawl fishery operations that typically occur in late winter and early spring in the Aleutians. The 10 nm trawl exclusion zones around Steller sea lion rookery and haul out sites do not apply to vessels using jig gear, although even these vessels may not enter within 3 nm of these areas. Although the spatial distribution of jig gear operations may be limited and relatively close to shore, localized depletion of the Atka mackerel resource is unlikely given that the daily harvesting capacity and fleet size is so small. Furthermore, the importance of Atka mackerel in the diet of Steller sea lions during summer months is less in the southern Bering sea where the jig gear fleet operates, compared to the more westward Aleutian Islands districts. To the extent they are warranted, any concerns for localized depletion by the jig gear fleet could increase under Alternative 3 if the TAC specified for the Bering Sea provided for a jig gear harvest in excess of the harvest allowed under the options provided in Alternative 2. Alternative 3 also could provide for additional trawl harvest in the Bering sea if the TAC were sufficiently large and a bycatch only status for the trawl fleet were not justified by management agencies. Atka mackerel tend to be larger in this area (Lowe and Fritz 1996) and increased interest to fish in the southern Bering Sea is not unlikely if a separate TAC is established.

Preliminary analyses of fishery and NMFS survey data suggest that males and females segregate during the spawning period (July - October in the Bering Sea). Males presumably remain on the near shore spawning grounds guarding nests, and females move offshore where they are found in exploitable concentrations. An increase in the near shore jig gear harvest during the summer months, therefore, could result in a disproportionate harvest of male fish who reside in the area protecting egg clusters and aggressively strike jig hooks. Sufficient information is not available to assess the potential impact of this effect except that, to the extent it occurs, the impact would be greater with increased near shore harvests of Atka mackerel during summer months.

Jig gear operations assumedly take some salmon as bycatch, but no quantitative information is available to estimate bycatch in the jig gear fisheries because most of the fleet is less than 60 ft LOA and largely unobserved. The bycatch of other prohibited species such as halibut or crab, as well as catch of other groundfish fisheries, also is assumedly low given that overall harvest amounts of target species are small and jig gear can be fished selectively to avoid unwanted species

Under the status quo alternative, annual closures of the Eastern AI/Bering Sea to directed fishing for Atka mackerel, the area most accessible to the small boat fleet currently using jig gear, likely will continue to occur by early to mid February. Thus any opportunity for the small boat jig fleet to fish for Atka mackerel when weather and sea conditions are more favorable is forgone and opportunity is lost for these vessels to develop a small fresh fish or bait market. Jig gear fishermen who rely on Atka mackerel for use as bait in the Pacific cod fishery would need to pursue other bait alternatives, including the current practice of purchasing bait at \$.50/lb that is shipped from the East Coast of the U.S.

Under Alternative 2, the potential total revenue to vessels using jig gear that results from the maximum allocation of Atka mackerel could range from \$ 52,000 to \$ 446,000 annually, depending on the percentage of TAC allocated to the jig gear fleet and assuming that all Atka mackerel caught are retained and delivered shoreside. These results are intended to show a relative potential for revenue. In reality, these results tend to overstate the potential gains to these vessels because of physical limitations in their ability to actually harvest the amount of Atka mackerel allocated to them and the assumption that all Atka mackerel harvest would be retained.

Similarly, the potential loss to vessels using trawl gear in at-sea processing operations ( \$ 90,000 - 772,000) likely is overstated to the extent that a portion of the Atka mackerel harvested is not retained or to the extent that TACs or TAC allocations are not fully harvested during a year. Regulatory provisions that would allow incremental allocations to the jig gear fleet upon demonstrated harvest capacity or that would allow unharvested portions of the jig gear allocation to be reallocated to vessels using other gear types (i.e., the trawl gear fishery) may reduce potential losses to the trawl fleet that could result from an allocation of Atka mackerel to jig gear vessels. Conversely, any unused amounts of the jig gear allocation that subsequently is reallocated to trawl vessels likely would be so small relative to the fishing capacity of the trawl fleet that little or no additional fishing time would result. No change to the harvest of Atka mackerel by vessels using pot or hook-and-line gear is assumed because this species is harvested only as bycatch in other fisheries and typically is not retained.

Under Alternative 2, option 2 most closely reflects historical needs of the jig gear fleet, although this option still would allocate an amount of Atka mackerel to vessels using jig gear that exceeds by 4 times the largest harvest of this species by the jig gear fleet as recorded in 1993 on ADF&G fish tickets (36 mt). The extent to which the jig fleet would have expanded its historical harvesting activities for Atka mackerel but was preempted from doing so because of fishery closures is not known. Conversely, option 3 seems to provide a significant excess of Atka mackerel relative to historical needs. Furthermore, access to fishing grounds west of the Eastern AI district may be increasingly difficult for the small boat jig-gear fleet and the potential benefits to the jig gear fleet of allocations of Atka mackerel in the Central and Western AI may not be realized for this reason.

Alternative 3 most closely reflects the status quo alternative while providing for increased opportunity for a near-shore jig fishery in the southern Bering Sea. This alternative would not address jig gear preemption concerns if the jig gear fishery expanded beyond the southern Bering Sea into the Aleutian Island Districts. To date, however, the nature of the bait fishery for Atka mackerel suggests that expansion is unlikely in the near future.

Under Alternative 2, the economic impact on catcher vessels would depend upon the option implemented. The greater the amount of Atka mackerel allocated to jig gear vessels, the greater the potential economic gain to this sector of the harvesting fleet. These gains could exceed 5 percent of existing gross annual revenues currently experienced by this fleet. Although quantitative data are not available to assess whether a significant positive economic impact would occur, a 5 percent gain in total annual revenues is not unreasonable even under option 2, which provides the least amount of direct allocation to the jig gear fleet.

The benefits to the jig gear fleet under Alternative 3 would be similar in scope to those discussed for Alternative 2. The compensatory impact on the trawl fleet likely would be minimized because no changes are proposed to the management of the Atka mackerel fishery in the Aleutian Islands districts, the area where the directed trawl fishery for Atka mackerel typically occurs. Alternative 3 also provides enhanced flexibility to accommodate changing needs of the jig gear fishery by not limiting it to a predetermined quota.

Any loss in gross annual revenues that would be incurred by trawl catcher vessels under Alternatives 2 or 3 likely would not be significant (exceed 5 percent of a vessel's total annual revenue) because these vessel are larger (> 60 ft LOA) and participate in other lucrative groundfish fisheries. Potential economic impacts to trawl vessels under Alternative 2 could be minimized to the extent that the authority to allocate Atka mackerel to vessels using jig gear includes a step-up provision tailored to jig gear harvest capacity. Impact on the trawl fleet could be minimized further if such allocation is restricted to the Eastern AL/Bering Sea area (options 1 or 2) or if provisions are established that provide for the reallocation of unharvested amounts of the jig gear allocation to vessels using other gear types within a time frame that would allow for its harvest.

Significant positive impacts on the small jig gear fleets could occur under Alternatives 2 or 3 to the extent the jig gear fleet realized potential gains through increased harvests of Atka mackerel.

## Agenda D-2 (a)

My name is **Dustan Dickerson** and I jig for cod in Dutch Harbor. I'd like to see the implementation of Alternative #2 (using a step up increment of 1% per year) and option #1.

These are the reasons I would like to see an Atka Mackerel jig fishery developed:

1. BSAI vs GOA in market terms-

When the state got the 15% TAC in the GOA for pot and jig cod, 90% of our Korean market went to other parts of the state. Ironically it went to the areas already offering better prices by shore plants, twenty five cents vs the eighteen cents we get in Unalaska. We average about 2000 LB of cod a day, and we average about 13-15 days a month fishing due to weather. So the loss of the Korean market really hurt.

The most prevalent type of fish in our area that we catch in our gear is Atka Mackerel. We would like the opportunity to develop a market for this fish. If we could take advantage of this it would be a real boost.

2. Fuller retention helps-

For the small boat fishermen, the utilization and or marketability of every pound of fish he catches is important.

3. Promotes our gear type-

Jigging is a great way of life. This is a true entry level fishery. What is attractive is that it is simple and economical. It doesn't take alot of money to get into and it keeps a few of us out of the bread line. By allowing us fuller retention of the species we catch, jigging certainly becomes more viable.


See executive summary for more information, Agenda D-2 (a)

Thank You.



MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke   
Executive Director

DATE: June 5, 1997

SUBJECT: Bering Sea/Aleutian Islands Groundfish Issues

ESTIMATED TIME 2 HOURS (for all D-2 items)
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ACTION REQUIRED

- (b) Discuss gear storage and preemption issues; provide further direction.
- (c) Discuss shortraker/rougheye rockfish bycatch; provide further direction.
- (d) Consider changes in halibut discard mortality rates for BSAI Pacific cod fishery for second half of 1997.
- (e) Discuss proposal for stand-down provision for pollock trawlers moving into Atka mackerel fishery; provide further direction.

BACKGROUND

(b) Gear storage and preemption issues

In December 1997, the Council reviewed a proposal from Larry Hendricks requesting implementation of measures to reduce gear conflicts and minimize lost gear (proposal attached as Agenda Item D-2(b)(1)). These include: establishment of a government fund to replace lost gear; separation of gear types through time/area closures; and, wholesale closures of areas to specific gear types to protect habitat and eliminate gear conflicts. The Council recommended that these issues be further examined, and a discussion paper be prepared by NMFS or ADF&G for review in June or September. Because of other priorities, work has yet to be initiated. The Council may wish to provide further direction to staff.

(c) Shortraker/rougheye rockfish bycatch

On May 10, 1997, NMFS prohibited retention of Pacific cod and Greenland turbot by hook-and-line vessels in the Aleutian Islands (the regulations were modified to allow retention of turbot after May 12). This action was taken to prevent overfishing of shortraker/rougheye rockfish, which was put on prohibited status on April 1. A total of 1,189 metric tons of shortraker/rougheye was harvested through April 26 (about 1,140 metric tons by trawl fisheries, 50 metric tons by H&L fisheries). The 1997 specifications for shortraker rougheye were: TAC=938 metric tons, ABC=938 metric tons, and OFL=1,250 metric tons. A letter from the North Pacific Longline Association (Agenda Item D-2(c)(1)), expressed dissatisfaction with this situation, and there was a request for it to be an agenda item at this meeting.

(d) Halibut discard mortality rates for BSAI Pacific cod fishery

Halibut discard mortality rates (DMRs) are used to monitor the halibut mortality PSC limits for individual fisheries. These DMRs are estimated from viability data collected by NMFS observers. DMRs for individual groundfish fisheries are generally established pre-season during the annual specification process. In December 1996, the Council recommended a DMR of 11.5% for the Pacific cod hook-and-line fishery, until more recent observer data became available, such that changes could be made within the 1997 season. An analysis provided by the International Pacific Halibut Commission (Agenda Item D-2(d)(1)) indicates a DMR of 12% may be more appropriate for the Pacific cod hook-and-line fishery.

(e) Proposal for stand-down provision for pollock trawlers moving into Atka mackerel fishery

In May 1997, the Council received a proposal from Groundfish Forum requesting initiation of an analysis of some type of stand-down provision to slow the movement of trawlers, that fish the pollock A-season, into the Aleutian Atka mackerel fishery (see letter attached as Agenda Item D-2(e)(1)). If tasked, the intent would be to have such a provision in place for the 1998 fisheries. Other mitigation measures could be analyzed as well.



## *F/V Sea Star*

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From: LARRY HENDRICKS  
1110 N.W. 50th  
SEATTLE WASHINGTON  
98107

To: COUNCIL MEMBER  
OR STAFF MEMBER



DEAR COUNCIL MEMBER,

I AM WRITING THIS LETTER OUT OF CONCERN TO PROTECT DIFFERENT USER GROUPS CHASING AFTER THE SAME OR DIFFERENT SPECIES OF FISH WITH DIFFERENT GEAR TYPES. I AS A CRAB AND GROUND FISH POT FISHING VESSEL HAVE BEEN LOSING GEAR TO THE TRAWL GROUP TO THE EXTENT THAT MY VESSELS INCOME AND LIVELIHOOD HAVE BEEN SERIOUSLY DAMAGED. I APPEAR TO HAVE NO RECOURSE YET KNOW WHICH VESSELS WERE IN THE AREA, AND ALL DENY TRAWLING THROUGH MY GEAR YET I END UP WITH NO WAY TO PLY MY TRADE WITH MY SIGNIFICANT GEAR LOSS.

FOR YOU TO UNDERSTAND WHERE THE PROBLEM LIES YOU NEED TO UNDERSTAND THE CONCEPTS OF HOW DIFFERENT GEAR GROUPS CATCH THERE FISH.

**TRAWLER GROUPS;** TO CATCH FISH, TRAWL GROUPS DEPEND UPON THE SCHOOLING EFFECT OF DIFFERENT SPECIES TO CATCH THERE FISH. THIS SCHOOLING EFFECT IS CREATED BY THE INNATE NATURE OF SCHOOLING FOR SPAWNING, SCHOOLING FOR PROTECTION FROM PREDATORS, AND SCHOOLING WHILE SEARCHING FOR A COMMON FOOD SOURCE. I ALSO SUSPECT A POSSIBLE SOCIAL EFFECT OF INTERMIXING BETWEEN CERTAIN SPECIES TO TRAVEL TOGETHER FOR PROTECTION FROM COMMON PREDATORS CREATES SCHOOLING. IN ESSENCE THE SUCCESS OF THE TRAWLER DEPENDS ON SPECIES BEING GROUPED TOGETHER TO MAKE THERE METHOD OF CATCHING EFFECTIVE AND BY-CATCH REDUCED WITH PROPER ELECTRONICS TO DIFFERENTIATE BETWEEN SPECIES.

**CRAB AND BOTTOM FISH POT FISHING GROUPS;** TO CATCH FISH OR CRAB, WE ENTICE VARIOUS ANIMALS WITH THE USE OF FOOD TO BE TRAPPED WITHIN THE CONFINES OF THE POT. WE RESTRICT ENTRY OF CERTAIN SPECIES, AND CULL SMALL OR JUVENILE SPECIES BACK OUT. OTHER METHODS TO RESTRICT BY-CATCH IS TO GRIND UP AN UNWANTED SPECIE FOR BAIT, WHICH WILL WORK FOR BAIT FOR TARGET SPECIE, YET KEEP OUT UNWANTED SPECIES SINCE MOST SPECIES ARE NOT CANNIBALISTIC OF THERE OWN. ESSENTIALLY WE ENTICE MOST OF THE CREATURES IN THE AREA WITH FOOD AND RESTRICT ENTRANCE DUE TO SIZE OR CHARACTERISTIC OF SPECIE, OR CULL OUT THE UNWANTED SPECIES OR JUVENILES BACK OUT WITH MESH REGULATION OR ESCAPEMENT RINGS.

**HOOK AND LONGLINE USER GROUPS;** AGAIN VARIOUS SPECIES OF FINFISH AND CRUSTACEANS ARE ENTICED TO THE HOOK WITH THE USE OF FOOD, THE SIZE OF HOOK AND BAIT DETERMINES SPECIE TO BE CAUGHT. BOTTOM CHARACTERISTICS, DEPTH, AND TIME OF DAY ALSO DETERMINES WHICH TYPE OF FISH WILL BE CAUGHT. HOOKS RARELY CATCH CRUSTACEANS YET ARE SUSCEPTIBLE TO LOSS OF PRODUCT TO MARINE MAMMALS DURING RETRIEVAL OF GEAR. ALL IN ALL THE FEEDING OF FISH ENTICES ALL OF THE MARINE CREATURES TO THE AREA WITH ONLY CREATURE CAPABLE OF BITING THE HOOK TO BE CAUGHT.

**JIG GEAR;** SMALLER VESSELS TEND TO JIG IN FRONT OF DEVELOPED COMMUNITIES OR VILLAGES. THERE METHOD OF FISHING USES DRIFT & CURRENT, DEPTH, HOOK SIZE AND AN INNATE CREATURE CURIOSITY TO FLASHY OBJECTS. DEPENDENT OF TARGET SPECIE, JIGGING DEPTHS FISHED RARELY EXCEEDS 50 FATHOMS IN DEPTH YET DRIFTS INCLUDE DEEPER WATERS WITH SCHOOLING FISH FOLLOWING JIG GEAR.

HEREIN LIES THE PROBLEM, WITH FUTURE COMPETITION TO HARVEST OUR VAST PROTEIN RESOURCES, GEAR ENTANGLEMENT BETWEEN USER GROUPS WILL CONTINUE TO ESCALATE WITH POSSIBLE HARD FEELINGS BETWEEN FIXED GEAR GROUPS, JIG VESSELS AND TRAWL GROUPS FISHING FOR ALL SPECIES OF FISH.

TRAWL GROUPS ARE FRACTURING SCHOOLS OF THERE TARGET FISH WHILE FISH ARE CONGREGATING IN AMONGST THE FIXED GEAR OR JIG FISHING VESSELS. WITHIN TIME WE AS FIXED GEAR FISHERMAN WILL ENCOUNTER TRAWL GROUPS TARGETING SCHOOLED FISH DANGEROUSLY CLOSE TO OUR GEAR AND LOSE OUR GEAR TO TRAWL GROUPS TRAWL WARPS. JIG VESSELS WILL ENCOUNTER FIXED GEAR GROUPS, TANGLE AND JIG GEAR HOOKED IN BUOY LINE OR POTS. WE AS FIXED GEAR POT FISHERMAN ARE LOSING OUR GEAR PRIMARILY AT NIGHT TO TRAWL GEAR GROUPS AND ARE HELPLESS AFTER THE GEAR IS LOST.

WE AS DIFFERENT GEAR TYPE USERS ALL HAVE OUR INDIVIDUAL GEAR / SPECIE INTERACTION PROBLEMS AND INTERRELATE WITH THE ENVIRONMENT IN DIFFERENT WAYS. EACH GEAR TYPE HAS A PRACTICAL AND PASSIVE MEANS OF HARVESTING CERTAIN TARGET SPECIES WITHOUT DISTURBING THE MARINE ENVIRONMENT. WITHOUT SOME TYPE OF SYSTEM OR PROTOCOL BETWEEN GEAR TYPES, WE WILL BE CREATING AN ENVIRONMENTAL DISASTER DUE TO GEAR CONFLICTS AND LOST GEAR.

I AM SURE THERE WILL BE MANY PROPOSED REMEDIES AND VIEWPOINTS BY DIFFERENT GEAR TYPES. LISTED BELOW ARE SOME CONCEPTS WHICH MIGHT WORK FOR THE POT GEAR IN COMBINATION OR INDIVIDUALITY.

### **PROPOSAL #1**

IN THE MID-SEVENTIES WE AS AMERICAN FISHERMAN HAD A GOVERNMENTAL FUND FINANCED BY THE FOREIGN FLEETS TO REPLACE LOST GEAR WITH PROPER DOCUMENTATION. WITH A SYSTEM SIMILAR TO THIS, ALL GEAR GROUPS WILL HAVE ACCESS TO ALL FISHING GROUNDS. FUNDS CAN BE ESTABLISHED ACCORDING TO AREA FISHED AND TAX ADMINISTERED EQUALLY BY SEASON TO OFFENDING GEAR GROUPS TO REPLACE LOST GEAR AND REVENUE.

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### **PROPOSAL # 2**

TIME OR AREA CLOSURES BETWEEN CONFLICTING GEAR TYPES. SUCH AS WHEN FIXED GEAR GROUPS ARE FISHING FOR COD OR CRAB THEN A MINIMUM DEPTH CANNOT BE BREACHED BY AN OFFENDING GEAR GROUP. SEPARATION OF DIFFERENT GEAR TYPES WILL SOLVE MUCH OF THE PROBLEMS OF GEAR LOSS AND POSSIBLY PROTECT SPECIES WHICH ARE NOT TARGET SPECIES CONGREGATING AMONGST FIXED GEAR. THE PROBLEM WITH THIS APPROACH WITH BOTTOM TRAWL GEAR, IS CAN WE DISRUPT PLANT AND BOTTOM LIFE ONE MONTH AND EXPECT SOME TYPE OF NORMALITY THE NEXT?

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**PROPOSAL #3**

WHOLESALE CLOSURES OF AREAS TO DIFFERENT GEAR TYPES FOR PROTECTION OF HABITAT DEPENDENT OF SPECIES. MUCH OF THE MARINE PLANT LIFE AND ROCKS CREATE HABITAT FOR JUVENILE CREATURES AND FOOD FOR OTHER SPECIES. A PERFECT EXAMPLE IS THE PRIBLOF ISLAND AREA WHICH CRAB RESOURCES ARE STARTING TO BUILD DESPITE PREDATORY FISH MIGRATING IN AND OVER THE UNDISTURBED BOTTOM. THE LONG LINE VESSELS HAVE BY INTERNATIONAL TREATY A HALIBUT SAVINGS AREA IN THE BERING SEA WHICH LONGLINERS CANNOT BREACH WHEN TAKING HALIBUT QUOTA YET TRAWLERS ARE ALLOWED TO SCOUR THE BOTTOM DURING COD SEASON IN THE HALIBUT SAVINGS AREA. THIS ALSO HOLDS TRUE WHEREAS IN THIS SAME AREA, TRAWLERS BY-CATCH IN NUMBER OF BARIDI CRAB CAUGHT, ARE IN NUMBERS GREATER THEN POT GEAR FISHERIES DECLINING HARVEST NUMBERS. HABITAT PROTECTION SHOULD BE THE KEY TO ALL FISHERIES TO GUARANTEE FUTURE PROTECTION OF OUR RENEWABLE RESOURCES. IF A DOLLAR IS TO BE MADE, EMERGING HABITAT FRIENDLY TECHNOLOGY WILL SOON PREVAIL. THE NEXT 100 YEARS OF TECHNOLOGY WILL FAR EXCEED THE LAST 100 YEARS WORTH. DESPITE THE SHORT TERM CONSEQUENCES OF ECONOMIC SHOCK TO COMMUNITIES, LONG TERM PROSPERITY FOR MANY COMMUNITIES WILL BE DEPENDENT ON HABITAT PROTECTION. PROTECTION OF OUR RENEWABLE FOOD RESOURCES IN THE FUTURE WILL AGAIN PLAY A HAND IN WORLD POLITICS SUCH AS OUR GRAIN RESOURCES DID IN THE MID-SEVENTIES.

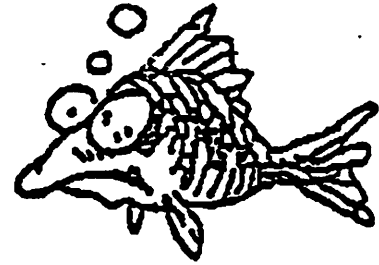
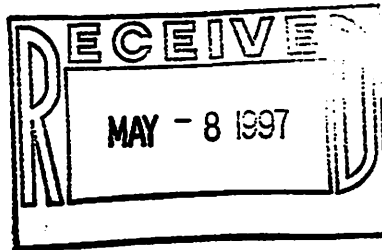
I AM SURE MY PROPOSED REMEDIES WILL BE CONTROVERSIAL AND BE FOUGHT BY DIFFERENT USER GROUPS YET SOMETHING WILL HAVE TO BE DONE. MANY OF THE FIXED GEAR AND JIG GEAR VESSELS ARE SMALL INDEPENDENT OWNERS WITHOUT THE FINANCIAL RESOURCES TO DEAL WITH ORGANIZED GROUPS OR THE COUNCIL PROCESS. ANY HELP YOU AS COUNCIL CAN GIVE WILL BE MUCH APPRECIATED.

THANK YOU



LARRY HENDRICKS

**North  
Pacific  
Longline  
Association**



May 7, 1997

Mr. Steve Pennoyer, Director  
NMFS Alaska Region  
P.O. Box 21668  
Juneau, AK

**RE: Longline Fishery Closures Due to Trawler Overfishing**

Dear Steve:

On April 20 I wrote you to urge caution in the trawl take of shorttraker/rougheye rockfish in the BSAI fisheries for Atka mackerel and POP. I questioned the re-opening of the POP fishery on April 14, two weeks after NMFS had prohibited retention of shorttraker/rougheye in the Aleutian Islands. I warned that the longline fleet would be justifiably enraged if its Aleutian Islands fisheries were closed because of NMFS ineptitude in managing trawl bycatch of rockfish. I received no reply - apparently my entreaty fell on deaf ears. Please see attachments.

The problem of rockfish bycatch has been with us for years - certainly it must be at the top of the inseason management division's list of concerns. For example you issued a news release in 1995, attached, assuring IFQ fishermen that rockfish overfishing was "Extremely Unlikely" to close the IFQ fisheries.

I have spoken with trawl fishermen to ascertain where the shorttraker/rougheye bycatch takes place. I am informed that it takes place in the trawl fisheries for POP and Atka mackerel, and that it is common practice for the trawlers to move to different grounds to "top off" on rockfish - there is a 15% retention standard. Certainly such activities are obvious to observers, who will be reporting promptly to your office on rockfish bycatch. Note that we do not impugn trawlers for doing what is legal. The very apparent problem is NMFS failure to close the trawl fisheries when a crisis was so obviously imminent - even though you were warned by industry.

This morning I received panic telephone calls from my members regarding a rumored closure of the longline cod fishery in the Aleutian Islands - they couldn't believe that NMFS could possibly consider closing their fishery because of trawl bycatch. Later I received the attached news release, dated May 10, 1997, announcing a closure of the longline fisheries for both cod and

Greenland turbot to prevent overfishing of shortraker/rougheye rockfish! My telephone is ringing off the hook, and the longline industry is rapidly approaching critical mass. This is the kind of arrant mismanagement that puts people out of business. I hope it is some kind of joke, in abominable bad taste.

A number of interesting questions have been raised by the fishermen this morning. Some of the smaller freezer-longliners specialize in fishing the Aleutians for large cod for the salt cod market, and for turbot. They ask - and I quote, "Are the bastards shutting down our fisheries because they (verbal expletive phrase deleted) their managemnt of the trawlers?" Another observes, "The bycatch of shortraker/rougheye is very small in the cod fishery. Why are they shutting down the cod fishery when the others take more rockfish?" "Since I'm a freezer-longliner I didn't get any sablefish IFQ. Why are my cod and turbot fisheries getting shut down? Am I a second-class citizen?" "I have sablefish IFQ that I plan to lease out. Will this kill my deal? What the hell is going on?" "Now we have to discard our rockfish bycatch in the sablefish fishery, which is considerable. Will we have to discard turbot, too? This is crazy!" "Is there any precedent for going from an open fishery to prohibited species status? What about bycatch only status?"

Those were the mild statements. Noblesse oblige me to repress the others - there are ladies present.

I request an immediate written response to all the points raised above, to be shared with the fleet. **WHAT THE HELL IS GOING ON?**

Warmest Regards,

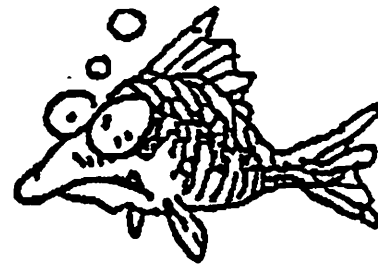


Thorn Smith

**Attachments**

cc: Mr. Richard B. Lauber  
Mr. Rolland Schmitten  
Mr. Jay Johnson  
NPFMC

**North  
Pacific  
Longline  
Association**



April 20, 1997

Mr. Steve Pennoyer  
Director, Alaska Region  
National Marine Fisheries Service  
Juneau, AK

**RE: BSAI Shortraker/Rougheye Overfishing Level**

Dear Steve:

I have spoken with worthies on you staff and in the private sector regarding the possibility of exceeding the overfishing level of shortraker/rougheye in the BSAI trawl fisheries for Atka mackerel and POP. Some wag went so far as to suggest that such an event could trigger closures of the longline fisheries for sablefish and turbot.

Responsibility for closing fisheries well before any such debacle rests squarely on the shoulders of the NMFS Alaska Region. I understand the Atka mackerel fisheries have been shut down, but that a one-day opener for POP was allowed even though this problem was looming. Is this wise?

I thought it only fair to observe at this early juncture that hell hath no fury as a longliner beached by inept management. Please see attachment.

Warmest Regards,

Thorn Smith

COMMISSIONERS:

RICHARD J. BEAMISH  
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COMOX, B.C.  
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JUNEAU, AK

INTERNATIONAL PACIFIC HALIBUT COMMISSION

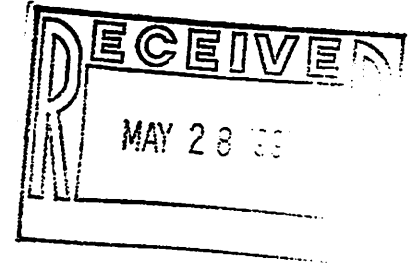
ESTABLISHED BY A CONVENTION BETWEEN CANADA  
AND THE UNITED STATES OF AMERICA

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May 23, 1997



Dr. Clarence Pautzke, Executive Director  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Dear Clarence:

Enclosed is a report that addresses the action taken by the Council at the December 1996 meeting regarding a preseason assumed discard mortality rate (DMR) for the 1997 BSAI hook-&-line fishery for Pacific cod.

At that meeting, the Council agreed to a request by the representatives of the Bering Sea Pacific cod hook-&-line fleet to manage halibut bycatch in 1997 with a discard mortality rate (DMR) of 11.5 %, until IPHC staff could complete an analysis of discard mortality rates in the 1996 cod fishery. The results from the IPHC analysis would then be applied retroactively to the 1997 fishery, as well as used for the remainder of 1997 for that fishery.

This report provides the NPFMC with the results of an analysis of the 1996 data, which shows a DMR of 12% for that year. This represents only a slight increase from the 11.5% DMR currently in use by NMFS. IPHC staff will be attending the June 1997 Council meeting in Kodiak to answer any questions.

Sincerely,

A handwritten signature in cursive script that reads "Gregg Williams".

Gregg H. Williams  
Biologist

encl.

# **HALIBUT DISCARD MORTALITY RATES (DMRs) IN THE 1996 BERING SEA HOOK & LINE COD FISHERY**

By

Gregg H. Williams  
International Pacific Halibut Commission  
May 23, 1997

## **Summary**

At its December 1996 meeting, the North Pacific Fishery Management Council (NPFMC) agreed to a request by the representatives of the Bering Sea Pacific cod hook & line fleet to manage halibut bycatch in 1997 with a discard mortality rate (DMR) of 11.5 % until 1996 observer data became available, at which time 1997 management would shift to the value demonstrated in 1996. This report provides the NPFMC with the results of an analysis of the 1996 data, which shows a DMR of 12% for that year.

## **Introduction**

This analysis was initiated by actions taken by the Council at the December, 1996 meeting. At that meeting, IPHC recommendations for DMRs for 1997 bycatch monitoring included a value of 14% for the Bering Sea/Aleutian hook-&-line fishery for Pacific cod (Williams 1996). This was based on data for 1995, the most recent year for which data were available at that time, and followed an approach for deriving preseason assumed DMRs used for the past few years.

Industry representatives, however, suggested that data for 1996 should be used for the 1997 preseason assumed DMR on the basis that an industry monitoring program in 1996 showed even lower DMRs than in 1995. The industry representatives suggested using 11.5% for 1997 until the 1996 observer data could be analyzed for the fishery's DMR that year, at which time the 1996 value would replace the 11.5% DMR. The Council concurred with this request and this report provides the results of the analysis of the 1996 data.

## **Data and Methods**

The same procedures were followed as in previous DMR analyses (e.g., Williams 1996). Haul-by-haul observer data for the 1996 BSA hook-&-line cod fishery was obtained from the NMFS Domestic Observer Program. These data included catch by species and halibut length/viability information. On most sets, the observer subsamples for release viability, or condition, up to a maximum of 20 fish. Condition is determined as excellent, poor, or dead, based on a set of predetermined criteria (Table 1). For each sampled set, the number of excellent, poor,



and dead halibut was extrapolated up to the total number of halibut estimated to have been caught on the set. The extrapolated values were then summed across all sampled sets to obtain the totals for the fishery.

The general model for calculating the DMR for halibut caught by gear  $g$  is of the form:

$$DMR_g = \sum_{i=1}^3 (m_{i,g} \cdot P_i)$$

where  $m$  is the mortality rate for gear  $g$ , and  $P$  is the proportion of halibut in condition  $i$ , where 1 is excellent, 2 is poor, and 3 is dead.

The mortality rates vary among the gear types (Clark et al. 1992, Williams 1996) and represent the aggregate effects of external and internal injuries to the fish and the presence of predation by amphipods. There can be many sources of injuries, which vary by gear type. For longlines, injuries are most frequently caused by improper release methods practiced by vessel crews. Other significant factors include the length of the soak time, which can exacerbate the mortality caused by hooking injuries and also increase the potential for amphipod predation. Halibut mortality rates by gear and condition are shown in the following table:

Gear Type	Excellent	Poor	Dead
Longline	0.035	0.518	1.00
Trawl	0.20	0.55	0.90
Pot	0.00	1.00	1.00

## Results

Data were collected from 3,071 hauls made by 38 vessels fishing Pacific cod in the BSA in 1996 (Table 2). Over 46,000 halibut were examined for release viability. Fishery-wide release viability was 85% in excellent condition, 11% poor, and 4% dead, all improvements from the 1995 fishery (Table 2). *This distribution of release condition results in a discard mortality rate of 12%.*

## Discussion

The 1996 results continue the downward trend in this fishery's DMR that began in 1991. At that time, the fleet-wide DMR was 23% (Table 2). Better handling practices by vessel crews has apparently paid off, as release condition has improved and the fishery's DMR has been cut almost in half, to 12% for 1996.

The distribution of DMRs among vessels for 1990-1996 is shown in the boxplots in Figure 1. In these plots, the heavy line in each box is the median, or middle, DMR value among the vessel for that year. The lower and upper ends of each box represents the 25<sup>th</sup> and 75<sup>th</sup>

percentiles, respectively. In other words, 50% of the vessels have values that fall within the box. The whiskers indicate the range out to the lowest and highest DMRs.

These boxplots indicate several aspects of these data. First, DMRs among vessels in any given year vary considerably, although the range appears to have narrowed in recent years. Also, these annual distributions tend to be positively skewed, which indicate that most vessels have relatively low DMRs and few have excessively high DMRs. This pattern appears to have been especially true in 1996. Lastly, although the median values appear to have changed little since 1993, the decline in the DMR for the fishery (Table 2) must be attributed to improvements made by vessels that catch significant amounts of halibut bycatch.

### References

- Clark, W. G., S. H. Hoag, R. J. Trumble, and G. H. Williams. 1992. Re-estimation of survival for trawl caught halibut released in different condition factors. Int. Pac. Halibut Comm. Report of Assessment and Research Activities 1992: 197-206.
- Williams, Gregg H. 1996. Appendix B: Pacific halibut discard mortality rates in the 1990-1995 Alaskan groundfish fisheries, with recommendations for monitoring in 1997. [IN] Stock Assessment and Fishery Evaluation Report for the Groundfish Resources of the Bering Sea/Aleutian Islands Regions. North Pacific Fishery Management Council, Anchorage. AK. 483 p.

**Table 1. Description of halibut conditions for hook & line gear.**

Excellent: No sign of stress

1. Hook injuries are minor (limited to the hook entrance/exit hole, torn lip) and located in the jaw or cheek.
2. Bleeding, if present, is minor and limited to jaw area.
3. No penetration of the body by sand fleas (check eyes, fins, anus).
4. Muscle tone or physical activity is strong.
5. Gills are deep red.

Poor: Alive but showing signs of stress

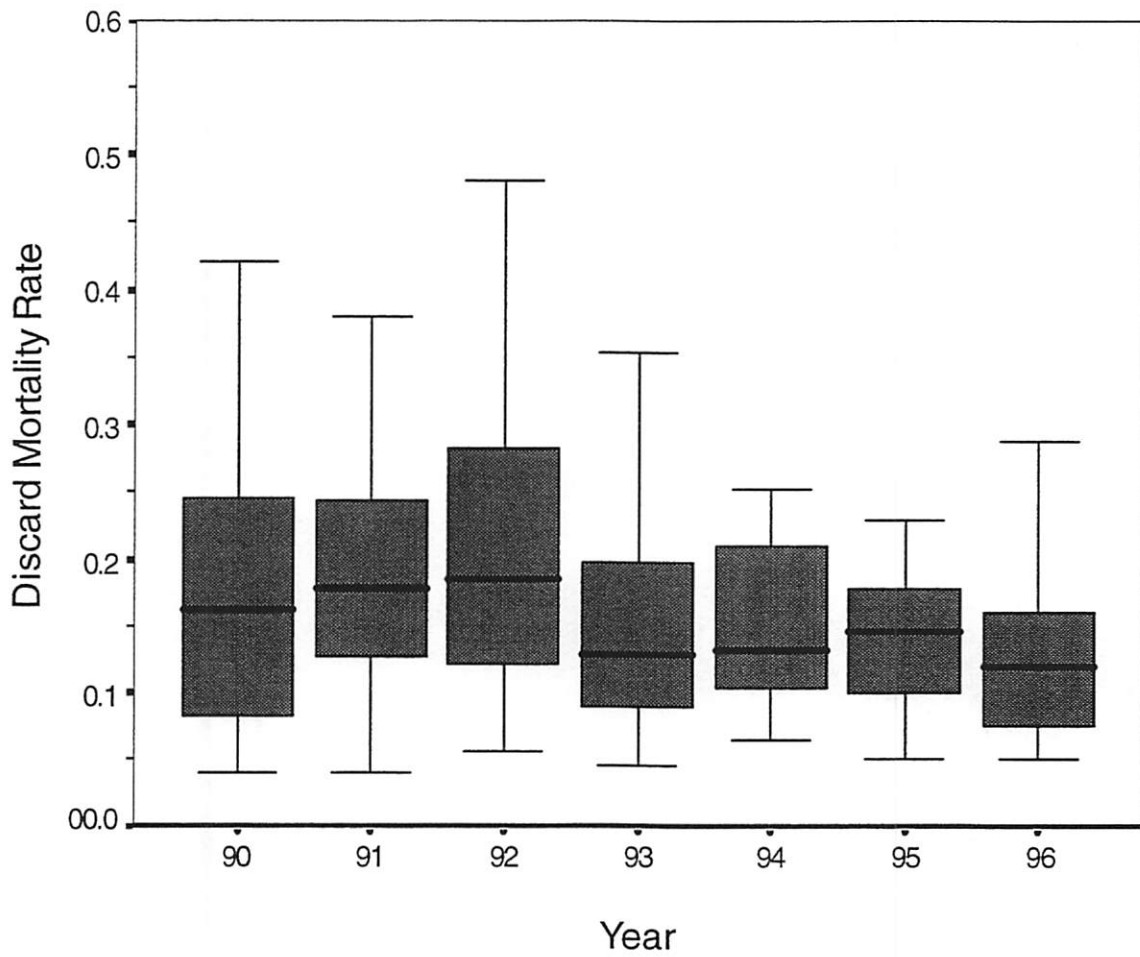
1. Hook injuries may be severe: broken jaw; punctured eye.
2. Vital organs are not injured.
3. Bleeding may be moderate but not from gills.
4. No penetration of the body by sand fleas (check eyes, fins, anus).
5. Muscle tone or physical movement may be weak or intermittent; little, if any, response to stimuli.
6. Gills are red.

Dead: No sign of life or, if alive, likely to die from severe injuries

1. Vital organs may be damaged: torn gills; gaff wound to head or body; jig injury to viscera; side of face torn loose or missing jaw.
2. Sand fleas have penetrated the body (they usually attack the eyes first, but also fins and anus).
3. Severe bleeding may occur, especially from the gills.
4. No sign of muscle tone; physical activity absent or limited to fin ripples or twitches.
5. Gills may be red, pink, or white.

**Table 2. Summary of halibut viability sampling data for the BSAI hook & line fishery for Pacific cod.**

Year	No. of Vessels Observed	No. of hauls Sampled	No. of Halibut Examined	Extrapolated No. of Halibut	Condition Distribution			
					% Exc	% Poor	% Dead	DMR
1990	32	2,795	48,547	165,615	76	18	6	19
1991	46	3,438	55,047	253,803	65	29	6	23
1992	44	2,980	35,388	294,807	72	21	7	21
1993	43	1,821	19,895	177,658	79	15	6	17
1994	41	2,681	45,964	662,655	82	13	5	15
1995	38	2,805	37,350	637,284	80	14	6	14
1996	38	3,071	46,375	583,702	85	11	4	12



**Figure 1.** Boxplot of discard mortality rate (DMR) distributions for the BSAI hook-&-line fishery for Pacific cod for 1990-1996. Boxes show median DMR (heavy line) and 25<sup>th</sup> and 75<sup>th</sup> percentiles. The whiskers indicate the minimum and maximum values for vessels which fished at least 10 sets in the cod fishery during the year in question.

**GROUND FISH FORUM, INC.**4215 21st Avenue W. Suite #201  
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Mr. Richard B. Lauber  
Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, AK 99501-2252

May 27, 1997

RE: pollock factory trawlers increasing share of the Atka mackerel TACs

Dear Chairman Lauber:

Over the last few years, the trawl sector has achieved some success in apportioning catch and bycatch caps between fisheries and seasons so that trawl effort is effectively spread between fisheries and seasons. The result is that a degree of balance has been created which has allowed shoreside trawlers, pollock factory trawlers, and head and gut (H&G) trawlers to concentrate on the seasonal fishing opportunities that each group is best specialized to pursue. Shoreside and at-sea catcher boats mostly start with pollock and switch to Pacific cod or yellowfin sole before and after B season. After A season, pollock factory trawlers pursue yellowfin sole, Pacific cod, and Pacific whiting off the coast of Washington. Head and gut boats start with rocksole or Atka mackerel, then fish yellowfin sole and other flatfish. Although far from perfect or universal, this pattern has largely described participation in trawl fisheries since the trawl industry has spent a great deal of energy improving the annual TAC and PSC specifications so that fishing opportunities are spread between fisheries.

In our opinion, this system was working fairly well until a major shift occurred recently and pollock factory trawlers started catching a considerable portion of the Central and Western Aleutians Atka mackerel TACs. The tonnage involved is probably minor to pollock factory trawlers but of huge consequence to H&G boats. It is true that prior to 1996, a few pollock factory trawlers have caught some Atka mackerel. In those earlier years, however, the impact on the Atka mackerel fishery was smaller because surimi ships never took a significant percentage of the area-specific quotas in the Aleutians (generally 5-10% before 1996, but in 1996 about 19% of Central Aleutians). Starting in 1996 and particularly this year, the story is vastly different.

Over a period of a few weeks this spring, three boats from one very large factory trawler company and one other factory trawler took, by our calculations, about 40% of the Central Aleutians Atka mackerel TAC and a considerable portion of the Western Aleutian Islands quota as well (final numbers are not available yet to back-out the pollock factory trawlers' percentage in Western). Atka mackerel closed on March 15th in Central and April 21st in Western this year. In past years, the Central and Western Aleutians Atka mackerel TACs have sustained about 12 H&G boats well into June, July, and even August. In the past, not only has Atka mackerel kept these H&G boats in business, but it has avoided the necessity of those boats coming into the cod, rocksole, and yellowfin sole until the fall season. As you might guess, there are "spill over" effects as H&G boats are supplanted from Atka mackerel to cod, yellowfin, other flatfish, and Gulf rockfish, thereby squeezing the amount of catch available to individual participants in those fisheries.

The reason that just four surimi trawlers have been able to garner such a large portion of the Atka mackerel area quotas in such a short period of time is that those vessels catch and process as much as 400 MT of Atka mackerel per day-- in contrast to H&G boats which average 60-90 tons per day. So each pollock factory trawler with a catch of 400 MT per day equates to four or five H&G boats (even if the H&G boats that fish Atka mackerel are the largest boats of the H&G fleet!). How is such a large discrepancy in catching power possible? We believe that beyond the obvious vessel size and horsepower issues, a major reason is that

pollock vessels are making surimi out of Atka mackerel. We have nothing against surimi as a product, but Atka mackerel surimi is a low-recovery rate proposition, 10 to 12 % by our information. The low recovery rate allows those boats to grind through large tonnages per day. The "through put" of an H&G boat is far more limited because they are making a product with a greater than 60% recovery rate. Beyond product form, other reasons why H&G boats are at a competitive disadvantage is that H&G boats have far fewer processing lines, and H&G freezer capacity is small compared to pollock factory trawlers.

Mr. Chairman, we have been strongly impacted by pollock factory trawlers this year and we are worried that what we are seeing is just the tip of the ice berg. In a recent Fishing News International story on American Seafoods, the corporation lists Atka mackerel in the future fishing plans (see FNI's March issue: "Fish Giant RGI": North America section, p. 11). In our view, American Seafood's decision to pursue Atka mackerel to give its large fleet of pollock boats a few more fishing days will likely lead to the demise of the traditional H&G boats that target Atka mackerel.

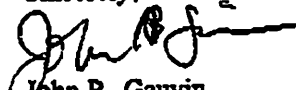
We have asked American Seafoods and the American Factory Trawler Association to consider the impact they are having on our industry, particularly with the Atka mackerel TAC down 40% from last year. They claim they've always targeted Atka mackerel and so far they have offered no remedies or potential compromise. At this point, we feel we have no recourse but to ask for the Council's help.

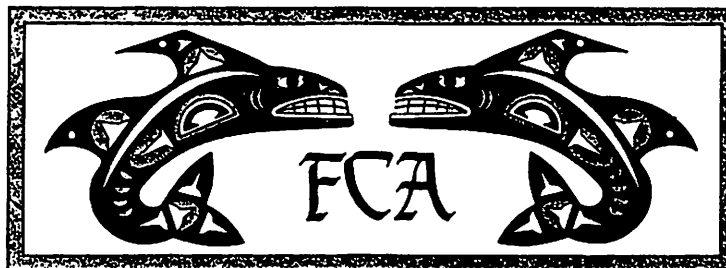
We would like the Council to consider creating a "stand down" provision that will limit the participation of pollock factory trawlers in Atka mackerel. This stand down mechanism would be similar to ones the Council has put in place for yellowfin sole and rock sole. When the dates were changed in 1994 and 1996 for the pollock A and B pollock seasons, the Council agreed to create protections so the season change didn't lead to more effort from pollock factory trawlers into those flatfish fisheries. The mechanism limited the ability of pollock factory trawlers to increase their take of yellowfin and rocksole because they must give up fishing time in pollock to do so. This stand down for Atka mackerel would have to be slightly different from earlier ones because boats are coming from pollock A season into Atka mackerel. In this case, it would have to incorporate a mandatory sit down period for boats that were targeting pollock before they could target Atka mackerel.

In the development of stand down for Atka mackerel, we would be happy to supply information on the economic value H&G vessels create per ton of Atka mackerel. We will also supply information on the annual fishing patterns of H&G vessels that target Atka mackerel, their relative dependence on Atka mackerel, and the economic benefits H&G vessels create in small communities in the Aleutians. We would also offer some different alternatives for stand downs of sufficient duration to effectively limit the participation of pollock factory trawlers to something closer to their traditional 5-10% of the Central and Western Aleutian quotas.

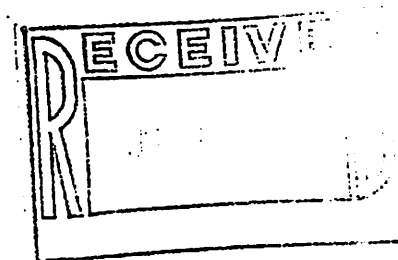
Mr. Chairman, we ask your help in finding a way to place this matter on the agenda for the June Council meeting so that we can provide some testimony and at least get the process started. We understand the agenda is quite full for the meeting but if we don't start working on a solution to this problem as soon as possible, there will be insufficient time to get something in place for next year. We cannot survive another season with the same or likely more effort from pollock factory trawlers in the Atka mackerel fishery. Thank you for your consideration.

Sincerely,

  
John R. Gauvin  
Director



June 4, 1997



VIA FACSIMILE/ORIGINAL by U.S.MAIL

Mr. Richard B Lauber, Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, AK 99501-2252

Re: Pollock Factory Trawlers Preempting Atka Mackerel Head & Gut Fleet

Dear Chairman Lauber:

John R. Gauvin, Director of the Ground Fish Forum, provided us a copy of his letter dated May 27, 1997. We are in general agreement with Mr. Gauvin's characterization of the rough equilibrium or balance that has developed among shoreside trawlers, pollock factory trawlers and head and gut (H&G) trawlers. Confronted with few fishing options as a result of overcapitalization of the North Pacific fishery, regulatory measures promulgated in order to protect inshore fishing interests from preemption by large factory trawlers, and the impracticality of H&G vessels participating in the pollock fishery, the H&G industry has invested heavily in developing a market for H&G or round Atka mackerel. With the incursion of large surimi trawlers into the Atka mackerel fishery - now the most important H&G fishery - the H&G fleet requires protection from potential preemption such as the council previously extended to yellowfin and rock sole interests.

At this point, Fishing Company of Alaska does not believe that so drastic a measure as allocation of Atka mackerel between the H&G and surimi components of the trawl sector is in order. We are in agreement with the Groundfish Forum that a "stand down" provision that will limit the participation of surimi trawlers in Atka mackerel, similar to those mechanisms utilized in the yellowfin sole, and rock sole fisheries, is sufficient. Nevertheless, NMFS's identification of the preemption problem arising in the pollock, and rock and yellowfin sole fisheries, and corrective action taken by the Council, provide justification and precedent for the relief requested by the H&G interests in the Atka mackerel fishery. At 57 FR 2322, NMFS described the purpose of Amendments 18 and 23 to the Council's Fishery Management Plan as follows:

**The Fishing Company of Alaska, Inc.**

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PHONE (206) 284-1559 • FAX (206) 284-2338

Mr. Richard B. Lauber, Chairman  
June 4, 1997  
Page 2

The primary purpose of Amendment 18 and 23 is to protect the inshore component of the fishery from preemption by the offshore fleet. Indication of a preemption problem between these two sectors of the ground fish fishery became apparent early in 1989. Substantial processing of pollock by catcher/processor vessels contributed to an early closure of the pollock fishery in the Shelikof Strait District on March 21, 1989 (54 FR12204, March 24, 1989), effectively preventing inshore components from realizing their anticipated economic benefit from pollock later in the fishing year. At the April 1989 Council meeting, fishermen and processors from Kodiak Island requested the Council to consider inshore-offshore allocations to prevent future preemption of resources by one industry sector over another.

The problem statement adopted by the Council at its April 1990 meeting stated in part:

The council defines the problem as a resource allocation problem where one industry sector faces the risk of preemption by another.

Likewise, the surimi trawler component of the offshore trawl sector preempts the H&G component. Surimi vessels harvested more than 40 percent of the Central Aleutian Atka mackerel quota, leading to a premature closing of the fishery on March 15, 1997. Historically surimi trawlers have taken 5 to 10 percent of the Atka mackerel TAC.

Previously, H&G vessels have not exhausted the Central or Western Aleutians TAC's until late June or July. The share of Atka mackerel taken by pollock factory trawlers in the Western Aleutians has not yet been determined; however, that fishery closed this year on April 21. As a result, a "crowding effect" has occurred in the cod, yellowfin and other flat fish fisheries, upsetting the balance described in Mr. Gauvin's letter.

In 1992 a factor that weighed against proposed Amendments 18 and 23 was that processing surimi at sea yields a higher grade product than processing pollock inshore. However, this factor supports intervention by the Council in the Atka mackerel fishery for two separate reasons: **First**, it is in large measure because the H&G vessels make the highest and best use of the Atka mackerel resource that it is not feasible for them to compete with the large surimi trawlers - the surimi vessels' low recovery rate, ten to fifteen percent according to the Groundfish Forum, enables them to grind through 400 metric tons of Atka mackerel per day. The H&G vessels, generating head and gut or round Atka mackerel with a 60 to 100 percent recovery rate, are limited in their through put to 60 to 90 metric tons per day. **Second**, the economic value of head & gut or round Atka mackerel substantially exceeds the low grade surimi generated from a high oil content fish.



Mr. Richard B. Lauber, Chairman  
June, 1997  
Page 3

The Council's prior action establish that the greater mobility and range of surimi factory trawlers itself justifies the action that we request. The H&G vessels are vulnerable also because they are not equipped to participate in the pollock fishery when the H&G fisheries are shut down, whereas the surimi trawlers are able to produce surimi from Atka mackerel, albeit a low grade variety. Similar considerations prompted the Council to take action against the large surimi trawlers in the pollock and yellowfish and rock sole fisheries. See 57FR23337, Comment 65. NMFS's response to Comment 65 stated in part:

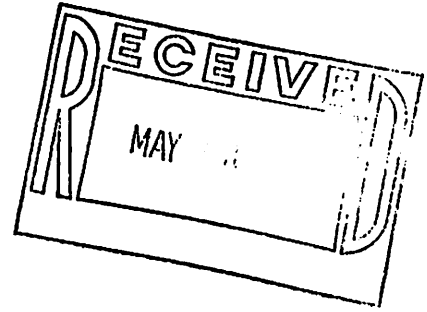
**The purpose of the allocations is to protect the smaller, more localized fleets that largely supply to midshore processors from being preempted by the larger, more mobile offshore fleets in the future. Evidence of the vulnerability of coastal communities was demonstrated by the social and economic impacts of preemption as to the transfer of effort from the offshore fleet in 1989 in the GOA.**

Accordingly, Fishing Company of Alaska joins in Groundfish Forum's request that the Council develop a "stand down" regulation that would effectively limit the participation of pollock factory trawlers to those levels traditionally prevailing in the Central and Western Aleutian Atka mackerel fishery prior to 1996. We suggest that the Council consider keeping surimi trawlers exiting the pollock fishery from shifting to the Atka mackerel fishery for **three weeks** after the pollock fishery is shut down.

Very truly yours,



Mike Szymanski  
Fishing Company of Alaska, Inc.  
Government Affairs



4502 14th Ave. N.W.  
Seattle, WA 98107  
(206) 782-3609  
Fax (206) 782-3242

May 14, 1997

Richard B. Lauber  
NPFMC  
907-271-2817

Dear Mr. Lauber.

I want to express my concern and anger that the Aleutian Islands cod and turbot fisheries have been closed. This is an unfair response to problems caused by other gear groups. This puts undue stress on the longline fleet for a number of reasons. The vessels that normally target cod in the Aleutians will have to find new grounds and further the "crowding" situation in the Bearing Sea.

Please rethink this closure and put the penalty on the gear group that caused it.

Regards,

Michael Burns  
F/L Blue North  
F/L Liberty Bay

T Smith

AGENDA D-2(c)

DATE: June 13, 1997  
TO: Members, North Pacific Fishery Management Council  
FROM: The Shortraker Coalition  
SUBJECT: SRRE Management In the Aleutian Islands  
PAGES: 2

As you are aware, several Aleutian Islands fisheries have been closed for the rest of the year due to the failure of the National Marine Fisheries Service to close trawl fisheries for POP and Atka mackerel before the overfishing level of shortraker/rougheye (SRRE) was approached.

Industry groups involved in the affected fisheries - both trawlers and longliners - have engaged in lengthy discussions regarding an acceptable resolution to this problem. While a reduction in the allowable retention level of SRRE in the trawl fisheries may be a step in the right direction, it is clearly insufficient. All of us agree that what is required is a set-aside of 30% of the annual SRRE TAC for longliners. We recommend that this be accomplished by establishing an incidental catch allowance for the longline fisheries under the directed fishing allowance authority. If towards the end of the fishing year there is an obvious excess of SRRE in the longline incidental catch allowance, any excess may be rolled back to the trawl fisheries.

We sincerely hope the Council will honor this request, which has been carefully developed by the affected associations.

Attachment

June 13, 1997

Mr. Richard B. Lauber, Chariman  
North Pacific Fishery Management Council  
605 West 4th Avenue  
Anchorage, AK

**RE: Shortraker/Rougheye In the Aleutian Islands**

Dear Rick:

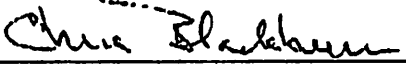
In order to prevent overfishing of shortraker/rougheye (SRRE) and premature closures of fisheries in the Aleutian Islands Subdistrict (AI) due to excessive harvest of SRRE in the trawl fisheries, the undersigned associations recommend that the Council adopt the following measure:


**Under the authority specified at 50 CFR 679.20(d)(1), Directed fishing allowance (DFA), the Regional Director shall at the beginning of each fishing year establish for the longline fisheries of the AI a DFA of 30% of the TAC for SRRE. This DFA shall remain in effect until November 1 of each fishing year, after which time any portion of the DFA not needed by the longline fisheries may be reapportioned to trawl fisheries.**

We thank you for your attention to this matter and hope that the Council will adopt this measure so that a recurrence of this year's closures can be avoided.

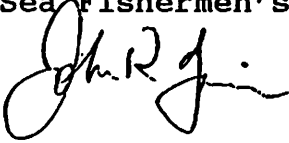
Sincerely,

  
Alaska Dragger's Assoc.

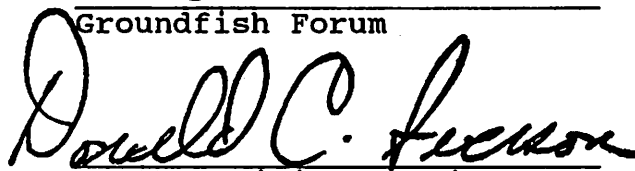
  
Alaska Groundfish Data Bank

  
Deep Sea Fishermen's Union

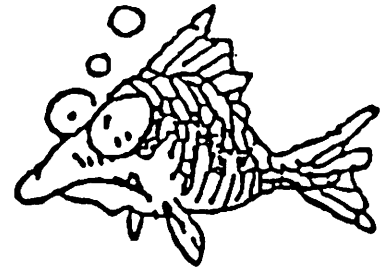
  
Fishing Vessel Owners' Assoc.

  
Groundfish Forum

  
Kodiak Vessel Owners' Assoc.

  
North Pacific Longline Assoc.

North  
Pacific  
Longline  
Association



May 12, 1997

Mr. Ron Berg, Chief  
Fishery Management Division  
NMFS Alaska Region  
Juneau, AK

**RE: Closure of Aleutian Islands Longline Cod and Turbot Fisheries**

Dear Ron:

Thanks for your call on the above subject - sorry I missed you. I would like to ask you to send me a detailed letter regarding your decision to close the Aleutian Islands directed fisheries for cod and turbot while leaving the sablefish fishery open. You left a message that you had reviewed the situation, so you must have all the information at hand.

There are a lot of fishermen who regard this decision as bizarre beyond belief, and you should be prepared to tell them in writing exactly why you are taking this action. I am at a complete loss. I don't want to try to make an explanation to them based on oral communication. Please cite your authorities and supply statistics on relevant catch and bycatch.

I would appreciate it if you would try to get the letter out by COB today. There are a lot of people hanging fire on this.

Thank You,



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

May 15, 1997

Mr. Thorn Smith  
North Pacific Longline  
Association  
4209 21st Avenue West  
Suite 300  
Seattle, 98199

Dear Mr. ~~Smith~~ <sup>Thorn</sup> Smith:

Thank you for your letter concerning the prevention of overfishing of shortraker/rougheye rockfish in the Aleutian Islands.

The closure of fisheries that take significant bycatch of shortraker/rougheye rockfish began with trawl fisheries and was later extended to fisheries that have lower yet significant bycatch such as hook-and-line Pacific cod and Greenland turbot. To date, we have excluded the sablefish hook-and-line fishery from closure because we anticipate the bycatch occurring in that fishery will not result in overfishing of shortraker/rougheye rockfish.

Sincerely,

*for Philip Smith*  
Steven Penfloyer

Administrator, Alaska Region



**CHRONOLOGY APRIL TRAWL FISHERIES IN ALEUTIANS**

03/97

POP E. POP C. POP W. ATKA E. ATKA C. ATKA W. SRRE

03/29/97 CUMUL	2573	2214	3943	16116	19257	11290	857
04/05/97 WEEK	43	0	1664	0	0	4139	130
CUMUL	2616	2214	5607	16116	19257	15429	987
04/12/97 WEEK	0	0	832	2	0	6507	83
CUMUL	2616	2214	6439	16118	19257	21936	1070
04/19/97 WEEK	0	527	303	1	156	5536	78
CUMUL	2616	2741	6742	16119	19413	27472	1148
04/26/97 WEEK	0	1	18	25	4	1402	0
CUMUL	2616	2742	6760	16144	19417	28874	1148
TAC	3240	3170	6390	15000	19500	32200	938 (1250=OF)
%TAC	81%	86%	106%	108%	100%	90%	122%

SOURCE: NMFS INSEASON REPORTS

04/02/97 SRRE MADE PSC

04/07/97 POP W. CLOSED

04/15/97 POP C. REOPEN 24 HOURS

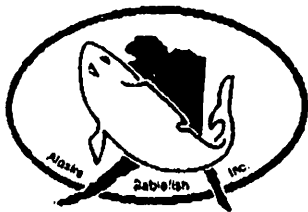
04/21/97 RETENTION ATKA MACKEREL AND ALL ROCKFISH PROHIBITED IN ALEUTIANS

**SRRE IN AI HOOK AND LINE FISHERIES**

1993	COD - 208	SABLEFISH - 101	TURBOT - 123 = 432
1994	COD - 102	SABLEFISH - 45	TURBOT - 8 = 155
1995	COD - 14	SABLEFISH - 75	TURBOT - 5 = 94
1996	COD - 117	SABLEFISH - 55	TURBOT - 12 = <u>184</u>

TOTAL 865

AVERAGE 865/4=216

**Alaska Sablefish Inc.****F/V Judi B**

D-2c

P.O. BOX 319 HOMER, ALASKA 99603 (907) 235-9981

June 19, 1997

Clarence Pautzke  
Executive Director  
North Pacific Fishery Management Council

Dear Mr. Pautzke:

We are extremely upset that the Aleutian Island Sablefish fishery is once again about to be closed down early due to the over harvest of the Shortraker/Rougheye quota. This is the 4th time in the past 6 years that the Aleutian Islands have suffered early closures due to a bycatch species being mismanaged. We are looking for some assurance the NMFS will be held accountable for their poor decisions and will implement a more prudent management strategy.

We are especially outraged that this sort of mismanagement is still happening under an IFQ system that should be straight forward and predicable to manage. Why did the in-season managers at NMFS allow the POP fishery to come so dangerously close to harvesting nearly the entire Shortraker/Rougheye TAC early in the season? They had warning signs that this fishery was taking more Shortraker/Rougheye by-catch than normal, a rate that certainly does not reflect the natural by-catch rate. NMFS further allowed the Atka mackerel fishery the luxury of taking Shortraker/Rougheye over the quota. The rest of us groundfishermen were getting nervous at this point but the in-season managers at NMFS were reassuring that they had it under control. The action that absolutely crossed the line of prudent, albeit risky, management becoming gross mismanagement was when NMFS allowed a 24 hour POP opening earlier this month that took the Shortraker/Rougheye quota to over-fishing levels. This is an outrage! They basically sacrificed the other Aleutian Island groundfisheries for this one group!



Our business has not flourished under the IFQ program because most of our production has been in the Aleutian Islands and that quota has been drastically reduced. We did support the IFQ program, however, because we saw it as an answer to our by-catch problems. After swallowing early closures in the past due to halibut bycatch caps or Shortraker/Rougheye quotas being over-harvested by other groundfisheries, we truly believed that NMFS would now be able to reliably predict our small needs out there and make sure they were provided for. Needless to say, this hasn't happened. Instead what is happening is another "race for fish" as the Aleutian Island fishermen scramble to harvest what they can of their sablefish IFQ's before the last 36 mt of Shortraker/Rougheye bycatch is caught. We can only guess at how much of ours will be left unharvested.

This predicament has created a fiasco for our business and to a certain extent, the International Pacific Halibut Commission, as well. To help supplement the decline in production we have experienced with the IFQ program, we negotiated contracts with IPHC for the summer to conduct halibut surveys. We were planning to harvest our Aleutian Island sablefish IFQ's in September and October. Now we are faced with abruptly terminating a part of that contract and hurriedly catching what we can of our Aleutian IFQ's. The IPHC has the most comprehensive survey to date scheduled for the Aleutian Islands. I do not know how this will all be worked out but it'd be a shame to not have that survey thoroughly executed.

To say that the Aleutian Island groundfish fisheries were grossly mismanaged is putting it politely. The further tragedy is how this bycatch crisis has seriously undermined the strengths of the IFQ program.

With Regards,

Owners of the F/V Judi B

*Mary Standant, Barbara McFadden, & Pat McFadden*

CC:

Mr. Rolland Schmitt

Senator Ted Stevens

Senator Frank Murkowski

Congressman Don Young

Senator Slade Gorton

Senator Patty Murray

Congressman Jack Metcalf

Congressman Norm Dicks