

# North Pacific Fishery Management Council

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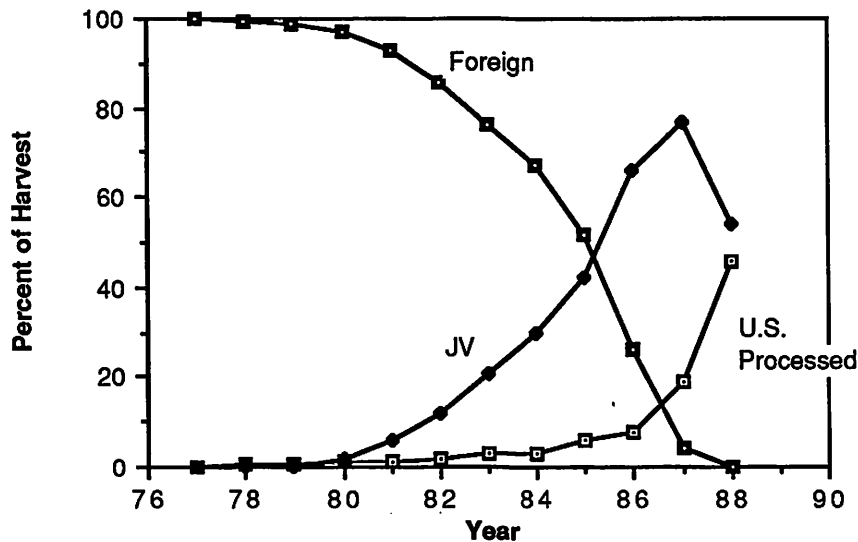
NEWSLETTER

12/17/87

## U.S. Harvesters Take Over Groundfish in 1988

The long era of foreign directed fisheries off Alaska came to a close last week as the North Pacific Council, for the first time since its inception in 1976, closed the door on further foreign allocations in both the Gulf of Alaska and Bering Sea/Aleutian Islands. A major goal of the Magnuson Fishery Conservation and Management Act has been to promote the development of domestic harvesting and processing capacity and to displace foreign operations from the U.S. 200-mile Exclusive Economic Zone. The first step toward that goal was taken by the Council in 1981 when no more Tanner crab was allocated to Japan. Last week's decision to curtail foreign fishing for groundfish is the second major step toward full utilization.

### ALASKA GROUND FISH HARVEST



In 1988 joint ventures will take about 1.2 million metric tons or 54% of the groundfish catch off Alaska, down from their 1987 share of about 77%. They will be restricted mainly to the Bering Sea and Aleutians, with only minor tonnages of flounders and Pacific cod in the Gulf. Domestic processing is expected to account for about 46%, or just over 1 million metric tons. The Council's actions last week on groundfish allocations and other fisheries issues off Alaska are detailed in this newsletter.

Council to Meet Next in Anchorage

The North Pacific Council will hold its next meeting January 20-22 at the Sheraton Hotel in Anchorage. The Council will review proposals for amendments to the Bering Sea/Aleutian Islands and Gulf of Alaska groundfish plans and determine which should be developed by the plan teams and presented at the April meeting. Final decisions on the chosen amendments will be made in June. The Council will also consider delaying the Gulf of Alaska longline fishery for sablefish to coincide with the halibut season, and placing a condition on joint venture permits restricting rock sole to a bycatch only status in the Bering Sea until April 15, eliminating targeted joint ventures on roe-bearing fish. Meetings of the Council's Scientific and Statistical Committee and Advisory Panel will be held on Monday and Tuesday, January 18-19.

Council Staff on the Move Again

Council staff will move back into the newly renovated "Old Federal Building" January 6-8. The office will be closed or only have a skeleton crew during that time. The new phone number will be (907) 271-2809. Our mailing address (P.O. Box 103136, Anchorage, AK 99510) will remain the same; however for express deliveries to the office please use the street address: 605 W. 4th Avenue, Room 306, Anchorage, AK 99501. Please note that post office box and street delivery have different zip codes. The new number for our facsimile machine, (907) 271-2817, will be effective January 11.

Advisory Panel Appointments for 1988

Five new members were appointed to the Council's Advisory Panel: Arne Aadland, President of the North Pacific Fishing Vessel Owners' Assn., Mark Earnest, a Western Alaska shorebased processor; Pete Granger, Executive Director of the American High Seas Fisheries Assn., Jon Rowley, owner of Fish Works! and a consultant to restaurants, retailers, and seafood companies; and Fred Zharoff, Alaska State Senator from Kodiak, Alaska.

Members reappointed to the Advisory Panel for another one-year term are:

Bob Alverson	Edwin Fuglvog	Dan O'Hara
Terry Baker	Ron Hegge	Ron Peterson
Al Burch	Pete Isleib	Richard White
Lamar Cotten	Rick Lauber	Dave Woodruff
R. Barry Fisher	Nancy Munro	John Woodruff

All 1988 Council Meetings will be Held in Anchorage

The Council will hold all five 1988 Council meetings at the Sheraton Hotel in Anchorage. The meeting dates reflect two changes from past schedules, the March and May meetings have been shifted to April and June to allow more time for preparation of documents required for Council decisions. Meetings are scheduled as follows:

<u>Scientific &amp; Statistical Committee</u>	<u>Advisory Panel</u>	<u>Council</u>
January 18-19	January 18-19	January 20-22
April 11-12	April 11-12	April 13-15
June 20-21	June 20-21	June 22-24
September 26-27	September 26-27	Sept. 28-30
December 4-5	December 5-6	Dec. 6-9

Plan Amendment Advisory Group to Meet on Groundfish

A meeting of the Plan Amendment Advisory Group is scheduled for January 4-5, 1988 at the Northwest and Alaska Fisheries Center, Room 2079, Building 4, beginning at 1:30 p.m. on the 4th. The Group will review groundfish amendment proposals for both the Gulf of Alaska and Bering Sea/Aleutian Islands Groundfish Fishery Management Plans. Following the meeting the Group's recommendations will be forwarded to the Council for their review. They will decide at the January Council meeting in Anchorage, which proposals should go forward for further analysis and public review during the 1988 amendment cycle. Final action is scheduled for June.

Upcoming Meetings

Council Groundfish Plan Amendment Regulatory Groups	January 4-5, 1988	Seattle, WA
Council, SSC & AP Meetings	January 18-22, 1988	Anchorage, AK
IPHC Conference Board	January 24, 1988	Sitka, AK
IPHC Annual Meeting	January 25-28, 1988	Sitka, AK
Marine Fisheries Advisory Com.	February 2-3, 1988	San Diego, CA
Pacific Salmon Commission Annual Meeting	February 13-19, 1988	Vancouver, BC
COMFISH AK - Trade Fair	March 18-20, 1988	Kodiak, AK
Alaska Board of Fish - Shellfish	April 15-22, 1988	Anchorage, AK

Future of Groundfish Management

The first meeting of the Future of Groundfish Management Committee was November 19-20 in Seattle. The Committee was formed by the Council to develop a recommendation by June 1988 on how the Council should manage the groundfish fisheries. The Committee established the following list of criteria for evaluating management alternatives:

1. Be as comprehensive as possible.
2. Stand the test of time, i.e., not need constant readjustment.
3. Provide stability for industry planning.
4. Have the flexibility to respond to resource fluctuations.
5. Prevent overcapitalization in the processing sector.
6. Assist in setting allocation issues.
7. Minimize the cost of management.

The next meeting of the Committee is December 17-18 at the Northwest and Alaska Fisheries Center in Seattle.

At the September meeting the Council adopted the Statement of Commitment on groundfish management that included the following provision:

". . . the Council will:

2. Develop a management strategy for the groundfish fisheries of the Gulf of Alaska and Bering Sea by 1990. Establish a workgroup to consider the need for and impacts of alternative management techniques for groundfish with a full analysis report due by the June 1988 Council meeting. [At the June 1988 meeting the Council will consider alternative cut-off dates beyond which new entry into the groundfish fisheries may not accrue credit should access limitation be implemented in the future. The alternative dates include, but are not limited to:

- (a) December 31, 1987
- (b) December 31, 1988
- (c) Date of final Council action."]

At last week's meeting the Council amended the section to read:

"At the June 1988 meeting the Council will consider alternative means to determine the extent to which various participants may accrue credit, including cut-off dates, participation credit, and other approaches, should access limitation be implemented in the future. The Council reserves the right to make retroactive application of such determinations, in whole or in part."

Specific dates in the original statement were dropped.

#### Halibut Management in Areas 4C and 4E

The Council considered several ways to continue allocation of some of the halibut catch in Regulatory Areas 4C and 4E to local residents. Last year the International Pacific Halibut Commission (IPHC) had established trip limits and vessel clearance requirements for nonlocal fishermen in Area 4C and vessel clearance requirements for nonlocal boats fishing in Area 4E. The Council chose to set the trip limits in Area 4C to 10,000 pounds for the first 50% of the catch limit and to 20,000 pounds thereafter. For Area 4E the Council established a 6,000-pound trip limit. In both areas the vessel clearance requirements were kept. They require nonlocal vessels to have their holds inspected in Dutch Harbor or Akutan between fishing periods. The Council also recommended a regulation in Area 4E which will prohibit nonlocal vessels from fishing in the area until local vessels have attained 80% of the area catch. These recommendations will be forwarded to the Secretary of Commerce for implementation by April 1988. The IPHC will consider them in Sitka on January 24-28. The Council has asked the IPHC to make changes to the Area 4C trip limits and fishing seasons, if necessary, to accommodate IPHC's otherwise conservation-based management regime.

Council Reaffirms Decision to Allow Pot Gear in the  
Gulf of Alaska for all Groundfish Except Sablefish

At the request of NMFS the Council reaffirmed its earlier decision to prohibit the use of pot gear only in the sablefish fishery in accordance with Amendment 14 to the Gulf of Alaska Groundfish Fishery Management Plan. The amendment, approved in 1985, prohibited the use of pots for sablefish in the Eastern Gulf and phased out the gear for that species in the Central and Western areas. It was and is their intention permit pot gear to be used for all other groundfish species.

U.S. Fishermen Monopolize Gulf for Second Straight Year

For the second year, in 1988 there will be no directed foreign fishing and very little joint venture groundfish fishing in the Gulf of Alaska, leaving the Gulf predominately a domestic fishery. The Council has acted on biological information and the continued expansion of domestic processing capacity to reduce or eliminate those participants.

The Council revised harvest limits for almost all of the groundfish species, with harvest levels (in metric tons) generally increasing as follows:

<u>Species</u>	<u>1987</u>	<u>1988</u>
Pollock	88,000	93,000
Pacific cod	50,000	80,000
Flounders	9,000	23,000
Sablefish	20,000	28,000
Rockfish	10,250	20,760

Harvest limits or total allowable catch (TAC) for each management area (Figure 1) are in Table 1 with Council-designated allocations to U.S. fishermen and processors (DAP) and to U.S. fishermen selling to foreign processors (JVP). The allocations were based on recent NMFS surveys of industry needs. Table 1 also shows the 20% reserve amounts held back for each species for release to DAP or JVP as the need arises.

Scientists believe that pollock biomass reached its lowest level in 1986 and that at least one strong year class will recruit into the fishery in 1988. Because of the high abundance of juvenile fish and uncertainties over recruitment strength, however, the Council chose a cautious management approach, increasing the Western/Central area TAC from 84,000 mt to 90,000 mt. The pollock TAC was reduced in the Eastern Gulf to 3,000 mt based on the results of the 1987 NMFS Triennial Stock Assessment Survey.

The Council has set, in the past two years, a 20,000 mt exploratory harvest quota for the Western and Central areas outside Shelikof Strait. This quota was available from January 15 to April 10 in an attempt to encourage fishing on suspected spawning concentrations outside Shelikof Strait. The April 10 closure was intended to minimize fishing mortality on the Shelikof stock as it dispersed. Six thousand metric tons of pollock was taken outside Shelikof Strait along the east side of Kodiak Island by domestic fishermen in 1987. The Council decided, however, that there was little reason to continue the exploratory quota in 1988; there was no public testimony supporting it.

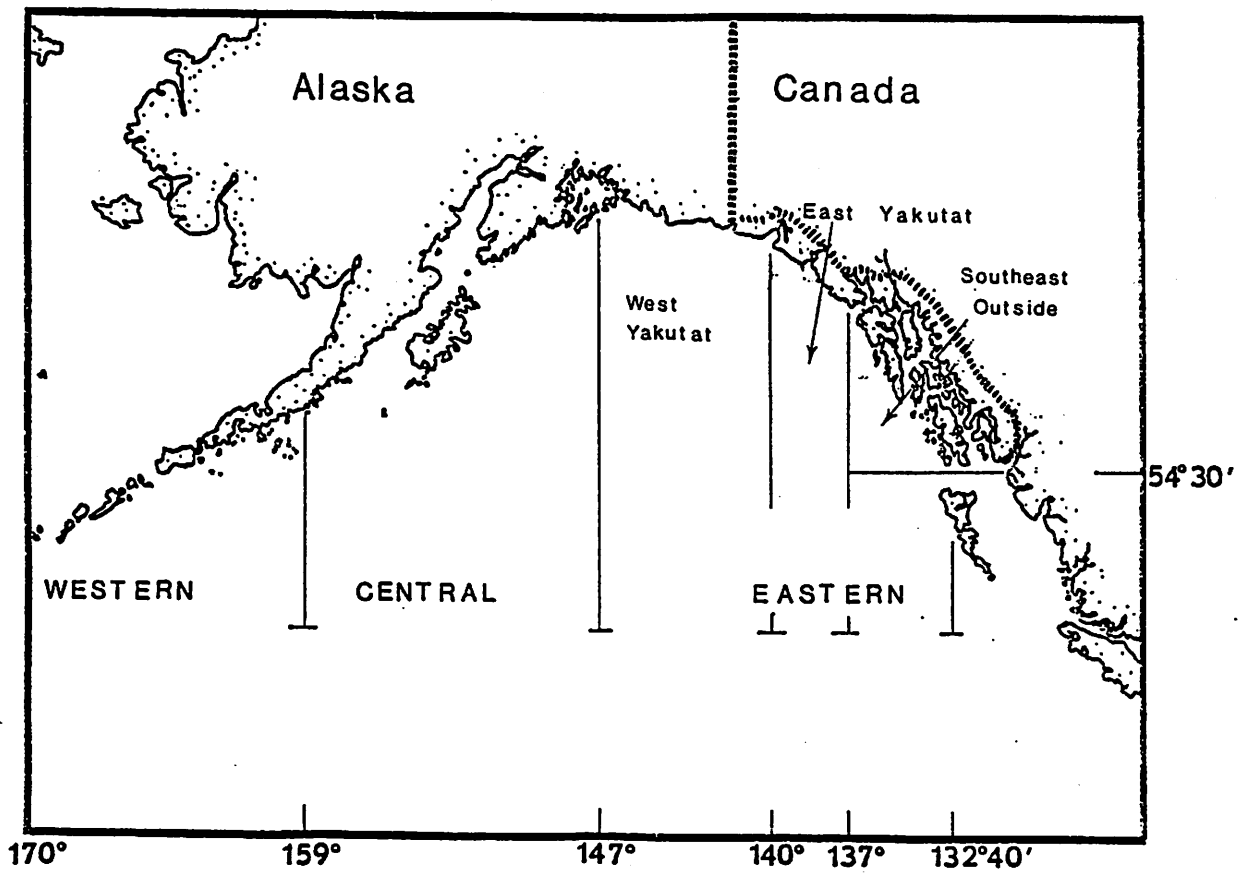


Figure 1.-- Regulatory areas of the Gulf of Alaska FMP

TABLE 1.--GULF OF ALASKA GROUND FISH 1988 ABC, TAC, DAP, JVP, TALFF, AND PSC ADJUSTED TO REFLECT RESERVES (IN METRIC TONS). 12/16/87

Species	Area	ABC	TAC	RESERVES 1 /				HALIBUT SUMMARY (2,000 mt mortality goal)				
				20% TAC	DAP	JVP	TALFF					
Pollock	W/C	90,000	90,000	18,000	72,000	0	0	Halibut PSC (Catch)				
	E	3,000	3,000	0	3,000	0	0	DAP JVP				
	Total	93,000	93,000	18,000	75,000	0	0	4,240 240				
Pacific Cod	W	19,000	19,000	3,800	13,000	2,200	0					
	C	73,000	60,800	12,160	48,640	0	0					
	E	7,000	200	0	200	0	0	BYCATCH REQUIREMENTS (Gulfwide)				
	Total	99,000	80,000	15,960	61,840	2,200	0					
Flounders	W	142,650	1,600	320	1,280	0	0	JVP -	Rockfish			
	C	538,280	21,300	4,260	14,300	2,740	0		Sablefish	Pel. Shelf	All Other	Pollock
	E	86,770	100	0	100	0	0		188	0	432	100
	Total	767,700	23,000	4,580	15,680	2,740	0					
Sablefish	W	5,075	4,060	-	4,060	0	0					
	C	15,680	12,540	-	12,540	0	0					
	W. Yakutat	6,125	4,900	-	4,900	0	0					
	E. Yak./S.E. Out.	8,120	6,500	-	6,500	0	0					
	Total	35,000	28,000	-	28,000	0	0					
Rockfish (Slope)	W	4,850	4,850	-	4,850	0	0					
	C	7,100	7,100	-	7,100	0	0					
	E	4,850	4,850	-	4,850	0	0					
	Total	16,800	16,800	-	16,800	0	0					
Rockfish (Pelagic Shelf)	W	550	550	-	550	0	0					
	C	2,350	2,350	-	2,350	0	0					
	E	400	400	-	400	0	0					
	Total	3,300	3,300	-	3,300	0	0					
Rockfish (Demersal Shelf)	S.E. Out.	n/a	660	-	660	0	0					
Thornyhead	GW	3,750	3,750	-	3,700	50	0					
Other Species	GW	n/a	12,426	2,485	9,940	0	0					
GULF OF ALASKA TOTAL		1,018,550	260,936	41,025	214,920	4,990	0					

1/ Reserves are only used in managing the pollock, Pacific cod, flounder, and other species categories in the Western and Central Regulatory Areas. Releases from reserves can be made as DAP or JVP needs arise.

Table 2.--Rockfish species in the genus Sebastes and Sebastolobus contributing to the rockfish assemblages adopted in Amendment 16 to the FMP.

Slope Rockfish

Aurora rockfish (Sebastes aurora)  
 Blackgill rockfish (S. melanostomus)  
 Chilipepper rockfish (S. goodei)  
 Darkblotch rockfish (S. crameri)  
 Greenstriped rockfish (S. elongatus)  
 Harlequin rockfish (S. variegatus)  
 Northern rockfish (S. polyspinus)  
 Pacific ocean perch (S. alutus)  
 Pygmy rockfish (S. wilsoni)  
 Red banded rockfish (S. babcocki)  
 Rougheyeye rockfish (S. aleutianus)  
 Sharpchin rockfish (S. zacentrus)  
 Shortbelly rockfish (S. jordani)  
 Shorttraker rockfish (S. borealis)  
 Splitnose rockfish (S. diploproa)  
 Stripetail rockfish (S. saxicola)  
 Vermilion rockfish (S. miniatus)  
 Yellowmouth rockfish (S. reedi)

Thornyhead Rockfish

Longspine thornyhead (Sebastolobus altivelis)  
 Shortspine thornyhead (S. alascanus)

Demersal Shelf Rockfish

Boccacio (Sebastes paucispinus)  
 Canary rockfish (S. pinniger)  
 China rockfish (S. nebulosus)  
 Copper rockfish (S. caurinus)  
 Quillback rockfish (S. maliger)  
 Redstripe rockfish (S. proriger)  
 Rosethorn rockfish (S. helvomaculatus)  
 Silvergray rockfish (S. brevispinus)  
 Tiger rockfish (S. nigrochinctus)  
 Yelloweye rockfish (S. ruberrimus)

Pelagic Shelf Rockfish

Black rockfish (Sebastes melanops)  
 Blue rockfish (S. mystinus)  
 Dusky rockfish (S. ciliatus)  
 Widow rockfish (S. entomelas)  
 Yellowtail rockfish (S. flavidus)



Pacific cod and flounder TACs were increased Gulfwide to 80,000 mt and 23,000 mt, respectively, to accommodate growing domestic fisheries. Sablefish stocks continue to rebuild and are believed to be above maximum sustainable yield (MSY) levels. The TAC was increased to 28,000 mt and distributed among the five management districts based on biomass distributions in the 400-1,000 meter depth zone.

Most stocks of rockfish appear to be stable or increasing in abundance and recovering from a period of overharvest in the 1960s. Beginning in 1988 rockfish will be managed using an assemblage approach based on species distribution. The total rockfish quota has been increased to 20,760 mt Gulfwide, which is broken down by assemblage (where necessary) and management area. A list of the Gulf of Alaska rockfish species by assemblage is provided in Table 2.

The Council used the halibut bycatch framework in the fishery management plan to set nonretainable PSC limits of 4,280 mt halibut for DAP and 240 mt for JVP fishermen, which will result in an actual halibut mortality of about 2,000 mt. If the halibut PSC limit is reached, the Council intends that on-bottom trawling end for the rest of the year unless new information indicates lower bycatch rates.

Finally, as last year, sablefish and rockfish were identified as fully U.S. utilized fisheries (i.e., domestic harvesting and processing capacity exceed TAC). Pollock was also added to the list. The Council provided nonretainable bycatch amounts of fully utilized species to joint ventures as follows:

Sablefish	188 mt
Rockfish	432 mt
Pollock	100 mt

Bering Sea/Aleutian Islands TAC Remains at 2.0 Million Metric Tons

Groundfish stocks in the Bering Sea and Aleutian Islands are generally healthy and stable, with the exception of Greenland turbot and rockfish (including Pacific ocean perch). The plan team and SSC agreed, within 13,000 mt, that the total allowable biological catch (ABC) of the BS/AI groundfish complex exceeds 2.86 million metric tons. Consequently, several joint venture representatives have renewed their efforts to have the Council raise the upper limit of the optimum yield (OY) range above the current 2.0 million metric ton cap. At the December meeting the Council entertained motions to amend the OY range in the BS/AI groundfish FMP by emergency rule and by a fast-track amendment process, but these motions failed.

Raising the OY cap is not a new issue, but was addressed during this past year's amendment cycle. After a draft environmental and economic assessment was prepared the Council voted in May 1987 not to proceed with the proposed amendment. Additionally, in September 1987, after the draft Resource Assessment Document (RAD) indicated that total ABCs might exceed 2.8 million mt and the SSC estimated that ABCs may be even higher, Chairman Campbell asked the Council if it wished to take action to raise the cap, but no motion was made.

A reevaluation of the OY range will now occur during the regular 1988 plan amendment cycle, beginning with a meeting of the Plan Amendment Advisory Group on January 4-5, 1988 to outline the extent and depth of analysis required to address the issue and to consider whether an environmental assessment or more expansive environmental impact statement will be required.

Bering Sea/Aleutian Islands Apportionments  
Still Favor JVP But DAP is Gaining

Domestic processor (DAP) requests were all satisfied within the 2.0 million metric ton cap on groundfish catch (TAC) in the BS/AI, except for Greenland turbot where DAP exceeds the acceptable biological catch (ABC). Remaining portions of the TAC were apportioned to joint ventures (JVP). Reserves account for 300,000 mt, DAP 792,520 mt, and JVP 907,480 mt (Table 3) out of the total 2 million mt.

Amendment 11 to the BS/AI Groundfish FMP calls for a split-season apportionment of JVP pollock releasing 40% of initial JVP and reserves from January 15 to April 15. With an initial pollock JVP of 490,838 mt and reserves of 195,000 mt, the first season apportionment of JVP pollock is 274,335 mt. If caught before April 15 the JVP fleet must cease fishing for pollock until the second period opens on April 16. The first period JVP for pollock in the Aleutians where similar rules apply is set at 16,336 mt.

The joint ventures were concerned about getting sufficient amounts of other flatfish to accommodate bycatch needs in the yellowfin sole fishery. The Council used a bycatch rate of 45% to calculate the other flatfish required by joint ventures while fishing for yellowfin sole, which is below the 54% experienced before 1987, but substantially above the 19% experienced in 1987. In addition, DAP requests for other flatfish, presumably driven by potential markets for roe-bearing rock sole, were satisfied bringing the total TAC for other flatfish to 131,369 mt. In January the Council will consider whether to recommend a permit restriction that would prohibit joint ventures from targeting rock sole for some part of the year.

Joint Ventures Approved for 1988

Joint venture requests totaling just under 2 million mt were received from Japan, Korea, the USSR, China, Poland and Iceland. Only about 1.2 million mt will be available in 1988, the bulk of it in the Bering Sea and Aleutians. All requests were approved contingent on the following permit conditions and restrictions:

1. Yellowfin sole and Other flounder joint ventures in the Bering Sea and Aleutians must comply with a bycatch plan formulated by an industry workgroup. It contains guideline bycatch rates for red king crab and *C. bairdi* Tanner crab that will encourage individual operators to fish more cleanly next year. It represents a consensus of all joint ventures anticipating flounder operations in the eastern Bering Sea. Copies of the plan are available from the Council office.

TABLE 3.--BERING SEA / ALEUTIAN ISLANDS GROUNDFISH: Council Recommendations for 1988 Groundfish ABC, TAC, DAP, JVP, and Reserves (all in metric tons).

Species	Area	1987		Council Recommendations for 1988					Initial Reserve Release
		ABC	TAC	ABC	TAC	Reserves 1/	DAP	JVP 2/	
Pollock	BS	1,200,000	1,200,000	1,500,000	1,300,000	195,000	614,162	490,838	0
	AI	100,000	88,000	160,000	45,000	6,750	4,160	34,090	0
Pacific cod		400,000	280,000	385,300	200,000	30,000	87,416	82,584	0
Yellowfin sole		187,000	187,000	254,000	254,000	38,100	26,356	189,544	0
Greenland turbot		20,000	20,000	14,100	11,200	1,680	9,520	0	31
Arrowtooth flounder		30,900	9,795	99,500	5,531	830	3,808	893	0
Other flatfish		193,300	148,300	331,900	131,369	19,705	26,403	85,261	0
Sablefish	BS	3,700	3,700	3,400	3,400	510	2,890	0	37
	AI	4,000	4,000	5,800	5,000	750	4,250	0	47
Pacific ocean perch	BS	3,800	2,850	6,000	5,000	750	4,250	0	28
	AI	10,900	8,175	16,600	6,000	900	5,100	0	441
Other rockfish	BS	450	450	400	400	60	340	0	30
	AI	1,430	1,430	1,100	1,100	165	935	0	228
Atka mackerel		30,800	30,800	21,000	21,000	3,150	80	17,770	0
Squid		10,000	500	10,000	1,000	150	850	0	25
Other species		49,500	15,000	54,000	10,000	1,500	2,000	6,500	0
BS/AI TOTAL		2,245,780	2,000,000	2,863,100	2,000,000	300,000	792,520	907,480	867

1/ Each species TAC is reduced by 15% to provide for 300,000 tons of nonspecific reserves; 867 tons of reserves will be immediately released to JVP for bycatch.

2/ JVP for pollock is apportioned over two seasons: Part One for BS equals 274,335, for AI equals 16,336; Part One is applicable to Jan. 15 to April 15.

2. Joint ventures for flounders in the Gulf of Alaska must agree to comply with a bycatch plan similar to, but not necessarily identical to, that submitted by the Kodiak and Western Trawl Group for 1987. This plan is also available from the Council office, and the Council anticipates that these joint ventures will provide valuable data on halibut and crab bycatch composition.
3. Any foreign fishing vessel participating in joint ventures in the U.S. Exclusive Economic Zone and fishing in the international waters of the Bering Sea in the same calendar year must agree to take an observer into the international waters of the Bering Sea if requested by the U.S. government. This condition was approved after considerable discussion of the importance of receiving catch information on all species taken in the "donut hole" and their potential impacts on U.S. fisheries. Representatives of Poland specifically offered to take observers into the international waters, at NMFS expense, in return for joint venture approval.

As in the past, all joint ventures will fish from a common pool for each species without specific allocations to countries or companies.

#### Pilot Domestic Fishery Observer Program Needs You!

The Council's pilot program to place observers on volunteer domestic groundfish vessels began in September. The program covers all segments of the fleet--longliners, trawlers, pot boats--fishing the Gulf of Alaska and Bering Sea and Aleutians. Four observers, hired by the program administrator, Alaska Sea Grant, and trained at the National Marine Fisheries Service Northwest and Alaska Fisheries Center, caught rides out of Dutch harbor and Kodiak. The Council greatly appreciated the assistance of the vessels that volunteered, the MARGARET LYNN, PEGGY JO, VANGUARD, ARCTURUS, ELIZABETH F, AND MAR DEL NORTE, all trawlers delivering shoreside, and the OCEAN ENTERPRISE, a factory trawler working pollock in the Bering Sea.

There have been many lessons learned from the first months of the observer program, but no problems that appear to be insurmountable. Insurance problems related to taking an observer are being ironed out as vessel owners and their insurance agents become more familiar with the program. Alaska Sea Grant has scheduled a meeting for the afternoon of January 11 in Seattle to explain the observer program to marine insurance agents and brokers and vessel association representatives and to resolve any concerns. Please contact Craig Wiese at (907) 274-9691 for details on the meeting.

Another lesson learned is that there needs to be lots of advance planning between Sea Grant and the vessel owners to work out not only insurance issues, but questions about logistics, communications, and accommodations, including any special concerns over sleeping berth availability, sampling equipment and space, and observer movement about the vessel during haul-back operations. Dave Edick, a seasoned observer, has been hired by Sea Grant to contact vessel owners over the next six to eight weeks to resolve these concerns and round up volunteers to take observers.

Next year's program will emphasize coverage in the Gulf of Alaska of domestic longlining and trawling for sablefish, trawling for pollock in Shelikof Strait, and rockfish. In the Bering Sea and Aleutians, trawling for rock sole and all gears for the spring cod fishery will be emphasized.

The Council is still looking for volunteer vessels. You can get in touch with us by calling David Edick at (206) 328-5485 or Brenda Melteff at (907) 474-7086. In the long run, the voluntary program will pay off with comprehensive biological and catch information for better management.

#### Crab FMP on New Schedule

The Crab Plan Team and the SSC met in late November to incorporate better justification into the draft FMP for some of the specific management measures proposed. Because the plan team has had to concentrate on the FMP itself, only a very preliminary version of the associated environmental assessment and regulatory impact review (EA/RIR) has been developed and it will not be ready for public review at the January Council meeting. Therefore, the Council agreed with a suggestion to delay release of the crab FMP until the April Council meeting, at which time they will be able to evaluate the draft EA/RIR as well.

If the Council approves release of the Bering Sea/Aleutian Islands Crab FMP and EA/RIR for public review in April, then the revised schedule calls for final Council action on the plan at the meeting in June, Secretarial review until sometime around November, and implementation of the plan and regulations in December 1988.

#### Domestic Groundfish Processing For 1987

By early December the U.S. industry had harvested and processed 305,597 mt of groundfish off Alaska. The catch included 175,586 mt pollock, 7,934 mt Greenland turbot, 15,955 mt other flounders, 61,771 mt Pacific cod, 6,783 mt Pacific ocean perch, 4,884 mt rockfish, and 30,142 mt sablefish. These figures do not include joint venture harvests by U.S. trawlers delivering to foreign processing vessels in over-the-side sales off Alaska. NMFS projects the domestic annual processed (DAP) harvest will reach 348,000 mt by the end of 1987, greatly exceeding past years' performance: 139,859 mt in 1986, 133,242 mt in 1985, 49,851 mt in 1984; 50,710 mt in 1983; 26,491 mt in 1982; 20,672 mt in 1981; 11,023 mt in 1980 and less than 10,000 mt in earlier years.

#### Joint Ventures in 1987

In 1987 there were over 25 different joint venture company arrangements employing over 110 U.S. trawlers off Alaska. Their total catch through late November was 1,378,454 mt. In the Gulf of Alaska they harvested 22,822 mt pollock, 7,477 mt flatfish, and 2,116 mt Pacific cod. In the Bering Sea and Aleutians, the harvest was 1,033,129 mt pollock, 36,077 mt flatfish, 181,441 mt yellowfin sole, 57,691 mt Pacific cod, and 30,029 mt Atka mackerel. This year's joint venture catch increased over previous years: 1,226,088 mt in 1986, 883,568 mt in 1985, 581,168 mt in 1984; 350,901 mt in 1983; 179,556 mt in 1982; 95,501 mt in 1981; 33,425 mt in 1980 and 1,507 mt in 1979.

Foreign Fisheries in 1987

By early December the foreign fleets in the Bering Sea and Aleutians harvested 48,765 mt which was 79% Pacific cod, 11% flatfish, 2% Greenland turbot, and 8% other species. NMFS projects a total foreign catch of 78,915 mt in 1987, greatly reduced from the 487,000 mt taken in 1986.

U.S. Coast Guard and Enforcement Effort for 1987

U.S. Coast Guard enforcement efforts for 1987, through November 30, have totaled 540 cutter days and 1,416 aircraft patrol hours. Coast Guard ships and aircraft have patrolled over 15 million square miles of ocean in the Bering Sea, Gulf of Alaska, and North Pacific Ocean. To date, a total of 59 notices of violation and written warnings have been issued, 48 to foreign and 11 to U.S. fishing vessels operating off Alaska.

The most significant Magnuson Act enforcement actions since the last Council meeting include the seizure of 6,646 lbs of sablefish from the U.S. longliner MARY ELLEN for fishing in a closed area and the seizure of 44,871 lbs of sablefish from the U.S. stern trawler REBECCA IRENE for targeting sablefish in a closed area. The REBECCA IRENE was arrested later and released on \$500,000 bond pending trial.

For the longline halibut fisheries, U.S. Coast Guard efforts totalled 83 cutter days and 311 aircraft patrol hours. Seventy-one longliners were boarded. Two of the most significant enforcement actions included seizure of the MINNOW and its 84,000 lb catch for fishing before the season opened, and seizure of 29,925 lbs of halibut from the CONSTITUTION for not maintaining a catch log, having an automatic hook remover aboard, and not marking longline buoys.

In November USCGC STORIS boarded many uninspected U.S. fishing vessels in Dutch Harbor and found numerous licensing, documentation, and measurement violations. ALASKA HERO was boarded on November 13 and detained for operating without the required number of U.S.-licensed officers aboard. The vessel was released when properly licensed officers were hired.

The AMALASKA II, NORPAC I, NORPAC II, NORPAC III, and BERING I were boarded November 16-19. All vessels had been in South Korean shipyards for conversion/refit work which had altered the structure/tonnage of all vessels. There were various tonnage, admeasurement, licensing and pollution violations on all vessels. Fraudulent use of documents was suspected in each case because invalid documents were presented by vessel masters to U.S. customs agents for purposes of U.S. port entry clearance. On November 20, the UYAK I (formerly STATE REBEL) was boarded in Kodiak. Tonnage/admeasurement violations due to conversion of ballast tanks to fish holds were discovered. All vessels were ordered not to operate until they complied with admeasurement and documentation laws of the U.S. The licensed masters of AMALASKA II, NORPAC II, and NORPAC III were charged and hearings will be held to determine if their license should be suspended or revoked.

The NORTHWEST ENTERPRISE was boarded by STORIS on November 21. The vessel had been converted in 1983 in Seattle from a crabber to a catcher/processor. Vessel structure/compartments use had been changed since conversion and tonnage/pollution violations were noted. The vessel was detained and later released because it had been readmeasured after the conversion. Tonnage opening violations are pending.

From the number of violations discovered, it appears that vessel licensing and documentation laws are being disregarded by some of the domestic trawler fleet. This appears to be especially true of vessels which have been converted from offshore supply vessels to fishing vessels. Frequently, this conversion raises the gross tonnage above 200 gross tons and subjects the vessels to licensing requirements of the Officer's Competency Certificates Convention, 1936. In some of the cases major alterations to ballast systems indicate a lack of concern for vessel safety.

### Legislative Update

#### User Fees

Congress has not yet acted on H.R. 3341, the "Fisheries Research Funding Act of 1987" introduced by Rep. Don Young on September 23. The bill would impose fees on both commercial harvesting and processing vessels operating in the EEZ and require a fishing license for recreational fishing. The fee schedule is:

- Harvesting Vessel - \$45 per vessel annually
- Processing Vessel - \$2 per ton of fish purchased by the vessel for processing within the EEZ
- Recreational Fishing License - \$15 annually for anyone 16 and over

The fees are to be collected by the Secretary of Commerce, deposited into a Fisheries Research Fund, and distributed annually as follows:

1. 25% to the Regional Fishery Councils
2. 10% to the Pacific Marine Fisheries Commission
3. 10% to the Atlantic States Marine Fisheries Commission
4. 5% to the Gulf States Marine Fisheries Commission
5. 50% to NMFS

#### National Oceans Policy Commission

The House approved H.R. 1171 creating a National Oceans Policy Commission on September 29. The 17-member Commission is to make recommendations to Congress and the President on a comprehensive oceans policy for the U.S.

The Senate hasn't acted on S. 562, introduced by Senator Weicker (R. Conn.) in February, creating a panel similar to that of H.R. 1171 but titled the National Marine Policy Commission.

#### Vessel Safety

The House Merchant Marine and Fisheries Committee, Subcommittees on Fisheries and Wildlife Conservation and the Environment, and Coast Guard and Navigation marked up H.R. 1841, the "Commercial Fishing Industry Vessel Safety and

Compensation Act of 1987" on October 22. The bill sets safety and equipment standards for commercial fishing, fish processing, and fish tender vessels; and provides a compensation schedule for seamen who suffer losses from a temporary illness or injury on a fishing, fish processing, or fish tender vessel.

It also establishes a commercial fishing industry vessel advisory committee to advise the Secretary of Transportation on safety matters and requires the Secretary to establish a plan within 18 months of the bill's enactment for inspecting fish processing vessels and, within two years, a plan for licensing operators of documented fishing, fish processing, and fish tender vessels.

### Seafood Inspection

Senator Pat Leahy (D. Vt.) introduced S. 1813, the "Safe Foods Standards Act of 1987", on October 23, intended to improve the inspection of meat, poultry and fish. The bill requires the Secretary of Commerce to develop a program of testing for "pathogenic micro-organisms" in "statistically selected samples of fish or fish products intended for human consumption." The samples may be taken from fish harvesters or processors.

It also authorizes the Secretary of Commerce to establish a water quality monitoring program to determine the effects of pollutants on fish harvested for human consumption and any causal connections between those fish and food-borne illnesses.

### Plastics Pollution

The Senate ratified Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL) on November 5, which governs at-sea disposal of plastics and other garbage. Four bills have been introduced this year that would implement Annex V: S. 560, S. 663, S. 1562, and H.R. 940.

On October 13 the House passed and sent to the Senate H.R. 940, the "Marine Plastic Pollution Act of 1987." Title I of that bill implements Annex V, Title II calls for marine pollution studies, and Title III reauthorizes the National Sea Grant Program.

The House bill was referred to the Senate Commerce and Environment and Public Works Committees. On November 19, the Senate Commerce Committee adopted the provisions of H.R. 940 regarding Annex V but deleted Titles II and III of the bill. The Commerce Committee also added language that requires the Secretary of Commerce, in consultation with the Secretary of Transportation, to conduct a three-year public education program regarding the harmful effects of plastics in the marine environment.

### High Seas Driftnets

As reported in September, the House deleted that portion of H.R. 940 that addressed entanglement and pollution problems associated with the use of high seas driftnets. On October 29, Representatives Gerry Studds and Don Young introduced H.R. 3554, the "Driftnet Impact Monitoring Assessment and Control Act of 1987." The new House bill calls for the Department of State to negotiate monitoring and enforcement agreements with foreign countries whose



fishermen use driftnets in the North Pacific north of 35°N latitude. If the foreign country fails to enter into a monitoring agreement within one year of the bill's enactment, permits for directed fishing in the U.S. EEZ may be denied that country. If a country fails to enter into a monitoring agreement within two years of the bill's enactment, joint venture permits for that country may be denied. If a foreign country has failed within one year of the bill's enactment to enter into an enforcement agreement they will be certified under Section 8(a) of the Fishermen's Protective Act and may be prohibited from exporting fishery products into the U.S. The Secretary is also required to report to Congress on the effects of driftnet fishing on marine resources of the U.S.

The House Subcommittee on Fisheries and Wildlife Conservation and the Environment passed the bill on November 4. The House Committee on Merchant Marine and Fisheries is expected to act on the legislation within the next two weeks.

On November 19, S. 62, Senator Stevens' driftnet bill, was reported out of the Senate Commerce Committee with substantial amendments. Originally, the bill contained the following provisions:

As reported out of Committee, S. 62 requires the Secretary of Commerce to: (1) report to Congress on the impacts of driftnets on marine life, (2) develop recommendations on a driftnet marking and registration system and the use of biodegradable materials, and (3) implement a bounty system. As amended, the bill requires the Secretary of Commerce to negotiate, through the Secretary of State, monitoring and enforcement agreements with foreign countries whose fishermen fish with driftnets in the "North Pacific off the coasts of the U.S." and take living marine resources of the U.S. Failure by a foreign country to enter into an enforcement agreement within one year of the bill's enactment will result in certification under Section 8(a) of the Fishermen's Protective Act.

#### Marine Sanctuaries Restoration Act of 1987

Representative Studts introduced H.R. 3640 on November 10, a bill that amends the Marine Protection, Research and Sanctuaries Act, to impose liability on those who cause damage to the resources of a national marine sanctuary and clarifies the authority of NOAA to recover for those damages. Recovered funds are to be deposited into a special account rather than the general fund and used to restore the affected marine sanctuaries.

#### Reflagging

The House passed and forwarded to the Senate H.R. 2598, the "Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987", on November 9. It was the original intent of the Senate Commerce Committee to offer an amendment as a substitute to the House bill. The Senate substitute would not contain the House bill's provision that fishing, fish processing or fish tender vessels applying for documentation after July 28, 1987 and owned by U.S. corporations with less than 51% ownership by American citizens would be ineligible for U.S. registry.

A hold has been put on the bill in the Senate because some Senators intend to offer an amendment that would include the American ownership requirement. Others have objected to this move and the matter is currently at an impasse.

The Administration, in a Statement of Administration Policy issued during the House consideration of H.R. 2598, objected to the ownership provision. OMB has indicated that it will recommend the President veto the bill if it passes with that provision.

The temporary moratorium on reflagging foreign processing vessels expired on November 15.

#### Japanese GIFA

The current GIFA with Japan expires on December 31. H.R. 3674, the House bill that provides for Congressional approval of the new GIFA, will be considered by the House Fisheries and Wildlife Subcommittee on December 9 and by the House Merchant and Marine Fisheries Committee on December 16. Some in the House are considering attaching H.R. 3584 - the driftnet bill, H.R. 940, the Plastics Pollution bill, and Sea Grant Reauthorization to H.R. 3674 before it is sent to the Senate.

#### Executive Order 12612

On October 26, 1987 the President signed an Executive Order which restates fundamental federalism principles and:

1. Establishes federalism criteria for agencies to follow when formulating and implementing policy.
2. Limits federal agency preemption of state laws.
3. Prohibits submission of proposed legislation which is not in accord with federalism principles.
4. Requires the preparation of a "Federalism Assessment" for federal actions having sufficient federalism implications.
5. Directs OMB to ensure that the policies of executive agencies are consistent with the principles, criteria and requirements of the order.

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From the Council staff to all of you, HAPPY HOLIDAYS!!!

