

North Pacific Fishery Management Council

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NEWSLETTER

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Groundfish Amendments, Future of Groundfish, and Crab Plan Highlight Meeting

At its January 16-19 meeting the Council screened 43 proposed changes to the Gulf of Alaska and Bering Sea/Aleutian Island Groundfish Fishery Management Plans and forwarded 12 to the plan teams for development and analysis. The Council will review the draft amendments in April and decide which to send out for public review. Final action is scheduled for June. The Council also reviewed Future of Groundfish Committee recommendations from last June and decided to press on with development of alternative long-term management options not only for groundfish, but for halibut and crab as well. The Council sent a strong signal to industry that January 16, 1989 may be used as a benchmark for determining qualification should the Council choose to implement limited access in the groundfish, halibut, or crab fisheries. The Council intends to take public testimony before approving January 16, 1989 or some other cut-off date at the April meeting.

The Council petitioned the U.S. Secretary of Commerce to immediately implement an observer program in domestic fisheries to provide critical information required for effective conservation and management of the fisheries. The Council also approved a Bering Sea/Aleutian Islands King and Tanner Crab Fishery Management Plan which defers management to the state with federal oversight. Details of these and other Council actions can be found in this newsletter. The Council next meets the week of April 10 in Anchorage.

SSC and AP Elect Officers for 1989

The Scientific and Statistical Committee and Advisory Panel re-elected their current officers for the coming year. Drs. Richard Marasco and Douglas Eggers continue as Chairman and Vice Chairman of the SSC and Nancy Munro and John Woodruff will continue as Chairman and Vice Chairman of the AP.

Dr. Marasco is Director of the Resource Ecology and Fisheries Management Division of the Northwest and Alaska Fisheries Center in Seattle. Dr. Eggers is the Chief Fisheries Scientist with the Alaska Department of Fish and Game in Juneau. Ms. Munro is owner of Saltwater Inc. in Anchorage and Mr. Woodruff is manager of Icicle Seafoods in Seward, Alaska.

Halibut Commissioners and Council Discuss Long-Term Management

Meeting jointly the International Pacific Halibut Commission and the North Pacific Council agreed on the need to examine alternatives to the current management of halibut fisheries off Alaska. The Commissioners cited a series of problems that have resulted from open access to the fishery and expressed concern over their ability to continue to protect halibut stocks as fishing effort grows. The Council agreed to develop and analyze options for limiting access to the halibut fishery and to meet at least annually with the Commission.

The Commissioners and Council members also agreed to leave implementation of a new set of early fishing periods in Regulatory Area 4B (Aleutian Islands) up to the IPHC, which will set those and other halibut regulations at their annual meeting January 24-27 in Vancouver. The IPHC hopes to fulfill their own conservation goals with these early seasons, while facilitating the Council's intended allocation objective to provide enhanced opportunities for local fishermen in Atka.

Longline Sablefish Management

In early January, the Sablefish Management Committee met in Anchorage to prepare a list of necessary decision points and sub-options for the further development of Individual Fishing Quota (IFQ) and License Limitation systems. The Council reviewed the Committee recommendations and noted those options they wished to consider further for longline sablefish management. In addition, the Council agreed upon a list of concerns which any limited access system should address. No new cut-off dates or moratorium were adopted by the Council for the sablefish longline fishery. However, the Council did note that, at best, only landings data through 1988 could be used in analyzing the alternatives. This indicates that fishermen entering the fishery for the first time in 1989 may not be included in the analysis of limited access alternatives.

The proposed time schedule for developing alternative management systems for the sablefish longline fishery is as follows:

1989	April	Council refines options.
	June	Council makes final choice of options.
	September	Council approves document for public review.
	October	Public review.
	December	Final Council decision.
1990	January	Review by U.S. Secretary of Commerce.
1991	January	Implementation of alternative system.

Council Sets Tentative Cut-off Date for Groundfish, Halibut and Crab Fisheries

The Council took tentative action to establish a cut-off date of January 16, 1989, after which vessels not "in the pipeline" may or may not be considered by the Council as eligible for participation in any future limited access system for the groundfish, crab, and halibut fisheries under the Council's jurisdiction.

For the purposes of the cut-off, a vessel "in the pipeline" is defined as one which:

- (a) is currently participating in any fishery under the Council's jurisdiction, e.g. catcher/processor, independent trawler, longliner, pot vessel, etc;
- (b) is under construction or has recently been constructed with full intent to operate in the fisheries under the Council's jurisdiction; or
- (c) a major investment (e.g., 20 percent of the delivered cost) has been made to design, construct and operate in the fisheries under the Council's jurisdiction.

The North Pacific Fishery Management Council intends to take public comment at its April meeting on all aspects of the above proposal prior to taking final action. If the Council adopts a cut-off date at the April meeting the action would be part of any management regime brought before the public for further comment. After public comment the Council could adopt, amend, or reject the plan as appropriate.

In addition, the Council expanded the terms of reference of their Sablefish Management Committee to include all groundfish, halibut and crab species under the Council's jurisdiction in the Bering Sea and Aleutian Islands and the Gulf of Alaska. The committee, along with Council staff and appropriate contracted organizations, will develop a management scenario for each of three alternatives--status quo, license limitation and individual fishing quotas. These scenarios would address the major factors which must be considered in implementing any management plan, such as qualifications criteria for any allocation of licenses or quotas, duration and transferability, nationality and concentration of ownership, and administration and enforcement and their cost.

The Council will be refining the management options throughout 1989 and early 1990. Final action is scheduled on halibut in April 1990 and on groundfish and crab in December 1990. After the required Secretarial Review period, a new system could be in place for halibut in 1991 and for groundfish and crab in 1992. As noted earlier, potential management changes in the sablefish longline fishery are on a different schedule, with a final decision scheduled this December and implementation in January 1991.

Public Comments Desired

In taking the above action to establish a tentative cut-off date, the Council stated its intent to take public comment and then final action at their next meeting, the week of April 10. Written comments on the cut-off date and the preliminary definitions of vessels "in the pipeline" should be submitted to the Council office by March 10, 1989. There will be additional opportunities for comment at the April Council meeting.

Council Requests Secretary to Implement Domestic Observer Program

After considering the growing critical shortage of fishery data from the domestic fleet, the Council made the following declaration:

"The North Pacific Council finds that the lack of observer data and oversight for domestic fisheries in its zone of jurisdiction in the Gulf of Alaska and Bering Sea is preventing the Council from meeting its obligation under the Magnuson Fishery Conservation and Management Act (MFCMA) to prepare management plans which will provide, on a continuing basis, the optimum yield from the fisheries and to manage the fisheries under its jurisdiction in a manner which complies with the conservation intent and requirements of the MFCMA. The Council petitioned the Secretary of Commerce to direct NOAA Fisheries to prepare and implement an observer program and provide the necessary fiscal resources to correct this deficiency in the most expeditious manner possible."

To lead the development of an observer program, the Council charged its expanded observer committee to oversee development of an amendment to the groundfish FMPs. The committee will consider all existing programs and reporting requirements and provide for a comprehensive data gathering program, including the use of observers for monitoring purposes as well as for collecting biological information. A technical group comprised of agency representatives and scientists will prepare the amendment, interacting with the Council and its committee as necessary.

In addition, the Council requested that the Secretary utilize his authority as provided by recent amendments to the Marine Mammal Protection Act to require marine mammal observers to also collect fishery information.

Council Approves Bering Sea/Aleutian Islands Crab Plan for Secretarial Review

The Council approved the Bering Sea/Aleutian Islands King and Tanner Crab Fishery Management Plan and supporting documents for Secretarial review and implementation. The plan culminates a 10-year effort by the Council to address the concerns of various user groups while at the same time acknowledging over 20 years of management of crab by the State of Alaska. It provides for the State of Alaska Board of Fisheries to take the lead in crab management but reserves oversight responsibility to the Council and Secretary of Commerce to ensure that regulations comply with the Magnuson Fishery Conservation and Management Act and other federal law.

During the meeting the Council specifically addressed how much flexibility the State should have in setting pot limits, registration areas, and closed waters. The State had requested that these measures be frameworked to increase their flexibility, rather than require a formal plan amendment. The Council concurred with this position, especially considering the framework criteria, federal oversight, and appeals procedure incorporated in the plan. The Council also restated its desire to allow the State to continue to conduct its own observer program. The new crab plan will be forwarded to the Secretary for review by late-February and should be implemented by August 1989. The Council acknowledged that plan approval will increase management costs for the State of Alaska and strongly feels these additional marginal expenses should be absorbed by the Federal Government.

Bycatch Amendment for BS/AI Trawl Fisheries Reaffirmed

The Council, upon advice from NOAA General Counsel, revisited their decision in December to approve proposed Amendment 12a to the Bering Sea/Aleutian Islands groundfish plan which set prohibited species catch (PSC) limits on the incidental harvest of C. bairdi Tanner crab, red king crab, and Pacific halibut by groundfish trawl fisheries. The trawl fisheries are partitioned into four groups based on their being fully U.S. utilized (DAP) or joint venture (JVP) fisheries, and whether they are targeting flatfish or other groundfish species. Various area closures take effect when bycatch allowances are reached.

Following a review of several model simulations of possible impacts of bycatch limits on the groundfish fleet, the Council discussed less quantifiable, but likely, changes in fleet behavior that may promote reductions in bycatch without the costs associated with area closures. The Council reaffirmed its approval of Amendment 12a and, until the regulations can be implemented, asked the Secretary of Commerce to use his authority to monitor the groundfish fishery and its bycatch of crabs and halibut and take action as necessary to keep the bycatch within the prescribed limits and yet allow the fishery to take its directed harvest to the greatest extent possible.

Representatives of the trawl fleet have indicated a willingness to voluntarily comply with closure of an area between 160° and 162° W., south of 58° N. (to protect red king crab), until an emergency rule can be implemented. A recent Coast Guard flight observed no trawling activity in the proposed closed area. NOAA Fisheries is still expected to develop a more comprehensive bycatch management proposal and present it to the Council in June or September, to be effective for 1990 and beyond.

Revisions to Directed Fishing Definitions Confirmed

The Alaska Region of NOAA Fisheries reported that, because of concerns with conservation and enforcement, they had not approved a Council recommendation from last June to enforce definitions of directed fishing on the basis of retention rather than the catch composition of each tow. However, on the basis of additional public testimony, particularly regarding the difficulty in assuring that the composition of any single tow would be within the required bycatch limits, the Council voted to reaffirm their earlier action and NOAA Fisheries agreed to move forward with that approach for enforcement in 1989.

The Council also approved a regulatory amendment to follow through on emergency action taken in December 1988 to reduce the allowable percentage of sablefish that may be retained when the directed fishery for sablefish is closed in the Bering Sea. The Council had declared the emergency because allowable harvests of sablefish in the Bering Sea were reduced for 1989 but bycatch needs were anticipated to increase for sablefish in other groundfish fisheries. Therefore, sablefish onboard may be either 1% of total groundfish by weight or 10% of the total of Greenland turbot and Pacific Ocean perch onboard, whichever is greater. NOAA Fisheries now has agreed to forward an emergency rule and the regulatory amendment for approval by the Secretary of Commerce that will set these lower retention limits for sablefish bycatch.

NOAA Fisheries also was requested to develop directed fishing definitions for the groundfish fisheries of the Bering Sea and Aleutians and the trawl sablefish fishery in the Gulf of Alaska. The Council intends to take final action on those revised definitions in April.

Groundfish Proposals Selected For Further Study

The Council reviewed proposals for amendments to the Gulf of Alaska (GOA) and Bering Sea/Aleutian Islands (BS/AI) Groundfish Fishery Management Plans. Of 43 proposals for the 1989 amendment cycle, and several proposals carried over on the extended cycle from 1988, the Council selected eight for immediate development as plan amendments and four for development as regulatory amendments. No proposals were placed on the extended cycle.

Selected proposals and reasonable alternatives will be prepared and presented to the Council in April before release for public review. The Council will make a final decision in June, and will forward amendments to the Secretary of Commerce for review and implementation in the 1990 season. Proposals selected for further development are summarized below.

Plan Amendments:

1. Allocate sablefish total allowable catch by gear type in the BS/AI. This is a composite of three proposals received on this subject, each suggesting the allocation of different percentages of the sablefish quota to trawling and longlining.
2. Establish a fishing season framework for both the GOA and BS/AI. Currently a full plan amendment is required each time the Council decides to change season dates, a process which can take up to a year to implement.
3. Establish a Shelikof District in the Gulf of Alaska. The Council approved this district during December 1988, but a plan amendment is required to follow up emergency action by NOAA Fisheries to implement the Council's decision.
4. Establish a trawling closure near Walrus Islands in the Bering Sea. Two proposals were received on this issue out of concern that recent declines in the numbers of walrus using the game sanctuary are related to increased fishing effort in the area. The Council was advised that the Alaska Department of Fish and Game and the U.S. Fish and Wildlife Service will assist with preparation of this amendment package.
5. Establish comprehensive bycatch controls for crab and halibut in the Gulf of Alaska. Two proposals were received dealing with bycatch control in the Gulf, including recommendations from the Council's Bycatch Committee and a request to extend or modify the trawl closure zones around Kodiak Island which will expire in 1989.
6. Extend the domestic Pacific cod trawling exemption in the Crab and Halibut Protection Zone (160° to 162° W., south of 58° N.) from 25 to 30 fathoms.
7. Develop a comprehensive data gathering and reporting system for the GOA and BS/AI. This will include elements from six proposals received dealing with observer coverage and data gathering/reporting needs. The Council recommended this issue be given high priority, and specifically assigned a technical work group to develop the package. The work group will include as an option 100% observer coverage for all vessels in all fisheries.
8. Delete species lists under three categories in the GOA and BS/AI groundfish plans. Without specific lists of species in plans, the Council could more quickly establish separate TACs for individual species when the need arises. Prohibited species will continue to be identified individually.

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Regulatory Amendments:

1. Establish season openings and closings at noon local time in the GOA and BS/AI. This proposal would improve safety and aid enforcement by scheduling season openings and closings during daylight hours.
2. Redefine directed fishing in the GOA and BS/AI. The Council dealt with this issue at length and requested that NOAA Fisheries develop an amendment package by April 1989.
3. Require hook and line gear identification in the GOA and BS/AI. This would assist NOAA Fisheries with enforcement in longline fisheries.
4. Establish a single-species rule in the Gulf of Alaska. This issue was suggested in two proposals and would allow closure of a fishery before a species' apportionment is reached to allow some quota to be provided as retainable bycatch in other fisheries. The single-species rule already exists in the BS/AI FMP.

Council Recommends Research Priorities

The Council reviewed a list of recommended research topics prepared by staff, plan teams, and its Scientific and Statistical Committee. The research topics were identified for possible inclusion by NOAA Fisheries into their future budget and research plans. The Council concurred with the SSC that the highest priority topic is the development of a domestic observer program with the intent of providing statistically valid sampling of commercial groundfish harvests. Other high priority topics include: the determination of stock structure, life history information, population dynamics, and other biological information essential for management of pollock off Alaska; for determination of age structure of populations of groundfish; providing support for port sampling programs necessary to collect data; and, studies on predator-prey relationships in the Bering Sea with particular emphasis on the interrelationships between critical populations of fish, shellfish, and marine mammals. The Council also adopted an annual procedure for the preparation of Council research priorities.