

November 2-3, 1978

AGENDA ITEM: 13

ACTION REQUIRED: Approve Halibut FMP options and management measures.

SUBJECT: Halibut FMP

SUMMARY: Six documents have been prepared:

- (a) Halibut FMP decisions to be made
- (b) Comments on the Halibut FMP
- (c) Summary of public comments on FMP
- ✓(d) Tentative timetable for approval and implementation
- ✓(e) Draft EIS
- ✓(f) HR 14354 - "Halibut Conservation & Management Act" Young

COMMENTS: The FMP comment period ended October 31. At this meeting a Council Draft FMP must be approved to send to the Secretary. The EIS was not published expeditiously and will not be thru the 45-day comment period until December 11. Therefore, on or about November 13 we will forward to the Secretary our FMP & tentative EIS. When the EIS comment period ends we will forward all comments on the EIS to Washington and if the comments do not indicate a substantive problem with the EIS/FMP, then she may approve the FMP and publish it along with the Final EIS. The target date of April 1 is still preserved.

# North Pacific Fishery Management Council

Clement V. Tillion, Chairman  
Jim H. Branson, Executive Director

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Anchorage, Alaska 99510

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## HALIBUT FMP

### DECISIONS TO BE MADE

#### 1. MANAGEMENT MEASURES

##### A. Size Limit

Head-on 32 inches  
Head-off 24 inches

Retain/change

##### B. Gear

Hook and line only

Retain/change

##### C. Sport bag limit

2-per day

Retain/change

##### D. Area designation

Area 3 - Area 3-C designation

Retain/change

#### 2. ENFORCEMENT REQUIREMENTS

##### (FMP OPTION C) Permit Requirements

Permit issued by Secretary of Commerce

Retain/change

#### 3. PROPOSED FMP OPTIONS

A. Restrict fishery to U.S. fishermen

Retain/change

(FMP OPTION A) (IF A ABOVE) U.S. Takes Canadian catch

(FMP OPTION B) Canadian catch goes to rebuild stocks

(FMP OPTION D) (IF 2 C ABOVE NOT ADOPTED) Permit  
issued by individual State agency

4. MSY-ABC-OY-EY Determinations

<u>Management Area</u>	<u>MSY</u>	<u>EY</u>	<u>OPTION A</u>		<u>OPTION B</u>	
			<u>ABC</u>	<u>OY</u>	<u>ABC</u>	<u>OY</u>
2N	14	4.4	4	4	3	3
3	36	12	11	11	8	8
4	5	1	.5	.5	.5	.5

ABC under Option A is slightly below estimated EY to allow rebuilding. Harvesting at this level would increase the U.S. catch by about 35% over the 1978 level.

ABC under Option B is substantially below EY to allow rapid rebuilding. Harvesting at this level would keep the U.S. catch at nearly the level of 1978.

5. SEASONS

Yet to be announced

6. PROPOSED CLOSURES

Halibut Conservation Area 4  
("Halibut Savings ARea")

Retain/change

HALIBUT FMP

Certain decisions are required of the Council during the meeting of Nov. 2-3 in order to proceed with the re-draft of the halibut FMP.

In addition to other considerations which bear on the plan, public comment has been received (attached or summarized) and is to be considered during the re-write process.

The following narrative presents some of the FMP proposals and the comments which bear on them.

\*\*\*\*\*

The halibut FMP offers the following "options":

1. The decision as to whether to restrict the halibut fishery to U.S. fishermen only, or not.

OPTION "A" - The catch of halibut which would have been taken by the Canadians will be made available to U.S. fishermen.

OPTION "B" - The catch of halibut which would have been taken by the Canadians is put back into the resource (by not allowing it to be taken) for stock re-building.

OPTION "C" - Halibut permits would be issued by the Secretary of Commerce.

OPTION "D" - Halibut permits would be issued by individual States.

Comments which were received that bear on these questions are:

1. LIMIT FISHERY TO U.S. FISHERMEN

FAVOR

OPPOSE

Seattle FVOA (Alverson)

None

OPTION "A"

FAVOR

OPPOSE

Seattle FVOA (Alverson)  
Fishermen's Union (Sandvik)

Arne Einmo (See statement)

OPTION "B" (Put Canadian catch back) (OR not allow it to be taken)

FAVOR

OPPOSE

Petersburg VOA (Mathieson)  
Arne Einmo (See statement)

Seattle FVOA

OPTION "C" (Permit issued by Secretary of Commerce)

FAVOR

OPPOSE

Arnie Lee

(Majority if not all fishermen don't care where the permit comes from so long as they only have to deal with a single agency. They probably lean to State rather than Federal unless a permit would be granted under conditions of a Federal limited entry scheme.)

OPTION "D" (Permit issued by State)

FAVOR

OPPOSE

See above

LIMITED ENTRY

FAVOR

OPPOSE

Seattle FVOA (Alverson)  
Fishermen's Union (Sandvik)

No comment received

OPENING DATES

Statements received in support of opening dates per FMP, and keeping the length of seasons the same. (Seattle FVOA).

(Written statement per D.D. Kuiper suggests Area 3 changes.)

SPORTFISHING

(Written statement from former State of Alaska Commissioner of Fish and Game Pete Nelson comments on sportfishing.)

PUBLIC HEARING RECORD

HALIBUT

Listed below are the places in which public hearings were held and the names of those who appeared before the North Pacific Fishery Management Council to offer comment on the halibut FMP.

KODIAK, Oct. 10

This hearing was well attended (32) but yielded little in the way of testimony. The opportunity was used to receive testimony on the Salmon Troll FMP and for statements by agency personnel who commented on a variety of fishery matters directed mainly to Tanner crab, troll salmon and groundfish.

UNALASKA, Oct. 12

This hearing was well attended (47) and yielded quite a bit more in the way of testimony. Those offering testimony included:

Bob Alverson  
David Clemons  
Royal Davenney  
John Harris, Jr.  
Ben Paz  
A.C. Phillips  
Carl Wiborg

SEATTLE, Oct. 27

This hearing was likewise well-attended. Persons offering testimony included:

Bob Alverson  
Jake Bassi  
Byron Baske  
Arnie Einmo  
Henry Haugen  
Arne Lee  
Sig Mathieson  
Jack Newsome  
Neil Sandvik  
Glen Satero

ANCHORAGE, Oct. 31

Attendance at this, the final public hearing session, numbered 33. Those testifying included:

Robert Ely  
Kevin Hekrdle  
James Matthews  
Ernie Rickey  
Charles Welling

Additional testimony was received from Mr. Endo and Mr. Nakamura.  
Both men commented jointly on groundfish and halibut.

HALIBUT FMP

SUMMARY OF ORAL COMMENTS

KODIAK

None

UNALASKA

Bob Alverson  
(Exec Dir. FVOA)

(Submitted a written statement included)  
This is the official position of the  
Fishing Vessel Owners Association of  
Seattle.)

David Clemons  
(USF&WS biologist on  
RV Arctic Tern)

Spoke briefly and generally on cruises  
made west of Adak during the current  
season. Comment included the information  
that several boats were working that area,  
they are halibut boats, they are freezing  
their catch, running in to port, unloading  
and returning. No catch figures available,  
no assessment of stock conditions or fishing  
conditions.

Royal Davenney  
(Plant manager for  
Pacific Pearl)

Comments directly mainly to groundfish.  
Halibut deliveries to Dutch Harbor/Unalaska  
are made only by local fishermen. Landings  
for the past two years average 50-100 thousand  
pounds.

John Harris, Jr.

Presently unemployed fisherman, general  
comments directed mainly to groundfish.

Ben Paz  
(Owner of trawler  
Josephine Caroline)

Comments directed mainly to groundfish. Has  
trawler and could go for halibut but probably  
will not.

A.C. Phillips

Commented on timing of hearings. Nothing on  
halibut.

Carl Wiborg  
(Plant manager, Pan  
Alaska Seafoods)

Comments confined to groundfish.



SEATTLE

Bob Alverson  
Jake Bassi

(See previous listing)  
(Written statement included)  
Asked the specific question, "Will NMFS be able to carry on with the same goals in managing the halibut fishery with the primary purpose of keeping the optimum sustained yield"?

Jake Bassi

If halibut are on the upswing, quota should be the same. If halibut stocks are down, put the Canadian catch into re-building stocks. Marked increase this year in juveniles, maybe as much as 25%. Area 3 is ok for halibut, Area 2 is down, foreign draggers make the difference.

Byron Baske

Lots of juvenile halibut this year. Good sign for the coming seasons.

Arnie Einmo

(See Bassi statement above. Einmo owns the boat, Bassi skippers it.) Favors Option "A".

Henry Haugen

(Written statement included.) He represents Fishermen's Marketing Association and wants trawlers to fish halibut.

Arne Lee

Keep licensing for halibut fishing under single management. Claims 2 million halibut are trawl caught each year, 50% survive.

Sig Mathieson  
(Chairman, Petersburg  
Vessel Owners Assn.)

Supports Council taking over the halibut fishery. Wants Area 2 stocks re-built. Past quotas have been too high. Favors option "B" on FMP proposal.

Jack Newsome

(See Baske statement above.)

Neil Sandvik

The Union supports FVOA position. Recommends Option "A" per FMP. Winter savings are ok. No incidental catch should be allowed. Additional option could be put on Area 2 for rebuilding.

Glen Satero

(See Baske statement above.)

Anchorage

Robert Ely

(Representative of the American Fisheries Corporation, spin-off of KMIDC which was understood to be formed after commencement of Davenney-KMIDC joint venture.) The Halibut FMP should not impede the development of the groundfish industry. Groundfish are worth more than halibut, and sooner or later the Council will have to make a choice whether to have halibut or groundfish. His argument goes vice-versa to the BSA groundfish plan, in that groundfish efforts should not be planned around halibut conservation measures to the detriment of developing groundfish efforts.

Kevin Hekrdle

(Anthropologist representing the Aleutian/Pribilof Native Association.) Would like to see the development of a subsistence zone around the Pribilof Islands. Was requested to prepare and submit whatever information he can find on subsistence use by the people in the area.

James Matthews

Small boat works at a disadvantage in Area 3. Wants a restriction of vessel size or area designated for small boats within the area to allow smaller boats to compete. Problem is: larger boats outside fish and complete the allowable catch before the halibut move in so the smaller boats can get them.

Ernie Rickey

(See Matthews testimony above.) Requested that Area 3 be chopped into smaller units with small boat restrictions to keep big boats out.

Charles Welling

Representing the U.S. Corps of Engineers and was looking for information concerning effort as it would relate to vessels and the possible use of harbor facilities in the Pribilof Islands.

Mr. Endo

Objected to area closures (groundfish)

Mr. Nakamura

Objected to trawl restrictions in winter savings area (groundfish). He promised that if restrictions are taken off (trawling allowed) the Japanese would avoid halibut at all costs.

13 (d)

AGENDA ITEM 1 3 NOV 1978

(1):9/3/78:mlp

(2):9/26/78:MD

Tentative Timetable for Approval and  
Implementation of Halibut Plan

DATE	ACTION
9/15	Notice of public hearings appears in <u>F.R.</u>
9/26	Receive DEIS/FMP ( <del>25 copies</del> ) <i>via rapidfax</i>
9/26	Copies transmitted to EWG for review (10 working days)
	ASSUMPTION: No significant comments received
	Plan Coordinator, GCF, and EIS Coordinator review document
10/13	Document filed with EPA
10/20	EPA notice of availability appears in <u>F.R.</u> ; begin 45-day public comment period
12/3	End 45-day public comment period on DEIS/FMP
12/?	Council meets and approves FEIS/FMP
12/26	Receive FEIS/FMP (Estimated)
12/29	Document filed with EPA
	Region forwards draft regs.
1/5	EPA Notice of availability for FEIS/FMP appears in <u>F.R.</u> ; begin 30-day cooling off period
1/5-2/2	Plan reviewed by W.O. staff; action memo prepared and signed by F and A
2/3	End 30-day cooling off period
2/5	Plan and proposed regs. transmitted to <u>F.R.</u>
2/9	Plan and proposed regs. appear in <u>F.R.</u> ; begin 45-day public review (waived 60-day as necessary)
3/25	End 45-day public comment period on plan and proposed regs.
4/2	Final regs. appear in <u>F.R.</u> ; effective: immediately

**DON YOUNG**  
CONGRESSMAN FOR ALL ALASKA

COMMITTEES:  
INTERIOR AND INSULAR  
AFFAIRS  
MERCHANT MARINE AND  
FISHERIES

Agenda #13 *f*  
Nov. 2-3, '78

WASHINGTON OFFICE

1210 LONGWORTH BUILDING  
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**Congress of the United States**  
**House of Representatives**  
**Washington, D.C. 20515**

October 18, 1978

Mr. Jim Branson  
North Pacific Fisheries  
Management Council  
P.O. Box 3136DT  
Anchorage, Alaska 99510

Dear Jim:

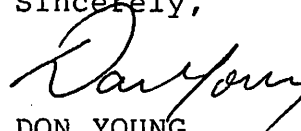
Please find enclosed a copy of H.R. 14354 the "Halibut Conservation and Management Act," which Congressman Pritchard of Washington and I introduced at the end of the 95th Congress.

As you know, the U.S. will terminate its participation in the International Pacific Halibut Commission in April, 1979. In order to provide continuity in Pacific halibut research and management activities, this bill will transfer the U.S. members of the Commission to the Northwest and Alaska Fisheries Center along with the existing research data, and will provide appropriate funding and personnel ceilings for them to continue their work in support of the Regional Fisheries Management Councils which will now oversee halibut management.

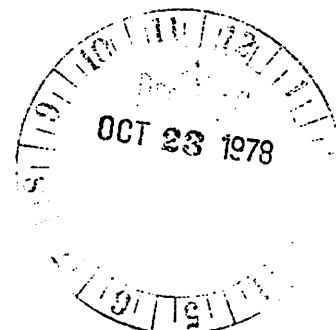
Our intent is to re-introduce this bill at the beginning of the 96th Congress and push for its immediate enactment so that the research and management framework will be in place when the U.S. assumes management control. I would greatly appreciate any comments that you might have on this bill so that we can accomodate all concerns when the new bill is introduced. Please send your comments to my Washington, D.C. office, attention Mr. Rod Moore.

I look forward to continue working with you on this and other fisheries matters.

Sincerely,



DON YOUNG  
Congressman for all Alaska



DY/rmc

IN THE HOUSE OF REPRESENTATIVES

October 13, 1978

and Mr. Young  
Mr. Pritchard (for himself) introduced the following bill; which was referred  
to the Committee on \_\_\_\_\_

**A BILL**

10 provide that the halibut research and management functions of  
the International Pacific Halibut Commission be carried out  
by the Northwest and Alaska Fisheries Center of the National  
Marine Fisheries Service, and for other purposes.

1 *Be it enacted by the Senate and House of Representatives of the United*  
2 *States of America in Congress assembled,*

3 Short Title

4 Section 1. This Act may be cited as the "Halibut  
5 Conservation and Management Act of 1978".

6 Findings and Policy

7 Sec. 2. (a) The Congress hereby finds--

8 (1) the International Pacific Halibut Commission has  
9 been, since its inception, an effective body for the

1 joint management by the United States and Canada of an  
2 important transboundary fishery;

3 (2) with the passage of legislation to extend living  
4 resource management zones by both the United States and  
5 Canada, the need for shared management authority over  
6 demersal fish stocks is becoming less critical for the  
7 sound management of such stocks;

8 (3) without the negotiation of an acceptable  
9 comprehensive fisheries agreement with Canada which  
10 contains a special provision for Pacific Halibut before  
11 April 1, 1979, the International Pacific Halibut  
12 Commission will be terminated; and

13 (4) the Pacific halibut research and management  
14 capabilities now vested in the International Pacific  
15 Halibut Commission should be reconstituted in a domestic  
16 fisheries management entity.

17 (b) It is the policy of Congress that--

18 (1) the existing Pacific halibut fisheries management  
19 and research capability be transferred to the National  
20 Marine Fisheries Service, vesting the management  
21 responsibility for halibut stocks with the appropriate  
22 Regional Fisheries Management Councils, and vesting the  
23 research responsibility with the Northwest and Alaska  
24 Fisheries Center; and

25 (2) the Department of Commerce, in cooperation with

1 the Department of State, continue to exchange data with  
2 respect to the management of Pacific halibut with the  
3 Government of Canada.

#### 4 Halibut Research Functions

5 Sec. 3. The National Marine Fisheries Service shall carry  
6 out, at the Northwest and Alaska Fisheries Center or any  
7 successor organization, a continuing research program  
8 regarding the conservation and management of Pacific halibut.  
9 The research program shall include, but not be limited to--

10 (1) research with respect to the distribution, reproduction,  
11 development, age, fishing mortality, and natural mortality of  
12 Pacific halibut;

13 (2) the review and evaluation of the effects of  
14 management, under the Fishery Management and Conservation  
15 Act of 1976, of the Pacific halibut fisheries;

16 (3) the evaluation of the methods used in the  
17 harvesting of Pacific halibut by United States fishermen  
18 and research to develop and improve the harvesting  
19 methods and fishing gear used in Pacific halibut  
20 fisheries; and

21 (4) the compilation, and dissemination to interested  
22 public and private persons, of statistics and other  
23 information resulting from the research, reviews, and  
24 evaluations conducted under the research program.

25 Disposition of Property, Records, Etc.

2           Sec. 4. (a) The Secretary of Commerce (or his designee),  
3 in consultation with the Secretary of State, shall enter  
4 / into an agreement with the Government of Canada for the  
5 appropriate division between the United States and Canada of  
6 positions, assets, liabilities, contracts, property, records,  
7 and unexpended balances of appropriations, authorizations,  
8 allocations, and other funds held, used, arising from,  
9 available to or to be made available in connection with the  
10 International Pacific Halibut Commission (hereinafter in this  
11 Act referred to as the ``Commission``).

12           (b) The items referred to in subsection (a) shall be  
13 transferred in accordance with the agreement entered into  
14 under subsection (a).

15

16

#### Personnel

17           Sec. 5. (a) Notwithstanding any other provision of law  
18 and in addition to any positions which are or may be  
19 otherwise available, the Secretary of Commerce, in order to  
20 carry out functions established under section 3 of this Act,  
21 is authorized to place not more than 17 positions at a  
22 grade of the General Schedule established under section 5332  
23 of title 5, United States Code, which the Secretary  
24 determines equates to the basic pay which was in effect  
25 immediately before the effective date of this Act for the



1 positions in the Commission the duties of which corresponded  
2 to those functions so established.

3 (b) The initial appointment to any position to which  
4 subsection (a) applies shall be made effective as of the  
5 effective date of this Act, and any individual who held a  
6 position in the Commission immediately before the effective  
7 date of this Act the duties of which correspond to the duties  
8 of that position shall be entitled to that appointment. Any  
9 individual appointed under this subsection shall be paid at a  
10 pay step the rate of pay for which is not less than the rate  
11 of basic pay in effect for such individual immediately before  
12 such effective date.

13 (c) In the case of any individual appointed to a position  
14 under subsection (b), service in the position in the  
15 Commission shall be taken into account as service in the new  
16 position for purposes of determining completion of any  
17 probationary or trial period, tenure in applying reduction-  
18 in-force procedures, leave entitlement, and other rights and  
19 privileges based upon length of service.

20 (d) Section 8332(b) of title 5, United States Code, is  
21 amended by striking out ``and`` at the end of paragraph (8),  
22 by striking out the period at the end of paragraph (9) and  
23 inserting ``; and`` in lieu thereof, and by adding after  
24 paragraph (9) the following new paragraph:

25 `` (10) subject to sections 8334(c) and 8339(i) of

1 this title. service as an employee of the International  
2 Pacific Halibut Commission provided for in the Convention  
3 between the United States and Canada for the Preservation  
4 of the Halibut Fishery of the Northern Pacific Area and  
5 Bering Sea only if such employee later becomes subject to  
6 this subchapter.''.  
7

#### 8 Authorization of Appropriations

9 Sec. 6. There are authorized to be appropriated to the  
10 Department of Commerce, for the purposes of carrying out  
11 section 3, not to exceed \$1,000,000 for fiscal year 1980.

#### 12 Repealer

13 Sec. 7. The Northern Pacific Halibut Act of 1937 (16  
14 U.S.C. 772-772j) is repealed.

#### 15 Effective Date

Sec. 8. This Act shall take effect April 1, 1979.

**FISHING VESSEL OWNERS' ASSOCIATION**  
**INCORPORATED**

ROOM 232, C-3 BUILDING  
FISHERMEN'S TERMINAL  
SEATTLE, WASHINGTON 98119

(206) 284-4720

AGENDA ITEM 1 5 NOV 1978

AGENDA ITEM 1 3 NOV 1978  
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Members of the  
North Pacific Fisheries Management Council  
P.O. Box 3136 DT  
Anchorage, Alaska 99510

October 25th, 1978

Gentlemen:

I am Robert D. Alverson, manager of the Fishing Vessel Owners Association of Seattle, Washington. Our vessels operate in the waters from Southern California to those adjacent to the Soviet Union in the Bering Sea. We fish for halibut, blackcod, and albacore tuna. We would like to express our feelings on the proposed fishery management plan for halibut.

OPENING DATES (SEASONS)

We request that the opening and closing dates suggested in the halibut management plan be adopted for the 1979 season. The current length of the seasons should not be changed. The current length of seasons provides for a good quality of fish, which the market place has responded to this year and provides for a reasonable length of time for the crew and owners to operate economically. The length of the closures provides for rest for the crews, which has prevented injuries due to fatigue and provides for an orderly and predictability of landings for the processors. The IPHC has considered the spacing out of the season as a management and conservation tool. We would hope that the NPFMC would not change the dates for the 1979 season.

## CATCH LIMITS PROPOSED

The F.V.O.A. requests that the catch limits under option A be adopted by the NPFMC. We feel that this is a conservative request. Our supporting arguments for not reducing the quotas further as proposed in option B are as follows.

1. The commercial CPUE in area three has increased from 60.9 pounds per skate in 1976 to 64.9 pounds per skate in 1977 and to 74 pounds per skate in 1978. (1978 data from the IPHC is still preliminary.) The CPUE has also shown an increase in area two for 1978, which represents a second year increase for this area.

2. The trawl survey in the Gulf of Alaska indicated a substantial increase in juvenile halibut, which represents a second consecutive increase for juvenile halibut abundance.

3. Reducing the catch limits by 4,000,000 pounds from the 1978 quotas as proposed in option B or about 20% of the product produced this year could have a detrimental impact on the marketing of halibut and unwarranted increases in prices to the consumer. The ex-vessel price has risen from \$1.45 to 2.14 in Seattle and from 1.36 to 1.75 in Seward and Kodiak since the closure of the 1977 season. It is not the wish of the F.V.O.A. to create a product only purchasable to the aristocracy.

4. Most importantly the catch limit under option A is considered by the IPHC scientist to prevent excessive fishing and provide for continued rebuilding of the halibut stocks as stated on page 167 of the plan.

5. To ask the longline fishermen to reduce the catch limits below that which is considered safe by the IPHC scientist under option

As it should be recognized that the fish spawned in 1979 will not enter the set line fishery until 1990. If the longline fishermen are to conserve additional fish they should have some reasonable assurance that those fish will accrue in part back to him. This assurance can only be interpreted by the setline fisherman as definitive management restrictions in the Gulf of Alaska and Bering Sea that will control future U.S. trawl operations. We do not feel that this has been accomplished in the Gulf of Alaska as of yet. There is expressed concern among members of the Association of what might occur to important halibut concentrations on the W grounds and Albatross bank if restrictions are not imposed on future trawl effort by domestic fishermen. Additional protection on areas such as these will be necessary if the positive signs of stock rebuilding, which we have seen for the past two years in the Gulf of Alaska and past five years in the Bering Sea are to be a meaningful legacy to future generations.

#### LIMITED ENTRY

We would like to express our feelings again on this subject as we did on October 7th. During the past several years some revolutionary concepts in fisheries management have become reality. The limited entry system for salmon in Alaska is one example. What the authors of this limited entry system for salmon in Alaska did not take into consideration was the effect limited entry may have on other related fisheries, where limited entry holders could use their vessel in other crowded fisheries such as troll salmon or the halibut fisheries. The situation we have now is that a limited entry

holder in the salmon fishery may use his vessel in the halibut fishery, but a full time halibut fisherman may not use his vessel in the salmon fishery. What this has created is a large number of part time halibut fishermen from the salmon gillnet and sein fisheries. This comes at a time when halibut quotas have been severely restricted for conservation purposes and when the number of full time halibut fishermen are sufficient to harvest the set quotas. The effect is that a full time halibut fisherman is at an economic disadvantage with his vessel investment. The F.V.O.A. considers the free market system the best regulator of entry into any single fishery. However, since limited entry has been introduced and allows limited entry holders to participate in already crowded fisheries the members of the F.V.O.A. are now compelled to support a limited entry program in the halibut fishery.

FISHING VESSEL OWNERS ASS'N

Robert D. Alverson, Manager



PRELIMINARY COMMENTS BY THE STAFF OF THE NATIONAL  
MARINE FISHERY SERVICE ON THE FISHERY MANAGEMENT PLAN FOR  
HALIBUT OFF THE COAST OF ALASKA

The halibut plan was prepared by the North Pacific Fishery Management Council on a very short timeframe and must be implemented expeditiously in order to avoid a regulation hiatus and possible adverse consequences to halibut stocks. The preliminary comments contained in this document recognize this fact, and are designed to assist the Council in expediting the plan by highlighting possible difficulties and inconsistencies in sufficient time to enable the Council to consider them before approval of the plan.

The comments are divided into two categories: those comments, entitled major policy issues, which directly relate to the national standards and other criteria used by the Department of Commerce in its decision to approve, or disapprove a plan; and "other comments", which relate to features in the plan that could be revised or clarified to avoid any misunderstanding or delay in implementation. The section on "other comments" also mentions matters which the Council may wish to consider in developing the 1980 plan for this fishery.

A. Major Policy Issues.

We concur in the conclusion of the Regional Attorney that the Council should consider the following issues:

- 1) The plan allows area 3c to remain open after the OY for area 3 is reached. We recommend further explanation as to a) why this is

AMERICAN THEATRICAL COMPANY

THEATRE DISTRICT, NEW YORK

ATTENTION TO THEATRE DISTRICT

Dear Sirs: We have the pleasure to inform you that the American Theatrical Company has the honor to announce to you that the same has been organized and is now ready to receive orders for the purchase of tickets for the production of the play "The Merchant of Venice" at the Theatre District, New York, on the 15th of the month of October, 1910.

The production of this play is being given by the American Theatrical Company, and the same is being given at the Theatre District, New York, on the 15th of the month of October, 1910.

The production of this play is being given by the American Theatrical Company, and the same is being given at the Theatre District, New York, on the 15th of the month of October, 1910.

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not "overfishing", and b) why this is consistent with the plan objective of rebuilding stocks. (In the plan, stocks are rebuilt to the extent that OY exceeds ABC. If continued fishing results in a catch equal to ABC, no allowance is made for rebuilding of stocks.)

2) The relationship between "trolling" (e.g. for salmon), "hook and line" and "longline (e.g. for sablefish) in this plan is not clear.

3) Logbooks are not required for vessels under 5 net tons. What is the basis of this discrimination?

4) Treatment of sportfishing is inconsistent.

5) Discussion of reliance upon the State of Alaska in achieving OY is suggested, in order to provide assurance that the management measures in the plan are sufficient to prevent overfishing.

Aside from these issues, there appears to be no major incompatibility between the intent of the halibut plan and the FCMA.

#### B. Other Comments.

The management measures set out in Section 13 of the plan contain some provisions which appear contradictory to other sections. In some cases, the rationale or basis for the management measure is unclear.

The staff believes that the plan could be strengthened if the following items were clarified or explained:

1) Consistency with other laws. There should be a statement in Section 13.3.3 with regard to the Coastal Zone Management Plan (or draft plan) of the State of Alaska, and to marine sanctuaries.

2) Processing Capacity. The discussion of processing capacity in Section 10.1 could be made stronger by giving greater emphasis to the

to extract the said and other substances at this rate (1) and (2) respectively for

not more than of the said substances (3) and (4) respectively

(5) of the said substances (6) and (7) respectively

(8) of the said substances (9) and (10) respectively

(11) of the said substances (12) and (13) respectively

for the said substances (14) and (15) respectively

(16)

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(20) of the said substances (21) and (22) respectively

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ease of processing halibut, by referring to peak processing capacity in previous years, and by discussing, if appropriate, the increasing profit of processing such a valuable fish. This discussion could also be repeated, or inserted, in Section 8.3. Public law 95-354 (the amendment of the FCMA) requires a discussion and assessment of domestic processing capacity.

3) Seasons, Areas and Size Limits. In general, the rationale for the various seasons, areas and the size limit are weak. Although these measures are consistent with the former IPHC regulations and the objectives of the plan, inclusion of more detailed rationale would greatly strengthen the plan.

a) Section 13.3.1.1. How excessive fishing of a stock can result by fishing a single intermingling stock in one area only is not explained. The rationale for separate areas appears to be economic and social, not biological. Throughout the plan reference is made to overfishing "components" of the stock, but no biological basis for "components" is presented.

b) Section 13.3.1.1. The rationale for fixed closure dates, as opposed to announced closures, is not clear. If vessel capacity is great, why wouldn't announced closures be more effective to prevent overfishing or enforce catch limits? The plan does not state whether the Council intends to deduct any excess harvest from the OY's for the following year. (See also rationale for Sections 13.3.1.1.2 and 4.)

c) Section 13.3.1.1.5, Size limits. There is no explanation of how the size of an "optimum" or "sub-optimum" halibut was determined. Nor is the purpose of the management measure stated.



d) Section 13.3.1.1.6 contains no discussion of what kind of nets are used "solely for the capture of bait", or why the management measure was adopted.

The plan could also reemphasize that the halibut regulations, on which the management measures are based, were developed after extensive analysis by the IPHC and represent the best management scheme available at this time.

4) Section 11.2. Options.

The Council might be able to make a more informed decision and the public might have had more effective input into the draft plan had the consequences of Options A and B been more fully explored. In the final plan, the rationale for the selection of one option over the other should be given.

5) Section 13.3.3.3.

The relevant State of Alaska law (if any) should be detailed in this section.

6) Section 13.4.2. Statistical Reporting Requirements.

This section could be made much more flexible by omitting the requirement that the buyer or processor shall complete the Alaska fish ticket. The provision should be drafted to allow regulations similar to those in the Gulf of Alaska groundfish plan, where the fisherman has an option to fill out the ticket or have the buyer do it. It also would be easier if landings outside of Alaska could be reported directly to the Regional Director without requiring a Washington or Oregon fish ticket.

7) Section 13.3.1.1.4. Catch Limits.

The statement that "the quantities of halibut to be taken in area



3 shall be limited to the amounts specified in the (proposed) regulations" is not consistent with other management measures that allow fishing in area 3c after the quota in the rest of area 3 is reached.

8) Section 13.4.3.2.

The section states that the Gulf of Alaska Groundfish Plan prohibits the retention of halibut. While this is generally accurate, a domestic longline fisherman who catches halibut during the time/area /open season for halibut may retain incidental, legal-sized halibut.

9) The suggested management measures could also be clarified by the Council staff or in the regulations, as follows, to reflect the intent of the plan:

a) Prohibition on possession does not prohibit handling a halibut in order to return it to the sea.

b) Prohibition on "taking" of halibut with other than hook and line gear should refer to intentional taking only. A trawl vessel which "takes" a halibut incidentally is not subject to sanctions if the halibut is returned to the sea quickly and with a minimum of injury.

c) The reference to IPHC tag in section 13.3.1.1.7 will be construed to mean NMFS, ADF&G or other official tag.

d) The statement that "no person shall fish" in the closed area described in section 13.3.1.1.3 will be construed to allow fishing that is not directed towards halibut.

e) "Hook and line" will be defined to mean "longline", or "set-line" or "troll" gear.

f) Section 13.2, Boundary Lines. A southern limit should be





added so that the management plan is applicable only to the FCZ of the Gulf of Alaska.

g) Permits requirements will apply only to commercial vessels.

h) The manner in which notice of closure will be given on reaching OY should be specified in more detail.

i) "Vessel categories" in section 13.4.1 should be explained.

j) Section 13.4.2 , the terms "location", "skate" and "species" should be made more specific.

10) The following two comments are suggestions for consideration in developing the 1980 plan:

a) Limited Entry. This plan does not contain the usual excellent discussion of limited entry that is found in other North Pacific Management Council plans. The Council may wish to consider the appropriateness of limited entry in this fishery in the 1980 plan.

b) In-season Adjustments. Other FMP's developed by the North Pacific Council give great emphasis to "in-season adjustments". The urgency of this plan may well have precluded specific consideration of such a provision at this time. The next iteration would be stronger if explicit consideration of the applicability of in-season adjustments were discussed.

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**U.S. DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**

OFFICE OF GENERAL COUNSEL

P. O. Box 1668, Juneau, Alaska 99802

13

CONFIDENTIAL MEMORANDUM

DATE: November 1, 1978

TO: Members of the North Pacific Fishery Management Council

FROM: James K. White *James K. White*  
Alaska Regional Counsel

SUBJECT: Halibut FMP

The purpose of this memorandum is to provide you with preliminary comments on the draft Halibut FMP prior to Council action on the plan at the November meeting. This memorandum would be exempt from disclosure to the public under the Freedom of Information Act, and the Council may limit distribution to the extent it determines appropriate.

Set forth below are comments on five provisions of the plan that require attention by the Council before adoption of the plan. There are other issues, not listed here, that can be resolved informally with the Council staff or in the regulations.

1. Section 13.3.1.1.1/OY:

Subsection (b) states that:

"Since some fishing is allowed in Area 3C when the remainder of the area is closed, the catch limit specified for Area 3 may be slightly exceeded. This excess is considered negligible and not contradictory to the ABC'd developed earlier."

It is unclear what the last sentence of the above quote means, since exceeding the OY would also mean that the ABC is exceeded. In any event, the issue that should be addressed is whether "overfishing" (which is prohibited by National Standard #1) would occur if the OY is exceeded. In this regard, 50 CFR 602.3 defines "overfishing" as follows:

"Overfishing is a level of fishing that results in a reduction in the capacity of a management unit to produce maximum biological yield on a sustained basis for specified habitat and environmental conditions."

It would appear that overfishing does not occur unless the EY would be exceeded. Since the OY for Area 3 is one million pounds below the EY, overfishing would not result unless the area's OY were exceeded by over

one million pounds. This section should indicate whether the possible harvest in excess of OY could be high enough to result in overfishing, and the extent to which the rebuilding of the stock would be affected by a harvest in excess of the OY.

This section also provides that the seasons in Area 2N and 3 ". . . will be closed at the end of the last period, providing that the catch limit is not taken earlier." This indicates that the seasons will be closed when the OY's are reached. However, there is no provision for early closures of the seasons in Areas 3C, 4 East and 4 West, if it became apparent that the OY would be exceeded by allowing fishing to run the full length of the season. (It should be kept in mind that this plan does not have an in-season adjustment provision.)

2. Section 13.3.1.2/Sport Catch:

If sport fishing only occurs inside 3 miles (as stated in this section) why is it regulated by the plan? It would be more appropriate to present the sport fishing provisions as recommended measures for State implementation. This section (which allows sport fishing March 1 to October 31) is also inconsistent with 13.3.1.1.2 (Closed Periods) which prohibits possession of halibut except during commercial seasons.

3. Sections 13.3.1.1.6 and 13.3.3.1/Management Unit:

Section 13.3.1.1.6 (a) states:

"Halibut are to be taken and retained only with hook and line gear. The retention or possession of halibut taken with any other gear, such as nets or pots, is prohibited."

Section 13.3.3.1, on the other hand, says that ". . . halibut shall be regarded as a prohibited species by every fishery except the domestic setline fishery directed at Pacific halibut." It is unclear from these two sections whether the plan means to prohibit retention of halibut caught incidental to the salmon troll fishery or the sablefish longline fishery.

4. Section 13.4.2/Logbooks:

The plan does not explain why only vessels over 5 net tons are required to maintain logbooks. In the absence of any rationale for placing this burden on only a portion of the vessels in the fishery, this measure could be judged discriminatory.

5. Section 13.4.2/Reporting Requirements:

The language that the Council developed for the Gulf of Alaska Groundfish and Tanner crab regulations should be inserted in lieu of the first paragraph of this section. This would eliminate the technical violation

of the Act's confidentiality requirement, while still allowing fishermen to have the buyers prepare and submit the tickets. The language from the regulations is as follows:

"(a) The operator of any fishing vessel (1) conducting any fishing operation subject to this Part, and (2) whose port of landing is in the State of Alaska, shall, for each sale or delivery of any species of fish governed by this Part, be responsible for the submission of an accurately completed State of Alaska fish ticket.

(b) The fish ticket shall, at the election of the vessel operator, be either (1) submitted by the vessel operator directly to a designated representative of the ADF&G within 72 hours after such fish are sold or delivered; or (2) shall, at the request of the operator, be prepared by the purchaser (any person who receives fish for a commercial purpose from a fishing vessel subject to this Part) and submitted by the purchaser to a designated representative of the ADF&G within 72 hours after such fish are sold or delivered to the Purchaser."

13 (e)

# North Pacific Fishery Management Council

Clement V. Tillion, Chairman  
 Jim H. Branson, Executive Director

Suite 32, 333 West 4th Avenue  
 Post Office Mall Building



Mailing Address: P.O. Box 3136DT  
 Anchorage, Alaska 99510

Telephone: (907) 274-4563  
 FTS 265-5435

October 13, 1978

Dear Reviewer:

The enclosed Draft Environmental Impact Statement goes with the Draft Fishery Management Plan for Halibut off the Coast of Alaska sent to you in September. The comment period shown in the enclosed letter from Sidney R. Galler, Deputy Assistant Secretary of Commerce for Environmental Affairs, applies only to the Draft Environmental Impact Statement. The comment period on the Fishery Management Plan itself closes on October 31st as noted in our initial mailing.

The North Pacific Fishery Management Council will revise the Fishery Management Plan at its meeting in Anchorage on November 2nd and 3rd, after considering the comments received on the plan by mail and at the various public hearings that have been or will be held for this purpose. Three more public hearings are scheduled to hear comments on the Halibut FMP as follows:

Petersburg, Alaska	October 25, 1978
Seattle, Washington	
(Vance Airport Inn, SeaTac)	October 27, 1978
Anchorage, Alaska	
(Westward Hilton Hotel)	October 31, 1978

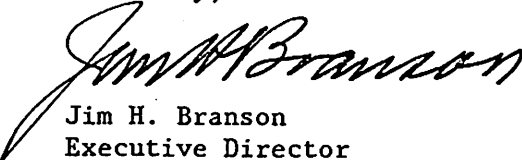
In addition all written comments will be considered on the FMP postmarked prior to October 31st.

Comments on the Draft Environmental Impact Statement will be welcome through the close of that comment period, December 11, 1978.

All copies of the Halibut Fishery Management Plan printed after this date will contain the Draft Environmental Impact Statement as part of the same volume.

Thank you for your cooperation in this matter.

Sincerely,

  
 Jim H. Branson  
 Executive Director

Enclosure

UNITED STATES DEPARTMENT OF COMMERCE  
The Assistant Secretary for Science and Technology  
Washington, D. C. 20250  
(202) 677-8111



Dear Reviewer:

In accordance with the provisions of Section 102(2)(c) of the National Environmental Policy Act of 1969, we are enclosing for your review and consideration the draft environmental impact statement prepared by the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration and the North Pacific Fishery Management Council on the Halibut Fishery off the Coast of Alaska.

Any written comments you may have should be submitted in duplicate to the person listed below by December 11, 1978. If you have any questions about the enclosed statement, please feel free to contact:

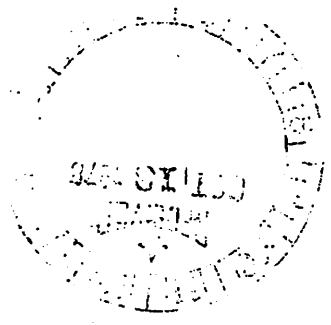
Mr. Jim H. Branson  
Executive Director  
North Pacific Fishery Management Council  
P.O. Box 313601  
Anchorage, Alaska 99510  
Phone: 907/274-4563

Thank you for your cooperation in this matter.

Sincerely,

Sidney R. Galtier  
Deputy Assistant Secretary  
for Environmental Affairs

Enclosure



## HALIBUT FISHERY OFF THE COAST OF ALASKA/FMP

### 15.0 ENVIRONMENTAL IMPACT STATEMENT

#### 15.1 Description of the Proposed Action

The proposed action is to implement a fishery management plan for the halibut fishery off the coast of Alaska in accordance with the provisions of the Fishery Conservation and Management Act of 1976 (P.L. 94-265). The FMP is intended to replace the management regime promulgated by the International Pacific Halibut Commission (IPHC) in the event that IPHC is discontinued in 1979, and to serve as a temporary plan until a more detailed halibut (a groundfish/halibut) plan can be developed. The FMP is specifically designed to minimize the disruption of the current halibut fishery practices and arrangements. All major management philosophies of the IPHC with regard to conservation of halibut resource and regulation of the fishery have been carried forward in this plan.

##### 15.1.1 Statement of Purpose

The purpose of the plan is to promote conservation and to provide for the optimum yield from the ocean of halibut resources; to provide the greatest benefit overall to the nation with reference to food production and recreational opportunities; to avoid irreversible or long term adverse impacts on fishery resources and the marine environment and insure a choice of options with respect to future use of the resource under management.

##### 15.1.2 Description of the Affected Environment

The environment affected by this management plan includes those waters off the coast of Alaska from Dixon Entrance (U.S./Canada boundary) north that comprise the Fishery Conservation Zone. All IPHC statistical areas and regulatory areas will be retained in this plan except one: that being IPHC Area 2 which included some waters off Canada but will now include only U.S. waters.



The target species in this fishery is Pacific halibut (Hippoglossus stenolepis). This species of halibut is distinguished from the Atlantic halibut (Hippoglossus hippoglossus) by anatomical differences such as the shape of the scales, length of the pectoral fin and the shape of the body.

Many vessels engaged in this fishery participate also in other types of fishing with other types of gear for crab, salmon, etc., in the same area.

Pacific halibut are found on the continental shelf of the North Pacific Ocean and have been recorded along the North American coast from Santa Barbara, California to Nome, Alaska (approximately 64°50' North latitude). Most fishing for halibut occurs in specific areas or grounds where halibut tend to concentrate because of favorable conditions such as an abundant food supply. These fishing grounds are located throughout the entire range of the species from northern California to the central Bering Sea.

Of the top seven ports of landing for halibut from 1935 to 1975, five are Alaskan. The landed value of the catch usually is among the top five food fish species.

Foreign participation in this fishery off the coast of Alaska has traditionally been Canadian.

## 15.2 Relationship of the Proposed Action to Land Use Plans

To date the State of Alaska does not have an approved coastal zone management plan. At the earliest practicable time the State will be consulted to determine whether the fishery management plan is consistent with the approved coastal zone management plan.

Existing port and processing facilities, off season use of vessels currently engaged in other fisheries and available manpower will be sufficient in this fishery for the foreseeable future.

There are no recommendations at this time for the identification of potential marine sanctuary sites under Title 3 of the Marine Protection, Research and Sanctuaries Act of 1972 in the area under which this fishery management plan will be implemented. Coordination in the future between the North Pacific Fishery Management Council and the Director, Alaska Region, Office of Coastal Zone Management will be necessary to integrate plans developed by both agencies. Therefore, this plan is not anticipated to have any significant effect on current land use plans.

### 15.3 Probable Impact of the Proposed Action on the Environment

The probable impact of the proposed action on the environment in all cases is beneficial. The plan poses as alternatives, the use of the historic foreign quota as either a biological reserve or a reallocated quota to the domestic fishermen. Should these stocks be used for a biological reserve, (Option B) there could be judged a beneficial impact of the proposed action on the environment. Similarly, if the historical foreign allocation is to be caught by U.S. fishermen (Option A) then the probable impact of the proposed action on the environment including physical, biological and socio-economic environments could also be deemed beneficial because of the stock rebuilding relationship of MSY, EY to OY derivations.

The history of the Pacific halibut fishery is probably the most complete and thoroughly documented fishery in the United States. Technical Report No. 15, for instance, lists catch, effort and catch per unit effort data from 1929 to 1975. Several historic catches, as shown in this technical report, equal or exceed the maximum proposed catch for the U.S. industry under the current management proposal in the FMP. The impact of this proposed action can therefore only be said to be either none or beneficial.

The sport catch of halibut is very small compared with the commercial catch and is usually confined to inshore waters. The probably impact of the

proposed action is judged to be beneficial in that existing sport fishing halibut regulations are being proposed in the FMP which is designed to bring about a rebuilding of the halibut stocks which will benefit sport users as well as commercial users.

#### 15.3.1 Physical Environment

No change is expected on the physical environment as a consequence of this management plan. Waste heat and products of combustion into the ocean during fishery efforts are not available, but their effects are judged minor in the open ocean environment.

#### 15.3.2 Biological Environment

A primary objective of the action is to prevent overfishing and conserve the resource. Thus the overall impact of the fishery management plan on the environment will be beneficial. Monitoring the plan will allow adjustments in applying the management concepts outlined in the plan. These concepts are designed to help minimize fluctuations in fish stock numbers due to catch efforts. Preventing a biological depletion of fish populations will exert a stabilizing influence on the ecosystem.

#### 15.3.3 Socioeconomic Environment

The halibut fishery management plan goal is to rebuild the depleted halibut resources to a level of abundance which will produce long term optimum yield. Thus the long term impact of this plan on the domestic socioeconomic climate will be highly beneficial. This increased catch of halibut by American fishermen will realize a greater benefit to the industry.

#### 15.4. Unavoidable Adverse Impacts

No unavoidable adverse impacts are anticipated as a result of implementing this fishery plan. A halibut fishery has been conducted historically in the offshore waters of Alaska. Biological studies show the stocks to be depressed from previous levels in this fishery and the management regime included in the plan is an attempt to restore stocks and maintain an acceptable population for harvest. Over the long term, effects of improved management and conservation practices should improve the fishery.

There is nothing in the management regime which would adversely effect the environment so far as any effect the plan would have on processing facilities due to the discharge of waste products.

#### 15.5 Alternatives to the Proposed Action

An evaluation of alternatives to the proposed action shows no reasonable alternative course which would avoid some or all of the adverse effects. Only three major alternatives to the proposed action exist: (1) no fishing which would probably not harm the biological environment but would cause the greatest overall disruption and unacceptable dislocation of the socio and economic environment, (2) no management of halibut which is unacceptable in that failure to provide conservation measures to depressed fish stocks in the halibut fishery is not only in violation of the intent of the Fishery Conservation and Management Act but unacceptable biologically and in the long run socially and economically, and (2) continuation of management under the IPHC which is not acceptable under the FCMA which states under Section 303(a)(4)(B) (paraphrased) that only that portion of such optimum yield which, on an annual basis, will not be harvested by fishing vessels of the United States can be made available for foreign fishing. The U.S. fishing industry, including fishermen and processors, are fully capable of harvesting the entire OY and have taken similar and much larger amounts in times past.

At the present time the failure of Canada to renegotiate a reciprocal fishing agreement with the United States indicates their awareness and tentative acceptance of the loss of the catch of halibut off the coast of the United States by Canadian fishermen.

15.6      Relationships Between Local Short Term Uses and Long Term Productivity

The 1st national standard of P.L. 94-265 states that "conservation and management measures shall prevent overfishing while achieving...continued optimum yield from each fishery."

This plan complies with the intent of the legislation and establishes regulations for the target species which it is hoped will maintain the resource at a productive level. The plan establishes catch quotas for halibut which are less than MSY; this factor alone will maintain long-term resource productivity. Management based on the monitoring of the domestic catches and periodic evaluation of the population dynamics of the stock will ensure a long-range productivity of the halibut.

15.7      Irreversible and Irretrievable Commitments of Resources

None.

Public funds irreversibly committed to this specific management plan will be used to initiate, monitor and evaluate effectiveness of this plan. The plan is flexible and requires periodic monitoring of the catch.

No permanent loss of aquatic floral or faunal resources has been identified.

No irreversible or irretrievable commitments of water, land or air resources have been identified.

15.8 Coordination With Others

This separate DEIS and DFMP are consolidated and will be edited to respond to comments received through continuing professional review and the public hearing procedure.

STATEMENT OF FISHERMEN'S MARKETING ASSOCIATION  
ON THE  
FISHERY MANAGEMENT PLAN FOR HALIBUT OFF THE COAST OF ALASKA  
BEFORE THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

My name is Henry Haugen, an attorney from Seattle, Washington, representing Fishermen's Marketing Association of Washington, Inc., on whose behalf this statement is submitted. Fishermen's Marketing Association of Washington, Inc. is an organization representing the owners and skippers of Washington based off-shore trawl fleet. It was this group that was excluded from its traditional fishing grounds off the coast of British Columbia on June 4, 1978, because of the Canadian government's rejection of reciprocal fishing agreements. Our fleet contains the vessels which would be the most likely participants in the expanded fisheries envisioned by the FCMA.

We present two proposed changes to the Fishery Management Plan for Halibut Off the Coast of Alaska as drafted by the North Pacific Fishery Management Council. The proposals are so designed that either one or both can be adopted by the Council. The regulatory changes required by these proposals are relatively simple and straight forward. However, each represents a major change in past regulatory control and are discussed in detail in the following sections. The regulatory changes proposed are set forth below:

1. Trawl Fishing for Halibut

Amend proposed regulations as follows:

Amend "B.13.3.1.1.6 Fishing Gear

- (a) Halibut may be taken and retained with hook and line gear and by domestic trawls."

2. Incidentally Caught Halibut

Amend proposed regulations as follows:

Amend "B.13.3.1.1.2 Closed Periods

- (b) These regulations shall not prohibit fishing for species of fish or shellfish other than halibut, provided that it shall be unlawful for a trawl vessel to retain on board incidentally caught halibut in excess of 5%, by weight, of its total catch."

DISCUSSION

I. Overview of the Halibut Fishery.

The International Pacific Halibut Commission has managed the stocks of halibut so as to produce the maximum sustained yield. During the 1950's, the IPHC allowed the catch to increase substantially to test the upper limits of MSY. This resulted in catches of some 60 to 74 million pounds up through 1962 which was a severe case of overfishing. The catches plummeted drastically in the mid-1960's falling below 25 million pounds in 1974 where the catch remains today. Compounding the problem was the concurrent emergence of a foreign trawl fishery off Alaska which caught vast quantities of halibut even though not retained. For instance, in the Gulf of Alaska this foreign incidental catch "has exceeded the domestic catch by the set line fishery in some years". Finally, environmental conditions have contributed to the decline and rebuilding will take many years.

Thus, in summary, the low status of halibut stocks are due to overfishing allowed by the IPHC, environmental conditions, and the large incidental catches



by foreign trawl fleets. All other causes, including that by domestic trawlers, are extremely minor in comparison.

Even though the resource declined in numbers, increase in price to fishermen has more than offset this feature. In the 1960's the value (ex-vessel) of the U. S. catch averaged about \$7.4 million. In 1977 it reached \$16.6 million, and it certainly will be above \$20 million for 1978. Under Option A of the 1979 Halibut FMP, the catch by U. S. fishermen will increase 35% due to the expulsion of Canadian fishermen and, with inflation, the value could reach \$30 million. In its statement of September 30, 1978, the Fishing Vessel Owners Association, representing the U. S. set line fishermen, supported a limited entry program for halibut. In short, we have a fishery at near its historical low as far as physical yield is concerned and at an historical high so far as dollar value is concerned and with a proposed limited entry program to further concentrate control.

## II. Trawl Fishing for Halibut

Prior to 1938, the International Pacific Halibut Commission imposed no gear restrictions on the taking of halibut except that dories or small boats had been earlier banned because of their extreme hazard. In 1938, set nets were prohibited for catching halibut and in 1944 nets of any kind were prohibited, a restriction that has continued to the present day. The effect of the IPHC regulatory approach has been to restrict the commercial halibut fishery to set line gear and the prohibition against trawls has been the source of considerable controversy and charges of favoritism.

This same philosophy is being continued under the Council's proposed plan without serious consideration of alternatives. The announced goal of the

Fishery Management Plan for Halibut off the Coast of Alaska is to:

- "1. Rebuild the depleted halibut resource to a level of abundance which will produce long term optimal yield, and
2. Provide for a viable halibut set line fishery for United States fishermen."

Nowhere does the Fisheries Conservation and Management Act of 1976 nor the implementing regulations of the Secretary of Commerce allow as a goal a viable fishery for one group of fishermen only. Rather the FCMA dictates that management be on an equal opportunity basis and goes so far as to prohibit allocation which would favor one group alone.

Standard 4 of the National Standards (16 U.S.C. §301(a)(4)) requires that there be no discrimination amongst fishermen from different states and that no particular entity be allowed to acquire an excessive share of fishing privileges. Standard 5 (16 U.S.C. §301(a)(5)) requires that a fishery management plan promote efficiency and that economic allocation cannot be the sole purpose.

As stated in Senate Report No. 94-416, "when allocation becomes necessary, it must be done judiciously and carefully to prevent discrimination or bias". As to Standard 5, "the committee believes that it should be the goal of the national management program to improve efficiency so that the cost of the product can be reduced and the American fishermen can once again provide a greater share of the fish consumed in the United States." Legislative History of the FCMA, page 686.

Perhaps the two Alaska senators best recognized the problem.

"Senator Gravel: Let me state that these people will be representing economic interests. I have found economic interests to be partisan to the degree that there are people served by economic interests. So if we have three people that will make money in this economic area as opposed to that economic area, they are partisan to the

"areas that they are concerned with."  
Id pg 469-470.

"Senator Stevens: Again, what we seek, in this bill, is  
a conservation goal, not an economic goal."  
Id pg 373.

In stark contrast to the halibut fleet, the expulsion of the U. S. groundfish fleet from Canada has resulted in an immediate decrease of one-third of the landings of U. S. fishermen in the State of Washington. There has been no rise in the price of product for groundfish paid to U. S. fishermen that is comparable to that in the halibut fishery. Obviously, the Washington based fleet must look for alternative fishing grounds, including Alaska. If Option A is accepted by the North Pacific Council, the 35% increase in the halibut catch available to U. S. fishermen should be made available to the displaced U. S. trawl fleet to compensate them for their loss. It is, of course, extremely unlikely that any U. S. trawl effort can be mounted to catch anywhere near the 35% to be realized in 1979, but there would be no objection to placing such a limit on the proposed domestic trawl halibut fishery.

Traditional long line halibut fishermen have, of course, strongly objected to competition from the trawl fleet. The most typical objection from long line fishermen is that a trawl destroys the habitat on the bottom and disrupts the normal behavior of halibut. However, the International Pacific Halibut Commission long ago rejected any scientific basis for this complaint and it now has little or no validity.

The IPHC's justification of the trawl prohibition was that trawl caught halibut are generally at less than the optimum age and that only approximately 50% of the halibut released by trawlers survive. This compares with a survival rate of 68% for undersized halibut caught by set lines. Thus the difference of 18% in the survival rate between the two types of fisheries has been the sole

scientific justification for the trawl prohibition for the last 44 years. This is indeed a slim reed on which to rely. (See IPHC Scientific Report No. 55).

The real problem with trawling has been the tremendous incidental catch by the large foreign fleets. As indicated earlier, this can exceed the total U. S. domestic catch in some areas. This problem has been separately addressed and handled in the foreign fishing regulations. We support that concept, but see no reason why it is also necessary to prohibit domestic trawling when it is not of any significant magnitude.

### III. Incidentally Caught Halibut

The increasing unwillingness of the IPHC to allow any sharing of the resource is also well illustrated in the incidental catch problem. The very first article of the 1923 Convention allowed retention of incidentally caught halibut as a food fish. It was finally deleted in 1937 and a regulation allowing halibut to be retained on a limited basis only if it was an incidental catch in the black cod fishery was implemented. This lasted until 1966 when it too was rescinded. Thus in practical effect, trawl fishermen have never been allowed to retain halibut and other fisheries have been increasingly curtailed from retention. The IPHC has never come to grips with the incidental catch of the domestic King Crab fishery which is estimated to take 2.2 million pounds of halibut in the Bering Sea alone. This compares with an incidental catch in these same waters by domestic trawlers of less than 0.2 million pounds. As is widely known, the halibut caught incidentally in crab pots is utilized for bait whereas that caught by trawlers is returned to the sea. This long standing obsession against the retention by trawl fishermen of incidentally caught halibut has permeated the IPHC and now permeates the North Pacific Council if the proposed

Fishery Management Plan is adopted.

Allowing the trawl fishermen to retain incidentally caught, legal sized halibut not in excess of 5% of its total catch is a sound and rational approach to fisheries management. It is not a new concept and even the IPHC staff has made similar recommendations only to be voted down by the Commission. The advantages are easy to catalog.

1. Because of years of resentment over this problem, trawl fishermen who do take halibut are less than careful in their handling. It is suspected that many of the halibut which they return to the sea are assuredly dead. By allowing them to retain legal size halibut, there is a strong incentive to promptly and carefully return undersized halibut to the water where they will in all likelihood survive to be caught either by set line fishermen or incidentally in another trawl at a more optimum size.

2. Allowing retention will reduce wastage which is one of the primary goals of the FCMA. For instance, in Scientific Report No. 57, the IPHC staff concluded that allowing retention of all incidentally caught halibut by the trawl fishery would reduce the wastage from 2 million pounds to 500,000 pounds.

3. There is always a fear that allowing retention would encourage trawlers to target on halibut. This fear is of questionable validity and a representative of the Oregon Department of Fish and Game with considerable experience in this field has recently testified that it is not possible for trawlers to target on halibut. (See Appendix attached). However, this fear can be further diluted by limiting the incidental catch to 5% of the total catch on a trawler.

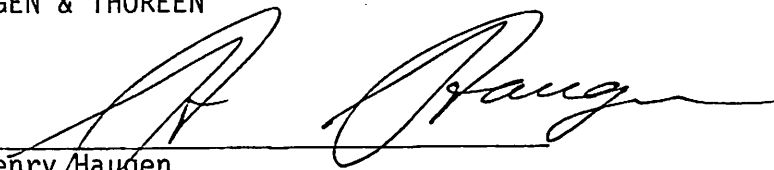
IV. Conclusion

The Fishery Conservation and Management Act of 1976 requires that the North Pacific Council adopt a fishery management plan for halibut which results in the optimum yield from that fishery. That optimum yield can be realized by allowing a trawl fishery on halibut as outlined above and/or allowing the retention of incidentally caught halibut by trawlers. The present absolute ban on both of these approaches and the continuation of such a prohibition in the proposed management plan is contrary to the FCMA and is in derogation of sound fishery management principles.

DATED this 27<sup>th</sup> day of October, 1978.

HAUGEN & THOREEN

By

  
Henry Haugen  
Counsel for Fishermen's Marketing  
Association of Washington, Inc.

HH:jb

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## A P P E N D I X

- 1 Extracts from Scientific Report No. 57, "Survival of Halibut Released After Capture by Trawls", by Stephen H. Hoag
- 2 Extracts from Technical Report No. 15, "Regulations of the Pacific Halibut Fishery, 1924 - 1976", by Bernard Einar Skud
- 3 Extracts from Technical Report No. 16 (Revision of No. 6) "The Pacific Halibut: Biology, Fishery, and Management" by IPHC
- 4 Extracts from Testimony of Robert Demory, Oregon Department of Fish and Wildlife; Chairman, Groundfish Plan Development Team, Pacific Management Council
- 5 Washington Department of Fisheries, "The 1978 Washington Otter Trawl Fishery for Groundfish, Briefing Paper"
- 6 Extracts, 1979 Alaska Halibut Fisheries Management Plan

APPENDIX 1

INTERNATIONAL PACIFIC HALIBUT COMMISSION

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

Scientific Report No. 57

Survival of Halibut Released  
After Capture By Trawls

by

Stephen H. Hoag

SEATTLE, WASHINGTON

1975



#### ABSTRACT

Foreign and domestic trawlers catch substantial quantities of halibut incidentally when fishing for other species. Regulations require the release of trawl-caught halibut, but the survival of the released halibut is unknown. The condition of halibut caught by Japanese trawlers indicates that survival is low. The survival of halibut released by domestic trawlers was estimated from the recovery rate of tags and from expected rates of natural mortality and other losses. Survival was positively correlated with length of fish and negatively correlated with time on deck and weight of total catch. The average survival from domestic trawlers was about 50%. Management implications of these findings are discussed.

Table 4. Average effort (hours) and catch (millions of pounds) of halibut and groundfish by area and season in the domestic trawl fishery, 1970-1972.

	Vancouver Island	Queen Charlotte Sound	Hecate Strait	Total
May - Aug.				
Effort .....	7,069	11,929	4,260	23,258
Halibut Catch ...	0.8	1.4	0.9	3.1
Groundfish Catch ..	9.1	16.3	6.6	32.0
Sept. - April				
Effort .....	8,173	5,784	4,970	19,017
Halibut Catch .....	0.1	0.1	0.2	0.4
Groundfish Catch	10.2	10.3	6.7	27.2
Total				
Effort .....	15,242	17,803	9,230	42,275
Halibut Catch ...	0.9	1.5	1.1	3.5
Groundfish Catch ..	19.3	26.6	13.3	59.2

\* Based on Pacific Marine Fisheries Commission statistical areas: Vancouver Island—3C, 3D; Queen Charlotte Sound—5A, 5B; Hecate Strait—5C, 5D.

The use of off-bottom trawls would also reduce the incidental catch of halibut. Recent studies by the U.S. National Marine Fisheries Service (Ellis, unpublished) show that the catch of halibut is reduced substantially if the groundline of the trawl is over 1 foot off bottom. The effect of this type of trawl on the catch of groundfish has not been adequately assessed, but the catch of species which are not directly on the bottom probably would not be reduced substantially.

The regulation that prohibits the retention of net-caught halibut is a source of controversy between trawl and setline fishermen. Trawl fishermen have argued that the regulation is wasteful in that all halibut must be released regardless of condition. On the other hand, setline fishermen argue that if retention by trawlers were allowed, then trawl fishermen would direct their fishing effort toward halibut and the catch and mortality of halibut below optimum harvesting size would increase.

My findings indicate that a reduction in the yield loss might be achieved by allowing limited retention of trawl-caught halibut. Retention by trawls would increase the yield loss to the setline fishery, but would convert some of this loss to production by the trawl fishery. The net yield loss that occurs with retention by trawls is the difference between the loss to the setline fishery and the production to the trawl fishery. If the present incidental catch by trawlers (3,500,000 pounds) were landed, the loss to the setline fishery would increase from 2,000,000 pounds (based on a 50% survival) to 4,000,000 pounds, but the net yield loss would be reduced from 2,000,000 pounds to 500,000 pounds (4,000,000 - 3,500,000).

About 50% of the halibut catch (weight) by trawls is below the minimum legal size (81 cm) in the setline fishery and would be released if the same minimum size were adopted for the trawl fishery. The net yield loss would be higher than would occur with no size restrictions because of the mortality on sublegal halibut: trawl landings would be 1,750,000 pounds, the setline loss would be 2,700,000 pounds, and the net yield loss would be 950,000 pounds. Therefore, if retention by trawls were allowed, the maximum yield would occur with no size restriction.

There are at least two factors, however, that might reduce the benefits of allowing retention. First, if retention were allowed, trawlers would probably direct some of their effort toward halibut as the price of halibut is about seven times that of most groundfish species. The shift of effort would increase the catch of halibut below optimum size and reduce the benefits from allowing retention. For example, if the trawl catch increased from 3,500,000 pounds to 5,000,000 pounds, the loss to the setline fishery would increase to 5,750,000 pounds, and the net loss would be 750,000 pounds. This net loss is still less than the present loss with no retention (2,000,000 pounds) but is higher than the loss with retention and no increase in catch (500,000 pounds). Second, the enforcement of regulations would be complicated if retention by trawlers were allowed during periods when fishing was closed to setliners, and would be further complicated if size restrictions were different in the two fisheries. Solutions to the enforcement problem would probably require either uniform halibut regulations for the two fisheries or additional costs which would reduce the benefits of allowing retention.

This examination suggests several alternative schemes of management that could reduce the loss from the incidental capture of halibut by domestic trawlers. Individually, some schemes could adversely affect either the trawl or setline fisheries, but a combination of schemes could reduce the incidental catch of halibut and also optimize the catch of halibut and other groundfish. Before such a scheme is proposed, further study of its impact on the trawl and setline fisheries is required.

#### SUMMARY

General observations on the condition of halibut caught and released by Japanese trawlers indicate that survival is low. The low survival was attributed primarily to the time required to sort the catch.

The physical condition of over 2,000 halibut caught and released by domestic trawlers was judged, and fish were placed into one of five categories based on their external injuries and physical activity. Condition was positively correlated with length of fish and negatively correlated with time on deck and the weight of the total catch. Most of the halibut were tagged, and the recovery rate declined with poorer condition. The criteria for judging condition are meaningful, although not entirely accurate as some of the fish that were considered dead were subsequently recovered.

The survival of fish was estimated from the recovery rate of tags and expected rates of fishing mortality and other losses. The average survival of halibut in all conditions was 28% for those  $\leq 80$  cm to 55% for those  $> 80$  cm. The survival, however, for fish  $\leq 80$  cm was probably underestimated, and I concluded that survival for all sizes was about 50%. The estimates of survival indicate that about 1,750,000 pounds of halibut died annually during 1970-1972 as a result of incidental capture by domestic trawlers. Several ways of reducing this loss were examined. They included modifications of the trawl fishery to reduce the incidental catch and allowance of halibut retention by trawls to convert some of the loss into production.

#### ACKNOWLEDGEMENTS

I want to thank Kenneth A. Henry, Ralph Hile, Keith S. Ketchen, Ralph P. Silliman, Jergen S. Westheim, and Norman J. Wilimovsky for critically reviewing the manuscript.

APPENDIX 2

INTERNATIONAL PACIFIC HALIBUT COMMISSION

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

Technical Report No. 15

Regulations of the Pacific Halibut Fishery,  
1924-1976

by  
Bernard Einar Skud

SEATTLE, WASHINGTON  
1977

was short. Eventually, federal and state agencies introduced their own systems for collecting fishery statistics and, as a result, duplicated the data on halibut landings collected by IPHC. The requirement for the statistical return was deleted in 1973 and the "fish tickets" of the federal and state agencies now are used by IPHC as the major source of landing data.

IPHC has not required licenses for vessels under 5 net tons or vessels that do not use setline gear. When licensing was introduced, relatively few vessels under 5 net tons participated in the halibut fishery; however, the number grew steadily and today thousands of these small vessels land halibut. The majority are salmon trollers that catch halibut incidentally, but many intentionally fish for halibut with setline gear (Bell 1956). Because these small vessels already are licensed by either federal or state agencies, the Commission is reluctant to institute another licensing requirement. IPHC obtains information about the fishing activities of unlicensed boats through fish tickets and port interviews.

#### Gear Restrictions and Incidental Catch

Although no gear restrictions were imposed before 1935, the regulations issued in 1933 included the following statement:

"The use of any hand gurdy or other appliance in hauling halibut gear by hand power in any dory or small boat operated from a vessel licensed under the provisions of these regulations is prohibited in Area 2. This regulation shall not become operative until such date as shall be determined upon by the International Fisheries Commission."

The Commission had decided to prohibit dories and this notice was made to allow the fleet to adjust to the pending change. Halibut taken by dory gear generally were smaller than those taken on other gear. Because dory fishing was more hazardous, most of the fleet favored the prohibition. The regulation came into effect in 1935. In 1938, the regulations prohibited the use of set nets for catching halibut (Bell 1956). "Nets of any kind" were prohibited in 1944, and this restriction has continued to the present day. The definition of nets was expanded to include pots in 1972.

The prohibition of net gear, in particular trawls, has been the source of considerable controversy. The situation is not peculiar to the halibut fishery, and its associated problems are similar to those of gear conflicts in other fisheries. Trawls can catch large numbers of halibut and this "competition" obviously would not be appreciated by longline fishermen. A major and almost universal objection by longline fishermen is that the scouring effects of the trawl not only destroy the habitat on the bottom but also disrupt the normal behavior of halibut. Although this long-standing complaint may be valid in particular circumstances, there is no substantive information on the effects of these disturbances on the abundance or distribution of halibut.

IPHC's justification of the trawl prohibition has been based on evidence that halibut caught by trawls usually are below the optimum harvesting size (Myhre 1969). Trawl-caught halibut generally average less than 6 years of age and 5 pounds in weight, whereas halibut caught by longline gear average 6 to 12 years of age and from 10 to 40 pounds depending on the area of fishing. Trawls do take halibut as an incidental catch and, with the present trawl restriction, the halibut must be returned to the sea—dead or alive. Hoag (1975) estimated that 50% of the halibut released by North American trawlers did not

survive. (He indicated a 100% mortality of halibut caught in trawls for foreign vessels.) The mortality of incidentally-caught halibut is a major objection to the trawl prohibition. The loss of production is a waste that rankles trawl fishermen, particularly so now that the price of halibut exceeds \$1.00 per pound, whereas the value of other groundfish is only \$.10 to \$.40 per pound. IPHC scientists regularly have reviewed the problem and Hoag (1975) recently estimated the increase in yield that could be realized by allowing retention of trawl-caught halibut. The major problem in allowing retention is the design of an enforceable regulation that assures that the halibut taken by trawls is an incidental, not a directed catch. Hoag and Skud (1975) discussed the problem and urged that steps be taken to "jointly manage" the trawl and longline fisheries, i.e., to reduce the incidental catch without curtailing the potential development of the trawl fishery.

Recognition of the incidental catch of halibut in other fisheries was incorporated in Article I of the 1923 Convention. When the halibut season was closed, halibut taken in other fisheries could "be retained and used for food for the crew of the vessel by which they are taken". Any halibut not utilized aboard were to be turned over to federal fishery officers for sale to the highest bidder. This reference was carried in Article I of the 1930 Convention as well, but was deleted in the 1937 revision. No mention was made of incidental catch for food and instead a general statement was included granting the Commission authority to permit, limit, regulate, or prohibit the "retention and landing of halibut caught incidentally to fishing for other species of fish".

The 1937 regulations introduced the "One in Seven Rule" whereby a given amount of incidentally-caught halibut, relative to the total catch of other species, could be retained and sold, providing the vessel held a valid permit from the Commission and that the fish were taken with setline gear. The "one in seven" ratio was based on the Commission's studies of the incidental catch of halibut in the blackcod fishery. The wording of this regulation was as follows:

"5. There may be retained in possession on any vessel which shall have a permit as provided in Section 6 (b) that halibut which is taken incidentally to fishing by that vessel with set lines for other species and there may be sold not to exceed one pound of halibut for each seven pounds of other species caught by set lines, not including salmon, and sold as the catch of said vessel, the weight of all such fish to be computed as provided in Section 2 for halibut. Halibut retained under such permit shall not be landed or otherwise removed from the catching vessel until it has been reported to a customs or other authorized officer of either Government nor shall any vessel receive it for transportation unless it shall be reported to the said officer prior to departure from port, and it and all fish of other species shall be removed from the catching vessel under such supervision as the said officer may deem advisable. Such halibut shall not be purchased or held in possession by any person other than the master, operator or crew of the catching vessel in excess of the proportion herein allowed until such excess whatever its origin shall have been forfeited and surrendered to the customs or other authorized officers of either Government. All purchasers shall make statistical return as to the halibut and as to the other species landed therewith within such time as the supervising officer shall require."

The wording of this regulation, which in the main applied to the setline fishery for blackcod, became more and more complex and by 1960 occupied nearly 3 pages of the 12 pages required for all of the regulations. The number



of blackcod vessels that landed halibut under the permit declined as the length of the regular halibut season increased during the 1960's. In 1951, there were 600 landings of "permit halibut" by 200 vessels and, by 1965, the number of landings was less than 100 and included only 60 vessels. Further, the "permit privilege" occasionally was abused in that the catch of halibut was intentional rather than incidental to blackcod fishing. For these reasons and because enforcement costs and problems were not consistent relative to the production, the permit regulation was rescinded in 1966 and has not been reinstated.

In 1952, a change was introduced in the permit regulation that allowed retention of halibut taken with 12-inch mesh nets in the Bering Sea crab fishery, again with a valid permit (Allen et al. 1953). The purpose of this change was to encourage exploitation of stocks in that region for which there was little biological information. Only 1,200 pounds were landed under this provision in 1952 and none thereafter. The provision was removed from the regulations in 1961.

### Size Limit

As previously indicated, the size limit of halibut was introduced in the regulations in 1940, whereas the Convention did not specify this as a conservation measure until 1953. The purpose of the size limit was to reduce the catch of halibut that were below the optimum harvesting size, but there also was an economic reason. The industry favored the regulation because small halibut were often of poorer shipping quality and of lower value in the marketplace. The restriction of the size limit initially was described by weight ". . . 5 pounds or over as computed with heads off, entrails removed or to halibut weighing 5 pounds 13 ounces or over as computed with heads on, entrails removed . . .". In 1944, the regulation was changed and incorporated length ". . . shall also be limited to the halibut which with the head on are 26 inches or more in length as measured from the tip of the lower jaw to the extreme end of the middle of the tail or to halibut which with head off and entrails removed are 5 pounds or more in weight . . .". The combination of the length and weight limits posed occasional problems, i.e., a fish with its head on could measure 26 inches but could be less than 5 pounds with head off and entrails removed. The problem was compounded by a weight loss after the fish were iced on the vessel or placed in frozen storage.

The increase in minimum size that was introduced in 1973 was based on a study of the growth and mortality of young halibut (Myhre 1974). The growth rate had increased measurably since 1940 and analyses showed that the yield could be increased by allowing the young fish to grow another year or two before exploitation. When the minimum size limit was increased in 1973, the weight restriction was deleted from the wording and length measurements for head-off and head-on were introduced. The head-on measurement (from the tip of the lower jaw to the end of the middle of the tail) was 32 inches. The head-off measurement (from the base of the pectoral fin to the middle of the tail) was 24 inches. To determine the head-off length, IPHC measured hundreds of halibut at and about 32 inches. The results showed that 95% of the fish that had a head-off measurement of 24 inches would be as long or longer than 32 inches with head-on, thereby minimizing the earlier problem associated with length and weight measurements. Furthermore, the percentage of shrinkage in length of frozen fish was less than the shrinkage in weight. Thus, the fishermen could use

APPENDIX 3

INTERNATIONAL PACIFIC HALIBUT COMMISSION

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

Technical Report No. 16  
(Revision of No. 6)

The Pacific Halibut:  
Biology, Fishery, and Management

by  
The International Pacific Halibut Commission

SEATTLE, WASHINGTON  
1978



The five major ports of landing in 1976 were Prince Rupert and Vancouver, B.C. and Kodiak, Seward, and Petersburg, Alaska. Prince Rupert has long held the distinction of being the "Halibut Capital of the World". Seward, Kodiak, and Petersburg have gained in importance in recent years, whereas ports such as Seattle and Ketchikan have declined in importance. In deciding where to sell fish, fishermen must balance the higher prices usually prevailing in more southern ports against the fuel costs and the fishing time lost in running to these ports. In recent years, buyers in northern ports have been offering more competitive prices and fewer vessels are running to southern ports. The relative importance of the ports is shown in Table 2 giving the percentage of the total landings at the major ports at 10-year intervals since 1935.

Table 2. Percentage of total landings by ports at 10-year intervals, 1935-1975.

Port of Landing	Year				
	1935	1945	1955	1965	1975
	%	%	%	%	%
Prince Rupert	27.4	28.6	25.3	32.3	18.8
Kodiak				6.9	15.2
Seward				1.0	14.2
Petersburg	1.0	3.7	5.8	8.0	11.5
Vancouver	4.7	3.5	9.0	6.3	6.8
Pelican		3.5	4.4	2.4	5.9
Juneau	3.0	3.7	4.5	2.9	3.2
Bellingham			0.7	3.7	2.2
Seattle	47.1	22.5	24.5	9.7	2.2
Sitka	1.6	5.2	1.7	1.7	2.2
Wrangell	0.2	1.1	0.5	0.6	1.6
Ketchikan	8.0	17.0	6.5	13.8	1.5
Port Williams		3.5	3.0	2.0	1.0
Sand Point			3.4	4.9	1.0
Other	7.0	7.7	10.7	3.8	12.7
Total Catch (000's of pounds)	47.343	53.395	57.521	63.176	27.616

#### Value and Marketing

The Pacific halibut fishery is one of the more valuable fisheries in North America. The landed value of the catch usually is among the top five foodfish species. The average annual catch and value by 5-year periods are shown by country in Table 3. The value to the fishermen has increased steadily since the 1930's and, despite the relatively low production in recent years, reached an all-time high of \$34 million in 1976. Prices paid to the fishermen vary according to market conditions. Before 1940, the average annual price per pound usually was less than \$.10. During the 1940's and 1950's, the price varied from \$.10 to \$.23 per pound and was \$.16 to \$.35 during the 1960's. The greatest change occurred during the 1970's when the price increased from \$.58 in 1972 to \$1.31 in 1977. The retail price is two to three times greater than the landed price.

Table 3. Average annual halibut catch and landed value by 5-year periods.\*

Years	Average Annual Catch (in thousands of pounds)			Average Annual Value	
	Canada	United States	Total	Total	Price per Pound
1930-1934	7,965	38,537	46,502	\$ 3,097,000	\$ .07
1935-1939	11,650	37,602	49,252	3,645,000	.07
1940-1944	12,608	40,019	52,627	7,161,000	.14
1945-1949	18,962	37,028	55,990	9,305,000	.17
1950-1954	23,565	37,627	61,192	11,099,000	.18
1955-1959	26,346	37,789	64,135	12,025,000	.19
1960-1964	33,645	35,707	69,352	15,435,000	.22
1965-1969	30,650	26,806	57,456	17,562,000	.31
1970-1974	19,789	19,706	39,505	19,723,000	.50
1975	11,357	16,259	27,616	24,575,000	.89
1976	11,996	15,539	27,535	34,138,000	1.25

\* Catch in pounds, heads off, eviscerated.

The system of distributing halibut to the consumer has changed: in the early years, most of the fish were shipped in ice and sold fresh, but today, a higher proportion of the catch is landed at Alaskan ports, and over 90% of the catch is frozen. Before freezing, the head is removed (Figure 16) and, after the initial freezing, the fish is dipped into water several times to "glaze" or coat the body with a layer of ice to prevent dehydration in storage.

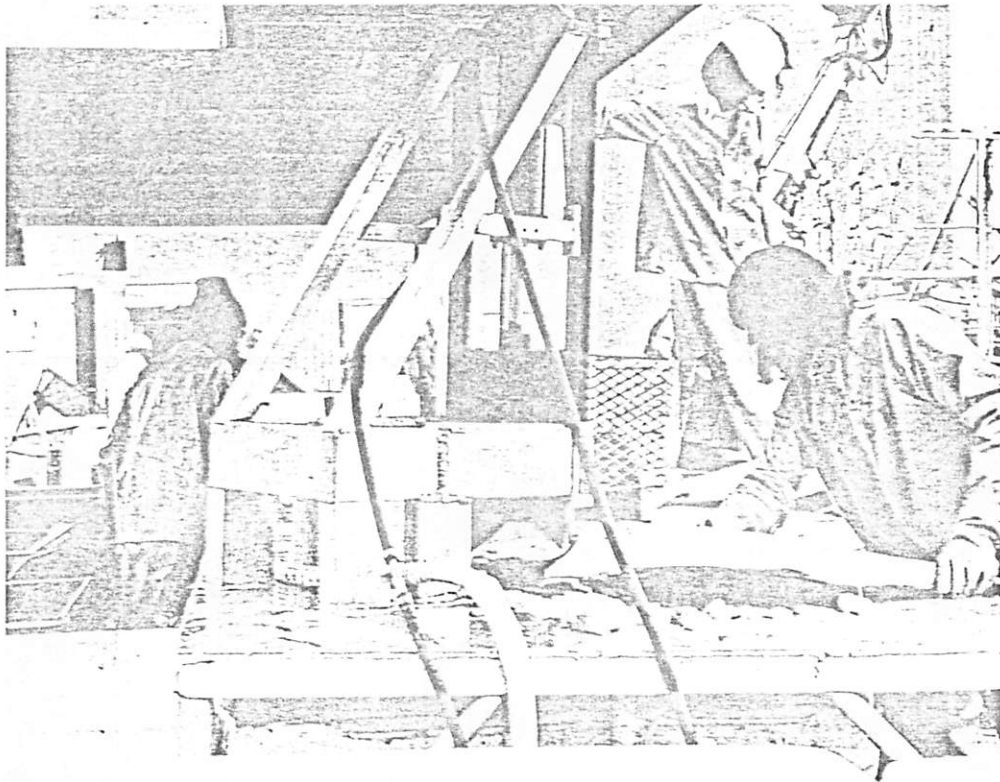


Figure 16. Beheading a halibut with a guillotine.

1 APPENDIX 4

2 PORTION OF

3 PACIFIC FISHERY MANAGEMENT COUNCIL

4 MEETING

5 held at

6 The Marriott Hotel  
7 Los Angeles, California

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11 October 12, 1978

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20 JOHN MARTINIS, Chairman

21 E. CHARLES FULLERTON, Vice-Chairman

22  
23  
24

1 MR. MARTINIS: Bob, what's the capability to target on some  
2 of these areas by the users-- by the fishing vessels?

3 MR. DEMORY: Okay. To the best of my experience, in the  
4 case of salmon, I've observed many hundreds of tows with all kinds  
5 of gear, all kinds of vessel power, and I've seen very few salmon  
6 caught, and I would almost guarantee that every one that has been  
7 caught would not survive because they are virtually de-scaled. It  
8 is not predictable and therefore, I think that precludes targeting.  
9 I think at certain times of the year, in certain parts of the Coast,  
10 the probability of catching salmon increases, but as to making a con-  
11 scious decision that "I will go out and target on salmon", I don't  
12 think is possible. I just don't believe it. They might be able to  
13 predict that I'll have a 50% chance of catching a salmon on this tow,  
14 at this area, at this time of the year. The probability of catching  
15 a salmon will increase in that regard, but they cannot make a con-  
16 scious decision and say "I will set at this point and catch salmon."  
17 I don't think that's possible.

18 In terms of crab, crab can be avoided and it's to the bene-  
19 fit of the fisherman to do so. If he can't use them, there is no  
20 point in staying in an area where you catch far more crab than any-  
21 thing else. Also, there is the problem of catching the gear, which  
22 in itself creates a problem.

23 In terms of halibut, again I don't think it's possible to  
24 target on halibut in the Washington-Oregon area consciously. Now,

Monthly Production

1 some fishermen have told me that "yes, you can," but I'm not so sure  
2 that they can do it in terms that they target on other species, for  
3 they know that the probability of catching ocean perch is virtually  
4 100% if you're fishing at a known depth and a known area. They do  
5 occur, and they apparently catch more halibut now because of improve-  
6 ments in their gear, and in particular, the new high-opening rockfish  
7 trawl that has come into use in the last couple of years. The opin-  
8 ion of some fishermen is, at least, that with the older trawls, the  
9 halibut were swimming up and away from the trawl, but with the in-  
10 creased opening to try and take advantage of the schooling character-  
11 istic of rockfish - in other words, trying to take out a bigger scoop,  
12 the halibut are being caught at a higher incidence, but it still is  
13 a very low incidence, relative to our area, and to the total halibut  
14 production on the Pacific Coast.

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## THE 1978 WASHINGTON OTTER TRAWL FISHERY FOR GROUND FISH

## Briefing Paper

Otter trawl landings in Washington are projected (on a preliminary basis) to be 46.7 million lbs. during 1978, representing a decrease of 8% from 1977 landings and 1% from the 1968-1977 average. Major species landed include 20.6 million lbs. of shelf rockfish, 7.3 million lbs. of Pacific cod, 3.2 million lbs. of English sole, 2.6 million lbs. of Pacific ocean perch, 2.2 million lbs. of Dover sole, and 1.6 million lbs. of petrale sole. Lingcod landings showed the sharpest decline, to 0.5 million lbs. (79% below 1977).

Canadian regulatory actions in 1978 caused substantial changes in fishing patterns on the Washington trawl fleet. Canada closed coastal waters off southwest Vancouver Island between February 22 and April 3, which greatly reduced winter landings of Pacific cod. Canada also took action to close waters off Vancouver Island south of 50° 30' on May 17 to U.S. fishing for rockfish. Finally all Canadian waters were closed to U.S. commercial fishing on June 4 following breakdown of the U.S.-Canada Negotiations.

The cessation of all fishing privileges off Canada has had an immediate effect - a 31% decrease in landings for the four months following the closure (June through September) as compared to the same time period in 1977. Although Washington coastal landings overall are down during June through September, fishing intensity and catches have increased considerably off the Washington coast because of the fleet's displacement from Canadian waters.

Because of increased fishing intensity off the Washington coast, the Department of Fisheries is currently restricting Washington trawlers to a maximum of 20,000 lbs. of Pacific ocean perch per landing in order to protect depleted stocks of this species from further decline.

Marine Fish Program  
October 4, 1978

APPENDIX 6

FISHERY MANAGEMENT PLAN  
for  
HALIBUT OFF THE COAST OF ALASKA



August 24, 1978

DRAFT

Volume I

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

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Anchorage, Alaska 99510

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tow and longer sorting time, usually is near 100%. The discard regulation has been a source of controversy between domestic trawl and setline fishermen. Trawl fishermen argue that the regulation is wasteful in that all halibut must be released, even if they are dead. On the other hand, setline fishermen argue that trawls tend to catch most halibut at suboptimal sizes when additions to the stock through growth still exceed losses due to mortality. The major problem in allowing retention of incidentally trawl/pot-caught halibut is the design of an enforceable regulation that assures that the halibut taken by these gears is an incidental, not a directed catch. The situation is complicated because it involves a multi-species trawl fishery and a variety of fishing gears (trawl, setlines, trolling gear and pots).

Although the incidental catch is not reported directly, data on the incidence of halibut are collected by observers who sample the groundfish catch at sea. Results from observers have provided a base for estimating the incidental catch, evaluating its impact, and establishing conservation measures to reduce the incidental catch. IPHC sampled the catch by domestic trawlers, and most of the data from the foreign trawl fishery was collected in programs arranged through INPFC or bilateral arrangements coordinated by the U.S. National Marine Fisheries Service (NMFS). These programs involved scientists from Canada, Japan, the United States, and IPHC. The results showed that the incidental catch increased sharply during the 1960's and early 1970's, varied with area and season, and consisted of halibut younger than those caught by setlines.

Recovery of the longline fishery in the Bering Sea was not possible as long as the high incidental catch of juvenile halibut by the foreign trawl fishery continued. In 1974, time-area trawl closures were placed in effect in the Bering Sea and the northeast Pacific during periods when the incidental catch was high (Figure 6.3). IPHC recognized the importance of the productive



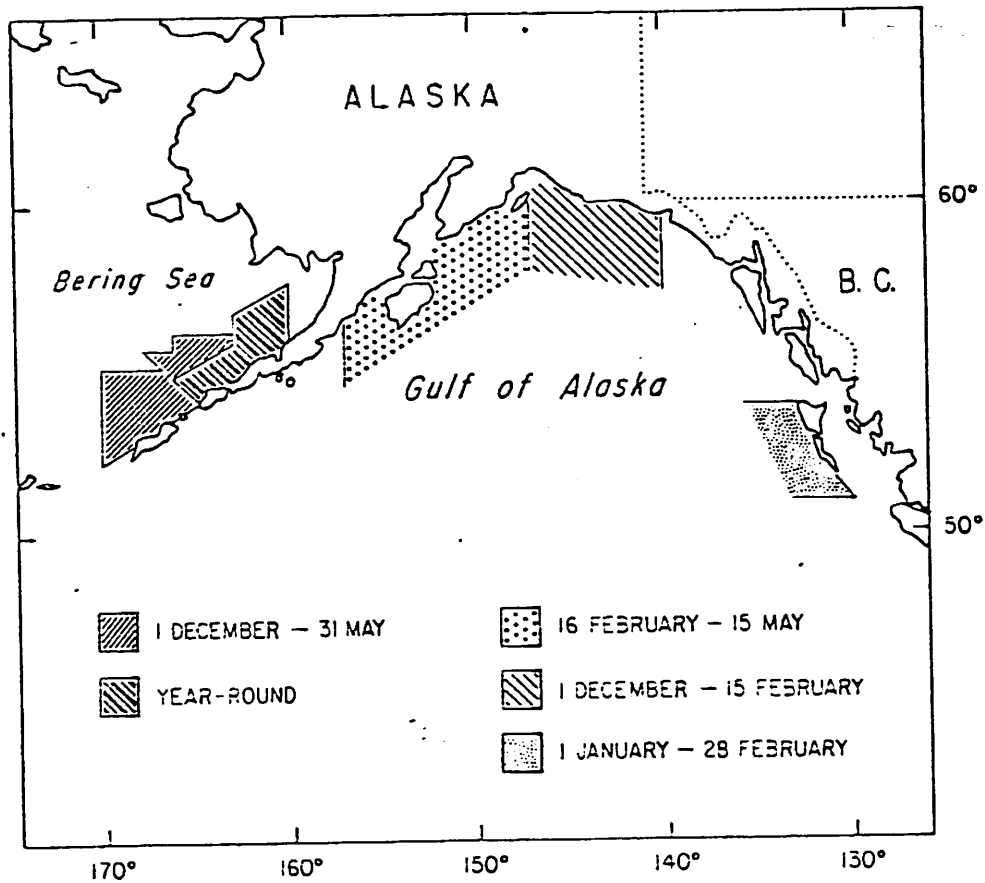


Figure 6.3. Japanese and Soviet trawl closures pertaining to halibut in the Bering Sea and the northeast Pacific, 1977. Source: IPHC 1978b.

trawl fisheries and maintained that the incidental catch of halibut could be reduced without serious curtailment of the trawl fisheries, i.e., that the trawl species could be fully exploited in less than a 12-month season. IPHC also proposed that other methods be considered in the joint management of the trawl and setline fisheries; for example, the use of off-bottom trawls to reduce the incidental catch of halibut. An experiment organized under the auspices of INPFC in 1976 confirmed that off-bottom trawls did reduce the incidental catch and also showed that the pollock catch was as good or better than with on-bottom trawls.

Trawling reduced the survival of juvenile halibut, and the yield loss to the setline fishery was substantial. The loss from trawling, however, explains only part of the decline in the setline fishery. The decline began when the incidental catch was relatively low and occurred after IPHC allowed the setline catch to increase to test estimates of MSY. This action was needed to demonstrate that the stocks were fully utilized and, therefore, qualified for abstention by Japan. IPHC expected a decline in CPUE when setline catches were increased, but the decline was greater and lasted longer than anticipated. Exploitation by the setline fishery apparently was more than should have been permitted because quantitative measures of the loss from trawling were not available and because the stock decline was not accurately depicted by CPUE. Fishermen increased their catch per hook by increasing the spacing between hooks and, as a result, IPHC's measure of CPUE was overestimated. When IPHC did reduce the catch limits in the mid-1960's, the reductions were not sufficient to compensate for the combined mortality by the trawl and setline fisheries. More drastic reductions in the catch limit were made in the 1970's.

Analysis of catch and age data indicated that the abundance of young halibut has been declining since the 1940's. IPHC surveys in the Bering Sea and the Gulf of Alaska also provided evidence of reduced abundance of juveniles.

The decline in young halibut reduced recruitment to the setline fishery and, in turn, may account for a large part of the drop in CPUE since 1960. The cause of the reduced abundance of young halibut is not known with certainty. The trawl fisheries were not intensive until the 1960's, and the reduced abundance was noted at ages younger than those generally caught by trawls. This indicates that the production of young halibut has declined although a possible increase in natural mortality cannot be dismissed. Reduced production might be due to adverse environmental conditions or to reduced spawning stocks. The abundance of spawners, however, was relatively high until the mid-1960's, and IPHC has no evidence of a long-term change in the environment. Until more is known about environmental factors and spawning stocks, the cause of the reduced abundance of young halibut will remain in doubt.

The trawl closures, along with the sharply reduced catch limits for the North American halibut fishery, are expected to halt the decline in abundance and to start the recovery process. Improvements in the abundance of juvenile halibut have been realized, particularly in the Bering Sea, but their abundance still is well below that of the 1960's (Figure 6.4). Additional restrictions on trawling are needed, especially for stocks in the Gulf of Alaska. Benefits from these conservation measures will not be realized for many years because most halibut are not recruited to the setline fishery until they are 8 years old or older.

The reductions in the catch limit for the longline fleet in the Gulf of Alaska (Areas 2 and 3) have been severe, but were necessary to halt the steep decline in abundance of halibut during the 1960's, and the CPUE in 1977 increased slightly in both areas. However, abundance remains low and the present restrictions should not be relaxed until stock conditions show a substantial and definitive improvement. In the coming years, consideration

Table 8.1. -- Value of Halibut Catch From Alaskan Waters <sup>1/</sup>

Year	United States		Canada		Price \$/lb. <sup>2/</sup>
	Quantity (1000 lbs)	Value (\$1000)	Quantity (1000 lbs)	Value (\$1000)	
1960	33,235	5,318	19,327	3,092	.16
1961	35,682	7,493	17,018	3,574	.21
1962	37,634	11,290	21,749	6,525	.30
1963	31,394	6,593	23,913	5,022	.21
1964	24,352	5,601	23,297	5,358	.23
1965	28,155	9,010	22,838	7,308	.32
1966	28,343	9,353	22,453	7,409	.33
1967	28,232	6,211	16,680	3,670	.22
1968	18,064	4,335	20,247	4,859	.24
1969	23,752	8,551	21,472	7,730	.36
1970	25,135	9,049	19,285	6,943	.36
1971	20,201	6,464	16,288	5,212	.32
1972	19,561	11,345	12,820	7,436	.58
1973	16,766	12,742	8,021	6,096	.76
1974	13,155	9,209	3,343	2,340	.70
1975	15,371	13,680	4,960	4,414	.89
1976	14,832	18,540	5,336	6,670	1.25
1977	12,648	16,569	3,766	4,933	1.31

<sup>1/</sup> Including IPHC Statistical Area 14, which slightly overlaps the international boundary.

<sup>2/</sup> Average over all U.S. & Canada ports.

Sources: Quantities from IPHC 1976 and 1977 Annual Reports. Prices from IPHC Annual Reports for 1969 through 1977. 1960 through 1968 from IPHC, unpublished.

Table 8.7.—Gross income from halibut caught in Alaskan waters, <sup>1/</sup> 1977,  
by vessel category

	Net Tonnage	Vessels	Trips	Gross Income (\$) <sup>2/</sup>	G.I. per Trip (\$) <sup>2/</sup>
U.S. Licensed	Unknown	24	91	529,000	5,800
Setliners	5-19	311	1,190	3,296,000	2,800
	20-39	129	462	6,165,000	13,300
	40-59	27	99	4,164,000	42,100
	60+	9	30	806,000	26,900
Total		500	1,872 <sup>2/</sup>	14,960,000 <sup>3/</sup>	8,000
U.S. Unlicensed Setliners		707	2,233	1,539,000	700
U.S. Trollers		732	1,472	115,000	80
U.S. Total		1,939	5,577 <sup>2/</sup>	16,614,000 <sup>3/</sup>	3,000
Canadian Vessels	Unknown	1	3	17,000	5,600
	5-19	12	55	506,000	9,200
	20-39	20	60	2,306,000	38,400
	40-59	5	11	392,000	35,600
	60+	14	35	2,556,000	73,000
Total		52	164 <sup>4/</sup>	5,777,000 <sup>5/</sup>	35,200
Grand Total		1,991	5,741	22,391,000	3,900

<sup>1/</sup> IPHC Statistical Area 14 and North. Area 14 slightly overlaps the international boundary.

<sup>2/</sup> Includes 42 trips which involved fishing on both sides of the boundary between Areas 13 & 14.

<sup>3/</sup> Includes \$45,000 from fish caught off British Columbia during trips described in <sup>2/</sup>.

<sup>4/</sup> Includes 99 trips which involved fishing on both sides of the boundary between Areas 13 & 14.

<sup>5/</sup> Includes \$844,000 from fish caught off British Columbia during trips described in <sup>4/</sup>.

Source: IPHC, unpublished.

studies are to be conducted before such development is allowed (or disallowed). In this regard, numerous studies have been underway for several years now under the auspices of OCSEAP.

8.8 Area Community Characteristics  
Profiles for over 100 Alaskan coastal communities are available for reference at the following sites:

- North Pacific Fishery Management Council Headquarters, Anchorage, AK
- National Marine Fisheries Service, Alaska Regional Office, Juneau, AK
- National Marine Fisheries Service, Northwest Regional Office, Seattle, WA
- Alaska Department of Fish and Game Headquarters, Juneau, AK.

8.9 Interaction Between and Among User Groups

Domestic halibut users can be categorized as commercial, sport, and subsistence fishermen. Historically, significant quantities of halibut have also been taken from waters off Alaska by Canadian fishermen.

The halibut fishery in the Gulf of Alaska is affected by domestic fisheries for shrimp, crab, and groundfish (primarily sablefish) and by foreign fisheries for groundfish. The kinds of impacts include destruction of gear, preemption of fishing grounds, and a reduction in abundance that results from the incidental capture of halibut.

The effects of domestic fisheries on halibut in the Gulf of Alaska are less serious than those of foreign fisheries. However, while gear conflicts between domestic fisheries are minimal, the annual catch of incidental halibut by domestic crab and shrimp fishermen, although not precisely known, may be as high as approximately 4.0 million lbs. (heads on) in the northeast Pacific, mostly in IPHC Area 3, according to IPHC's 1977 Annual Report. This would represent about 25% of the 1977 catch by the halibut fishery in this area. The incidental catch by domestic trawlers is probably negligible as the domestic trawl fishery for groundfish in the Gulf of Alaska is insignificant at present. However, a major impact on the halibut fishery could occur if effort towards groundfish increases. An incidental catch averaging 3.3 million

lbs. (heads on) has occurred annually in the Canadian and U.S. trawl fishery for groundfish off British Columbia (Hoag, 1976) in recent years and was estimated at about 4.0 million lbs. in 1977. Hoag (1975) estimates that 50% of these fish survive after release.

Regarding foreign fisheries, halibut fishermen occasionally report instances of gear destruction or preemption of grounds. This type of interference probably would be even greater except that foreign fleets have traditionally fished for species (e.g., Pacific ocean perch) that are generally deeper than halibut. An increase in conflicts can be expected if foreign fleets are permitted to shift to shallower water species such as Pacific cod or rock sole.

However, the more important effect of foreign fishing is that of incidental catches. Although foreign vessels target on species other than halibut, halibut are taken incidentally in substantial numbers. Regulations require that halibut caught by Japanese fishermen be released, but most die from injuries received during capture (Hoag, 1975). Hoag and French (1976) used data collected by observers to estimate the annual incidental catch by foreign trawlers in the Gulf of Alaska (including British Columbia Coast). Their estimates show that the catch peaked in 1965 at about 19.8 million lbs. (1,500,000 fish) but more recently has averaged less than 8.8 million lbs. (heads on). The majority of these halibut were 3 to 7 years old and less than 11 lbs. Total (foreign plus domestic) incidental trawl catch in recent years, therefore, has averaged about 14.3 million lbs. in the Gulf and off British Columbia. Only about 1.7 million lbs. of the fish survive. Estimates of the incidental catch by the foreign sablefish fishery are not available. Halibut often are hooked on sablefish gear, and North American fishermen have been asked to return sablefish hooks found in halibut; over were returned to IPHC in 1975. Most of the hooks were found in halibut over 11 lbs., an indication that smaller halibut are either not able to escape or are not hooked.

Hoag (1976) used estimates of the incidental halibut catch (excluding the catch by the domestic shrimp and crab fisheries) and assessed the effect of trawling (both foreign and domestic) on the North American setline fishery for halibut. The results showed that trawling reduced the survival of juvenile