



DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

*Branson*

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15

JAN

1978

January 5, 1978

Mr. Elmer Rasmuson  
Chairman  
North Pacific Regional Fishery  
Management Council  
P.O. Box 3136 DT  
Anchorage, Alaska 99510

Dear Mr. Rasmuson:

For your information, the enclosed letter was transmitted to the Coast Guard on December 30, 1978.

Sincerely,

*Donald J. Yellman*  
Donald J. Yellman  
Acting Director  
Office of Fisheries Affairs

Enclosure:

As stated.

*Original copy to Rasmuson*

*cc: Holken*

*Branson B*



BUREAU OF OCEANS AND INTERNATIONAL  
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

December 30, 1977

Rear Admiral Norman C. Venzke  
Chief, Office of Operations  
United States Coast Guard  
Washington, D.C. 20590

Dear Admiral Venzke:

When the current round of maritime boundary and resource negotiations with Canada began, we had hoped that it would be possible to conclude an overall agreement before the end of 1977, thus obviating the need for another interim fishery agreement. Although considerable progress has been made in the negotiations it is clear that another interim fishery agreement will be necessary if U.S. fishermen are to have access to fisheries off the coast of Canada in 1978.

The question of a new interim agreement has been discussed on several occasions with Canadian authorities. Both sides are of the view that the terms of a new interim agreement will be very similar to those of the 1977 agreement. However, several issues do remain to be resolved before a 1978 interim agreement can be signed. We expect to be able to address these issues during the middle part of January. This means that there will be a period after December 31, 1977 (when the 1977 agreement expires) during which we will not have an agreement in force, nor will there be a signed agreement that can be provisionally applied.

Canadian fisheries are not normally conducted during the early part of the year within the U.S. fishery conservation zone outside the boundary regions. The primary boundary region where the Canadians do conduct fisheries at this time is where our claims overlap on Georges Bank. Canadian authorities have verified this fact. Furthermore, they have assured us that during this hiatus in agreements U.S. fishermen

will be permitted to fish according to past patterns in Canadian waters, and that discretion will be exercised by Canadian enforcement authorities during this period which will allow fisheries of interest to U.S. fishermen in the Canadian fishery zone to continue.

We are hopeful that incidents can be avoided in the interim period that might jeopardize the progress being made in the negotiation toward the long term agreement; and, since Canada is prepared to exercise restraint with respect to active U.S. fisheries in Canadian waters, we believe there is merit in exercising forbearance should any fishing vessel of Canada be found fishing in the U.S. fishery conservation zone. The principal advantages would be (1) in not jeopardizing the active U.S. fisheries being conducted in Canadian waters during the early part of 1978; and (2) in maintaining a positive negotiation atmosphere for talks on the long term maritime boundary and resource issues. Since we do not expect Canadian fisheries to be conducted within the U.S. fishery conservation zone outside the boundary regions, we would hope that enforcement discretion would be exercised, on a case by case basis, for the short period until a 1978 agreement is signed, and so long as U.S. fisheries are allowed to continue in the Canadian fishery zone.

We have consulted with the Department of Commerce, which concurs with the proposed action.

Sincerely,

R. Tucker Scully  
Acting Deputy Assistant Secretary  
for Oceans and Fisheries Affairs

# North Pacific Fishery Management Council

Harold E. Lokken, Chairman  
Jim H. Branson, Executive Director

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## MEMORANDUM

AGENDA ITEM 15  
January 1978

DATE: January 13, 1978

TO: Scientific and Statistical Committee

FROM: Jim H. Branson *JHB*

The accompanying letter from Admiral Hayes on the allocation of surplus fish resources to foreign nations raises a serious question. I would appreciate an analysis of Admiral Hayes' letter by the SSC with your suggestions for solutions. I intend to have it on the Council agenda for the January meeting.



DEPARTMENT OF TRANSPORTATION  
UNITED STATES COAST GUARD

Address reply to:  
COMMANDER (oil)  
Seventeenth Coast Guard District  
P.O. Box 3-5000  
Juneau, Alaska 99802  
(907) 586-7363

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6 JAN 1978

Jim Branson  
Executive Director  
North Pacific Fishery Management Council  
Post Office Box 3136dp  
Anchorage, Alaska 99510

Dear Jim:

I have recently discovered that the methodology used by the Department of State for distributing Alaska's surplus fish resources may lead to some difficulties which I believe will be of considerable interest to the Council. As you know, the Secretary of State is responsible for allocating the Total Allowable Level of Foreign Fishing (TALFF) among the various foreign competitors once it is established in a Preliminary Management Plan (PMP) or Fishery Management Plan (FMP). While the Fisheries Conservation and Management Act is quite clear in providing guidance with respect to deciding which nations should receive favored treatment, the Act does not specify the management principles to be used in making allocations of incidentally taken fish.

On November 30, the Secretary announced the final distribution of Alaska's surplus fish stock under PMPs in a message which is attached as enclosure (1). My staff analyzed the message and prepared a table, enclosure (2), of the allocations. I noticed that in many cases, the allocations of incidentally caught fish amounted to a miniscule one per cent or less of a particular nation's total authorized catch. This seemingly minor detail takes on enormous significance for foreign fishermen under the revised foreign fishing regulations. In 1978, a nation's entire fishery will be shut down as soon as any quota (incidental or directed) is taken whether or not the fish are actually retained. In other words, when a foreign nation has an unrealistically small allocation for a fishery resource taken incidentally during a directed fishery, chances are the incidental allocation will be achieved first. Under these circumstances the entire fishery will be terminated prior to attainment of the quota for the directed fishery.

I am concerned that one or all of the following situations will develop during the 1978 foreign fishing season in the absence of remedial action:

- Foreign fishermen will dishonestly report incidental catches at a level lower than actually taken. If so, Optimum Yields (OY) for incidentally caught fish may be exceeded -

JAN 17 1978

- Foreign nations will be forced to cease fishing well before they have reached the most important allocations for their directed fisheries -
- After reaching their allocations for incidental fisheries, foreign nations will ask for a modification to the regulations allowing them to continue their directed fisheries. If permitted to do so, incidental catches will also continue and the OY for incidentally taken species will be exceeded -

It may not be possible to bring this problem to a completely satisfactory resolution in 1978; the foreign fishing regulations and the foreign allocations may be unchangeable now. However, the suggestions I have made to my headquarters may be productive even at this late date. I have attached my message on the subject as enclosure (3).

In looking to the future though, the Concil may wish to avoid the same problem next year by recommending changes to the regulations or the allocation process in time to be used for 1979. Personally, I believe the new foreign fishing regulations are well drafted with respect to the issues raised in this letter. The regulations compel foreign nations to develop the technology and procedures needed to target on selected species to the exclusion of others. Failure to do so will terminate fishing effort early in the year. These new regulations, properly enforced, will prevent foreign nations from exceeding their allocations for any species and I would not support a change to this sound policy. Interestingly enough, prohibited species (salmon, halibut, CSFR, and species for which a foreign nation has no allocation) have less protection than do authorized species. Prohibited species, provided they are returned to the sea when caught, may be taken in unlimited quantities without risking the cancellation of any directed fishery. Perhaps future iterations of the regulations will adequately protect prohibited species, but, until they do, councils should note that species for which a nation has a zero allocation become prohibited and are relatively unprotected. It is therefore important to minimize the number of species which fall into the prohibited category.

Rather than changing the regulations, I believe the allocation process itself need modification. While I am not qualified to make specific recommendations concerning the wise allocation of incidentally taken species, I do believe it is possible to distribute these fish realistically. That is, in such a manner that foreign nations can take their full quotas in all species categories without exceeding their allocation in any category. The process would undoubtedly be complex but the approach would be quite simple. The Secretary of State should consult with gear experts, marine biologists, and those who are familiar with the historical performance of foreign fishing fleets. From these consultations, the Secretary should be able to establish minimum incidental catch percentages in the directed fisheries.

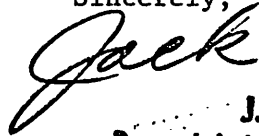
(To understand the following simplified example, it may be helpful to refer to enclosure (2), the 1978 foreign allocations.) For example, suppose the Secretary determines that in the Gulf of Alaska, a trawler's catch will consist of at least one per cent sablefish on the average. Foreign nations which operate trawlers would be allotted sablefish equal to at least one per cent of their total trawl effort. The Soviet Union, with an overall trawl catch of 84,080 MT would receive a quota of 841 MT of sablefish. Notice that the present Soviet sablefish allocation in the Gulf of Alaska is 100 MT, merely 0.1 per cent of the total trawl catch. I suspect that analyzing the 1978 incidental catches in the manner I have described will reveal that they fall into three categories. (In the examples which follow, I have used specific species for the purpose of simplification only, the species should not be construed as my recommendations):

- Species for which the OY is now too low. In the Gulf of Alaska, the OY for squid is 855 MT and only one nation, Mexico, with an allocation of 745 MT, has a directed fishery for squid. The remaining four nations in the Gulf of Alaska have miniscule allocations for squid which total 110 MT. If the incidental squid catch for these four nations were estimated at 0.2 per cent of the trawl catch, the squid catch for them would equal about 370 MT (an increase of 260 MT over the present total incidental squid allocation). The OY for squid could be reviewed and possibly increased 260 MT to allow all nations to catch a reasonable amount in incidental squid while still allowing Mexico to conduct its directed squid fishery.
  
- Species for which the TALFF is correct but the distribution among foreign nations needs adjustment. In the Gulf of Alaska, the TALFF for sablefish 8,000 MT of which 3,200 MT is set aside by 50 CFR 611.94 as an incidental trawl catch. If the incidental sablefish catch were estimated at 1.0 per cent of the trawl catch, merely 2,000 MT of sablefish would be enough to satisfy the trawl fleets. Therefore it appears that enough sablefish have been allocated; yet Russia's sablefish quota is equal to only 0.1 per cent of its trawl catch. Distribution of sablefish therefore, needs to be adjusted. Japan's sablefish allocation could be reduced from 6,950 MT to 6,000 MT and the difference distributed among Russia, Poland, and Mexico. All nations could then take a reasonable amount of incidental sablefish while still allowing Japan and South Korea to conduct their directed fisheries for sablefish.
  
- Species for which there is an insufficient amount of fish. In the Bering Sea and Aleutian area, the total sablefish TALFF is 3,900 MT. If the incidental sablefish catch were estimated the 0.4 per cent of the trawl catch, 5,664 MT of sable fish would be caught incidentally. Assuming the sablefish OY cannot be increased, there simply will not be enough sablefish to go around. The United States might then allocate the lesser amount of fish and would

terminate directed fisheries when the small incidental sablefish allocation has been taken even though the quotas for the directed fisheries have not been reached. I hope no species will fall into this category.

Jim, I recognize that this letter has brought a serious problem to the attention of the council but has only discussed solutions in a general way. I hope my remarks here will nonetheless be helpful. One final comment - notice that the message announcing the allocations, enclosure (1), does not prepare foreign nations for adjustments in the TALFFs when PMPs are replaced by FMPs. To the contrary, the message describes the allocations as "final". Further evidence, I believe, that the Secretary of State views the allocations as contractual and unchangeable.

Sincerely,



J. B. HAYES

Rear Admiral, U. S. Coast Guard  
Commander Seventeenth Coast Guard District

Encl:

- (1) Secstate message 302258Z November 77
- (2) Allocation Tables
- (3) Commander, 17th Coast Guard District message 131926Z December 77



GULF OF ALASKA FOREIGN ALLOCATIONS OF FISH STOCKS

	PACIFIC COD 1/	FLOUNDERS 1/	ATKA MACKEREL	POLLOCK 1/	PACIFIC OCEAN PERCH 1/	OTHER ROCKFISHES 1/	SABLEFISH (C&W) GULF 1/	SQUID 1/	OTHER SPECIES 1/	National Total	Estimated Trawl Catch
I. JAPAN (MT) % of National Allocation	6,200 7%	15,800 23%	2,000 3%	28,800 41%	4,650 7%	1,000 1%	6,950 10%	30 < 1%	4,030 6%	69,460	65,460
II USSR (MT) % of National Allocation	2,330 3%	1,500 2%	21,570 26%	44,770 53%	7,225 8%	1,535 2%	100 < 1%	50 < 1%	5,000 6%	84,080	84,080
III. South Korea (MT) % of National Allocatio	100 < 1%	100 < 1%	100 < 1%	19,870 75%	3,203 12%	675 37%	800 3%	20 < 1%	1,535 6%	26,403	26,000
IV. Poland (MT) % of National Allocation	350 5%	100 2%	1,030 16%	3,900 59%	630 10%	126 2%	50 < 1%	10 < 1%	395 6%	6,591	6,591
V. Mexico (MT) % of National Allocation	4,000 <sup>2/</sup> 20%	100 < 1%	100 < 1%	10,000 <sup>2/</sup> 52%	1,596 <sup>2/</sup> 8%	744 <sup>2/</sup> 4%	100 < 1%	745 <sup>2/</sup> 4%	2,000 10%	19,385	19,385
Species Totals (MT)	12,980	17,600	24,800	107,340	17,304	4,080	8,000	855	12,960	205,919	201,516
TALFF set forth in 50 CFR 611.20	16,980	17,600	24,800	117,340	18,900	4,080	8,000	1,600	12,960		

Note 1: A reserve equal to 20% of OY has been established for all species except Atka Mackerel.

Note 2: Half the allocations for these species are reserved pending the successful performance of Mexican fishermen. Upon release of the full allocation to Mexico, the Species Total line will equal the TALFF.

BERING SEA & ALEUTIAN FOREIGN ALLOCATIONS OF FISH STOCKS

	PACIFIC COD	YELLOWFIN SOLE	OTHER FLOUNDERS	HERRING	ATKA MACKEREL	POLLOCK	PACIFIC OCEAN PERCH (BERING SEA)	PACIFIC OCEAN PERCH (ALEUTIANS)	SABLEFISH (BERING SEA)	SABLEFISH (ALEUTIANS)	SNAILS	SQUID	OTHER SPECIES (BERING SEA)	OTHER SPECIES (ALEUTIANS)	Totals
I. JAPAN (MT) % of Allocation	38,850 4%	63,900 6%	83,800 8%	2,580 <1%	2,000 <1%	792,300 73%	3,100 <1%	6,200 <1%	1,870 <1%	1,170 <1%	3,000 <1%	9,870 1%	45,415 4%	25,900 2%	1,079,955
II. USSR (MT) % of Allocation	17,500 7%	41,950 16%	55,050 20%	6,060 2%	22,600 8%	92,700 35%	3,075 1%	8,050 3%	265 <1%	165 <1%	0%	70 <1%	11,145 4%	6,365 2%	264,995
III. South Korea (MT) % of Allocation	100 <1%	100 <1%	100 <1%	20 <1%	100 <1%	60,000 91%	300 <1%	700 1%	200 <1%	125 <1%	0%	50 <1%	2,800 4%	1,600 2%	66,195
IV. TAIWAN (MT) % of Allocation	50 <1%	50 <1%	50 <1%	10 <1%	100 2%	5,000 86%	25 <1%	50 <1%	65 6%	40 <1%	0%	10 <1%	240 4%	135 2%	5,825
TOTALS (MT)	56,500	106,000	139,000	8,670	24,800	950,000	6,500	15,000	2,400	1,500	3,000	10,000	59,600	34,000	1,416,970
TAIFF set forth in 50 CFR 611.20	56,500	106,000	139,000	8,670	24,800	950,000	21,500		2,400	1,500	3,000	10,000	93,600		1,416,970

Note 1: A reserve equal to 20% OY has been established for Sablefish in the Bering Sea.



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PAGE 02

STATE 286063

SUBJECT: FINAL ALLOCATION OF RESOURCES AVAILABLE FOR  
FOREIGN FISHING OFF U.S. PACIFIC COAST FOR 1978

REF: STATE 231367

1. DEPARTMENT REQUESTS ACTION EMBASSIES INFORM HOST GOVERNMENTS OF FOLLOWING FINAL ALLOCATIONS OF RESOURCES AVAILABLE FOR FOREIGN FISHING OFF U.S. PACIFIC COAST IN 1978. AS NOTED REFTEL THE TOTAL ALLOWABLE LEVEL OF FOREIGN FISHING (TALFF) IN THE PACIFIC IN 1978 IS APPROXIMATELY THE SAME LEVEL AS IN 1977. AS WAS THE CASE IN PRELIMINARY ALLOCATIONS, COUNTRY ALLOCATIONS WERE MADE ON THE BASIS OF CRITERIA SET FORTH IN FCMA INCLUDING CONSIDERATION OF (1) RECIPROCAL FISHING INTERESTS (E.G. MEXICO); (2) KOREA'S DEFACTO ELIMINATION FROM THEIR TRADITIONAL POLLOCK FISHERY OFF THE SOVIET COAST AND (3) PRO-RATED ADJUSTMENTS IN 1977 ALLOCATIONS.

2. ADDITIONAL AMOUNTS ABOVE THE INITIAL TALFFS HAVE BEEN HELD IN RESERVE FOR GULF OF ALASKA POLLOCK; PACIFIC OCEAN PERCH, OTHER ROCKFISHES, FLOUNDERS, SABLEFISH, PACIFIC COD, SQUID AND OTHER SPECIES; AND FOR BERING SEA SABLEFISH AND PACIFIC COD. THIS RESERVE CAN BE

MADE AVAILABLE LATER TO EITHER U.S. OR FOREIGN FISHERMEN. DEPT. OF COMMERCE HAS ADVISED THAT OPTIMUM YIELDS, TALFFS, AND U.S. HARVESTING CAPACITY WILL BE REVIEWED AND REASSESSED BASED ON STATUS OF THE STOCKS, THE PERFORMANCE OF U.S. AND FOREIGN FLEETS, AND OTHER RELEVANT FACTORS. ACCORDINGLY, IT REMAINS POSSIBLE THAT REALLOCATIONS OF THESE SPECIES MAY OCCUR AT MID-SEASON.

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PAGE 03

STATE 286063

3. ALLOCATION OF TANNER CRAB IN BERING SEA AND SEAMOUNT GROUND FISH WILL BE FORWARDED LATER BY SEPTEL. DEPT. OF COMMERCE IS PRESENTLY REVIEWING AVAILABLE DATA ON THESE STOCKS.

4. THE CATEGORY "OTHER SPECIES":

A. WITH RESPECT TO THE WASHINGTON, OREGON, CALIFORNIA TRAWL FISHERY MEANS ALL SPECIES EXCEPT: PACIFIC HAKE, JACK MACKEREL, FLOUNDERS, ROCKFISHES, INCLUDING PACIFIC OCEAN PERCH, SABLEFISH, SCALLOPS, SHRIMP, SALMON, STEELHEAD, PACIFIC HALIBUT, SHARKS (EXCEPT DOGFISH), BILLFISH AND CONTINENTAL SHELF FISHERY RESOURCES.

B. WITH RESPECT TO THE GULF OF ALASKA TRAWL FISHERY MEANS ALL SPECIES EXCEPT: POLLOCK, PACIFIC OCEAN PERCH, OTHER ROCKFISHES, FLOUNDERS, SABLEFISH, ATKA MACKEREL, PACIFIC COD, SQUID, SHRIMP, SCALLOPS, SALMON, STEELHEAD, PACIFIC HALIBUT, AND CONTINENTAL SHELF FISHERY RESOURCES.

C. WITH RESPECT TO THE BERING SEA AND ALEUTIANS ISLANDS TRAWL AND HERRING GILLNET FISHERY MEANS ALL SPECIES EXCEPT: POLLOCK, YELLOWFIN SOLE, OTHER FLOUNDERS, PACIFIC OCEAN PERCH, SABLEFISH, PACIFIC COD, PACIFIC HERRING, ATKA MACKEREL, SQUID, SHRIMP, SCALLOPS, SALMON, STEELHEAD, PACIFIC HALIBUT, AND CONTINENTAL SHELF FISHERY RESOURCES.

5. FINAL ALLOCATIONS ARE LISTED BELOW, ALL FIGURES ARE IN METRIC TONS. ACTION POSTS ARE REQUESTED TO INFORM HOST GOVERNMENTS.

A) TOKYO (1) GULF OF ALASKA - PACIFIC COD, 6,200;  
FLOUNDERS, 15,800; ATKA MACKEREL, 2,000; POLLOCK, 28,800;  
PACIFIC OCEAN PERCH, 4,650; OTHER ROCKFISHES, 1,000;

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PAGE 04 - STATE 286063

SABLEFISH, CENTRAL AND WESTERN GULF, 6,950; SQUID, 30;  
OTHER SPECIES, 4,030. (2) BERING SEA AND ALEUTIANS -  
PACIFIC COD, 38,850; YELLOWFIN SOLE, 63,900; OTHER  
FLOUNDERS, 83,800; HERRING, 2,580; ATKA MACKEREL, 2,000;

POLLOCK, 792,300; PACIFIC OCEAN PERCH, BERING SEA, 3,100;  
PACIFIC OCEAN PERCH, ALEUTIANS, 6,200; SABLEFISH, BERING  
SEA, 1,870; SABLEFISH, ALEUTIANS, 1,170; SNAILS, 3,000;  
SQUID, 9,870; OTHER SPECIES, BERING SEA, 45,415; OTHER  
SPECIES, ALEUTIANS, 25,900.

B) FOR MOSCOW: (1) GULF OF ALASKA - PACIFIC COD,  
2,330; FLOUNDERS, 1,500; ATKA MACKEREL, 21,570; POLLOCK,  
44,770; PACIFIC OCEAN PERCH, 7,225; OTHER ROCKFISHES,  
1,535; SABLEFISH, CENTRAL AND WESTERN GULF, 100; SQUID,  
50; OTHER SPECIES, 5,000. (2) BERING SEA AND ALEUTIANS -  
PACIFIC COD, 17,500; YELLOWFIN SOLE, 41,950; OTHER  
FLOUNDERS, 55,050; ATKA MACKEREL, 22,600; HERRING  
6,060; POLLOCK, 92,700; PACIFIC OCEAN PERCH, BERING SEA,  
3,075; PACIFIC OCEAN PERCH, ALEUTIANS, 8,050; SABLEFISH,  
BERING SEA, 265; SABLEFISH, ALEUTIANS, 165; SQUID, 70;  
OTHER SPECIES, BERING SEA, 11,145; OTHER SPECIES,  
ALEUTIANS, 6,365. (3) NORTHEAST PACIFIC - PACIFIC HAKE,  
50,300; JACK MACKEREL, 1,950; PACIFIC OCEAN PERCH AND  
OTHER ROCKFISHES, 400; FLOUNDERS, 50; SABLEFISH, 50;  
OTHER SPECIES, 250.

C) FOR SEOUL: (1) GULF OF ALASKA - PACIFIC COD, 100;  
FLOUNDERS, 100; ATKA MACKEREL, 100; POLLOCK, 19,870;  
PACIFIC OCEAN PERCH, 3,203; OTHER ROCKFISHES, 675;  
SABLEFISH, CENTRAL AND WESTERN GULF, 800; SQUID, 20;  
OTHER SPECIES, 1,535. (2) BERING SEA AND ALEUTIANS -  
PACIFIC COD, 100; YELLOWFIN SOLE, 100; OTHER FLOUNDERS,

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PAGE 05 - STATE 286063

100; HERRING, 20; ATKA MACKEREL, 100; POLLOCK, 60,000; PACIFIC OCEAN PERCH, BERING SEA, 300; PACIFIC OCEAN PERCH, ALEUTIANS, 700; SABLEFISH, BERING SEA, 200; SABLEFISH, ALEUTIANS, 125; OTHER SPECIES, BERING SEA, 2,800; OTHER SPECIES, ALEUTIANS, 1,600; SQUID, 50.

D) FOR TAIPEI: (1) BERING SEA AND ALEUTIANS - PACIFIC COD, 50; YELLOWFIN SOLE, 50; OTHER FLOUNDERS, 50; HERRING, 10; ATKA MACKEREL, 100; POLLOCK, 5,000; PACIFIC OCEAN PERCH, BERING SEA, 25; PACIFIC OCEAN PERCH, ALEUTIANS, 50; SABLEFISH, BERING SEA, 65; SABLEFISH, ALEUTIANS, 40; SQUID, 10; OTHER SPECIES, BERING SEA, 240; OTHER SPECIES, ALEUTIANS, 135.

E) FOR WARSAW: (1) GULF OF ALASKA - PACIFIC COD, 350; FLOUNDERS, 100; ATKA MACKEREL, 1,030; POLLOCK, 3,900; PACIFIC OCEAN PERCH, 630; OTHER ROCKFISHES, 126; SABLEFISH, CENTRAL AND WESTERN GULF, 50; SQUID, 10; OTHER SPECIES, 395. (2) NORTHEAST PACIFIC - PACIFIC HAKE, 8,700; JACK MACKEREL, 1,950; PACIFIC OCEAN PERCH AND

OTHER ROCKFISHES, 80; FLOUNDERS, 10; SABLEFISH, 10; OTHER SPECIES, 51.

F) FOR MEXICO CITY: SINCE MEXICO HAS NOT HISTORICALLY FISHED IN U.S. WATERS, HALF OF THE DIRECTED FISHERY ALLOCATIONS ARE RESERVED PENDING THE PERFORMANCE OF GOM FISHERMEN. ACCORDINGLY, THE FOLLOWING INITIAL ALLOCATIONS ARE HELD FOR MEXICO PENDING THE US/GOM GIFA ENTERING INTO FORCE: (1) GULF OF ALASKA - PACIFIC COD, 4,000; FLOUNDERS, 100; ATKA MACKEREL, 100; POLLOCK, 10,000; PACIFIC OCEAN PERCH, 1,596; OTHER ROCKFISHES, 744; SABLEFISH, CENTRAL AND WESTERN, 100; SQUID, 745; OTHER SPECIES, 2,000. (2) NORTHEAST PACIFIC - PACIFIC HAKE, 15,000; JACK MACKEREL, 100; PACIFIC OCEAN PERCH AND OTHER ROCKFISHES, 230; FLOUNDERS, 30; SABLEFISH, 30; OTHER SPECIES,

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PAGE 06

STATE 286063

144. SQUID ALLOCATION HAS BEEN RESERVED, AT MEXICAN REQUEST, IN GULF OF ALASKA RATHER THAN BERING SEA WITH RESULTING REDUCTION FROM 2,500 MT TO 1,490 MT. WHEN QUOTA IS FILLED FOR PACIFIC COD, POLLOCK, PACIFIC OCEAN PERCH, HAKE, OR SQUID, ALL OR PART OF THE FOLLOWING RESERVED QUOTAS OF THAT SPECIES WILL BE ALLOCATED: PACIFIC COD, 4,000; POLLOCK, 10,000; PACIFIC OCEAN PERCH, 1,596; HAKE, 15,000; SQUID, 745. THERE WILL BE NO FURTHER ALLOCATION OF BYCATCH; THEY ARE ALL ALREADY ALLOCATED.

6. FYI: AS WAS THE CASE WITH PRELIMINARY ALLOCATION, SOVIET AND KOREAN POLLOCK ALLOCATIONS REFLECT THE TRANSFER OF 20,000 MT TO KOREAN BERING SEA ALLOCATION FROM THEIR GULF OF ALASKA ALLOCATION; AND THE TRANSFER OF A LIKE AMOUNT TO THE SOVIET GULF QUOTA FROM ITS BERING SEA QUOTA. IN ADDITION, 10,000 MT GULF OF ALASKA POLLOCK ALLOCATION PREVIOUSLY HELD IN RESERVE, HAS NOW BEEN TRANSFERRED TO KOREAN GULF QUOTA. THIS LATTER ACTION HAS BEEN TAKEN AFTER ADDITIONAL STUDY OF CIRCUMSTANCES SURROUNDING DEFACTO KOREAN EXCLUSION FROM THE SOVIET ZONE. END FYI.

7. DEPARTMENT REGRETS ANY INCONVENIENCE CAUSED BY DELAY IN PROVIDING FINAL 1978 ALLOCATIONS. VESSEL PERMIT APPLICATIONS WILL BE EXPEDITED. DEPARTMENT REQUESTS CONFIRMATION OF HOST GOVERNMENT ACCEPTANCE OF ITS ALLOCATIONS ASAP. VANCE

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VARIOUS NATIONS IN THE ALASKA FCZ. OF THESE, 44 ALLOCATIONS ARE ONE-  
 52 ALLOCATIONS OF VARIOUS SPECIES AND SPECIES GROUPS ARE MADE TO  
 FIRST REACHING THE ALLOCATION FOR THE INCIDENTAL FISHERY. IN REF C,  
 DIFFICULT TO REACH THE ALLOCATION FOR THE DIRECTED FISHERY WITHOUT  
 NORMALLY TAKEN INCIDENTALLY IN A TRAWL FISHERY IT WOULD BE MOST  
 NOTICE THAT IF A NATION HAS A VERY SMALL ALLOCATION FOR A SPECIES  
 FISH MAY PREVENT HONEST FISHERMEN FROM REACHING THEIR NATIONS QUOTA.  
 THE METHODOLOGY USED IN ALLOCATING THE SURPLUS INCIDENTALLY TAKEN  
 ACCURATELY LOGGED AND REPORTED BY FOREIGN FISHING VESSELS. HOWEVER,  
 SHOULD ELIMINATE WASTE AND OVER-FISHING PROVIDED CATCH DATA IS  
 IMPROVEMENT OVER THE EQUIVALENT 1977 SECTIONS. THE NEW METHODOLOGY  
 WILL BE CANCELLED. THESE TWO CITED SECTIONS OF THE REGS ARE A VAST  
 REACHED ITS ALLOCATION OF ANY SPECIES ITS FISHERY FOR ALL SPECIES  
 CATION FOR THE SPECIES IN QUESTION. FURTHERMORE, ONCE A NATION HAS  
 ARE RETAINED AND THESE FISH WILL COUNT AGAINST THAT NATION'S ALLO-  
 MUST LOG ALL AUTHORIZED FISH WHICH ARE CAUGHT WHETHER OR NOT THEY  
 3. ACCORDING TO 50 CFR 611.14 AND 611.15, A FOREIGN FISHING VESSEL  
 TIONS.  
 INDICATES ANOTHER, PERHAPS MORE SERIOUS, PROBLEM WITH THE ALLOCA-  
 WITH THE 1978 FOREIGN FISHING REGULATIONS, 50 CFR 611. THIS REVIEW  
 PAGE 2 BUWDM2124 UNCLAS

ALLOCATIONS, WAS THEN ISSUED AND HAS BEEN REVIEWED IN CONNECTION  
 IONS WOULD LEAD TO WASTE AND OVERFISHING IN 1978. REF C, THE FINAL  
 DIFIED THAT THE METHODOLOGY USED IN ARRIVING AT THE INITIAL ALLOCAT-  
 IONS FOREIGN NATIONS WHO FISH IN THE PACIFIC FCZ. IN REF B, D17  
 2. IN REF A, SECRETARY MADE INITIAL BWP FISHERY ALLOCATIONS TO VAR-  
 ATION OF SECRETARY WITH A VIEW TOWARD MODIFYING REF C.  
 1. IT IS RECOMMENDED THAT THE CONTENTS OF THIS MSG BE BROUGHT TO THE  
 C. SECRETARY WASHINGTON DC 302253Z NOV 77 PASFP  
 3. 0607 SEVENTEEN 191554Z OCT 77  
 4. SECRETARY WASHINGTON DC 262315Z SEP 77 NOTAL  
 FOR 1978  
 ALLOCATION OF RESOURCES FOR FOREIGN FISHING OFF U.S. PACIFIC COAST  
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TIONS.

PAGE 4 BUWDM2124 UNCLAS

NATION IN PROPORTION TO ITS AUTHORIZED CATCH. THAT IS, FOR EACH NATION IN EACH MAJOR AREA, THE ALLOCATION OF ANY PARTICULAR INCIDENTALLY TAKEN SPECIES DIVIDED BY THE TOTAL ALLOCATION FOR ALL SPECIES SHOULD EQUAL A CONSTANT. IN PARTICULAR INSTANCES, EXCEPTION FROM THE RULE ARE APPROPRIATE. FOR EXAMPLE, COMPARING THE UR AND JA ALLOCATION OF SABLEFISH IN THE GOA, ONE WOULD EXPECT THE UR TO HAVE A MUCH SMALLER PERCENTAGE OF SABLEFISH IN THEIR TOTAL CATCH THAN JA. THIS IS SO BECAUSE THE ENTIRE UR SABLEFISH CATCH IS TAKEN INCIDENTALLY TO A TRAWL FISHERY WHEREAS JA HAS A LARGE LONGLINE FISHERY WHICH TARGETS ON SABLEFISH. HOWEVER, DEVIATIONS FROM THE GENERAL RULE WITHOUT GOOD REASON MAY TEMPT FOREIGN FISHERMEN TO IMPROPERLY LOG THEIR CATCHES AND MAY LEAD TO MID-SEASON REQUEST FOR MODIFICATION TO THE REGULA-

PERCENT OF LESS IN A PARTICULAR AREA (GOA AND BSA). SOME EXAMPLES FOLLOW:

A. KS WITH A TOTAL ALLOCATION OF 25,403 MT IN THE GOA IS ALLOCATED 28 MT OF SQUID AND 130 MT OF FLOUNDER.

B. UR WITH A TOTAL ALLOCATION OF 84,080 MT IN THE GOA IS ALLOCATED 50 MT OF SQUID AND 104 MT OF SABLEFISH.

C. IN WITH A TOTAL ALLOCATION OF 5,525 MT IN THE BSA IS ALLOCATED 25 MT OF POP AND 40 MT OF SABLEFISH.

4. FROM THE VIEWPOINT OF THE FOREIGN NATION, IT WOULD BE MORE ATTRACTIVE TO HAVE A ZERO ALLOCATION FOR AN INCIDENTALLY TAKE SPECIES THAN IT WOULD BE TO HAVE A VERY SMALL ALLOCATION. WITH A ZERO ALLOCATION, THE SPECIES IN QUESTION BECOMES PROHIBITED AND WOULD, IF CAUGHT, BE RETURNED TO THE SEA WITHOUT RISKING THE CANCELLATION OF ANY DEDICATED FISHERY. IN EFFECT, PROHIBITED SPECIES CAN BE TAKEN IN UNLIMITED QUANTITIES WHEREAS SPECIES FOR WHICH THERE IS AN ALLOCATION CAN NOT. IN THE INTEREST OF GOOD MANAGEMENT, THE NUMBER OF SPECIES FOR WHICH THERE IS A ZERO ALLOCATION SHOULD BE MINIMIZED. THIS SOUND PRINCIPLE WAS USED IN REF. C.

5. RECOMMENDATION: AS A GENERAL RULE, ALLOCATIONS FOR EACH INCIDENTALLY CAUGHT SPECIES SHOULD BE ALLOCATED EQUALLY TO EACH FOREIGN

Agenda 15  
JAN 1978

REPORT TO THE NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL  
CONCERNING COAST GUARD FCMA ENFORCEMENT  
DURING DECEMBER 1977 - JANUARY 1978

1. Summary of 1977 enforcement activities.

a. During 1977 the Coast Guard conducted 934 days of cutter patrol and 1,835 hours of aircraft patrol enforcing U.S. Fisheries laws pertaining to foreign fishing activities off Alaska. As a result of this patrol activity, two seizures (including one for CSFR prior to 1 March 1977) were made, 14 FCMA civil penalty procedures were initiated, and 42 written warnings (citations) were issued. To date, \$610,000 in penalties were paid by foreign fishing vessels as a result of violations detected during 1977; 12 penalty cases are still pending.

b. In addition to foreign fishing patrol efforts, enforcement of the International Pacific Halibut Commission regulations was stepped up during 1977. Enforcement personnel from the Coast Guard, National Marine Fisheries Service, U.S. Fish and Wildlife Service, and the Alaska Department of Public Safety detected 29 violations of the halibut regulations by U.S. citizens. This represents a five-fold increase in the number of cases over calendar year 1976. Most of the halibut violations by U.S. citizens in 1977, involved lack of required licenses, fishing during closed seasons, possession of undersized halibut, and use of illegal gear. Penalties assessed to date total \$4,250; nine cases still pend final judicial action.

2. Recent FCMA infractions. Since the last council meeting seven citations (written warnings) were issued. A brief summary of each infraction is as follows:

a. 12 December. The Soviet tanker MOSKALEVO was issued a citation by Commander, Seventeenth Coast Guard District for failure to submit an accurate report when ceasing activities on 2 November 1977.

b. 13 December. The Soviet trawler VALENTIN KOTELNIKOV was issued a citation by USCGC MORGENTHAU for failure to promptly log the transfer of fish to another vessel.

c. 27 December. Japanese longliner FUKUYOSHI MARU 85 was issued a citation by USCGC CLOVER for failure to have many of its longline buoys marked with its radio call sign.

d. 16 January. Japanese cargo vessel EIO MARU was issued a citation by Commander, Seventeenth Coast Guard District for failure to report a shift in its area of activities on 3 January.

e. 16 January. The Soviet cargo vessel KAMCHATSKIE GORY was issued a citation by Commander, Seventeenth Coast Guard District for failure to report position when it ceased authorized activities on 15 January.

f. 17 January. The Soviet trawler NADEZHDINSK was issued a citation by USCGC LAUREL for failure to display proper identification markings.

g. 18 January. The Soviet trawler SOVGAVAN was issued a citation by USCGC LAUREL for failure to display proper identification markings.

### 3. Outlook for 1978.

a. Coast Guard air patrol efforts will increase significantly in the spring when two additional long-range C-130 search aircraft are added to the inventory at Kodiak. The addition of these two aircraft will allow more dedicated fisheries patrol flights to be made, and will allow greater flexibility in flight patrol scheduling. In addition, a fourth HH52A helicopter arrived at Kodiak last week; this helicopter will accompany flight deck-equipped cutters on routine patrols.

b. The level of cutter patrol effort during 1978 will be at approximately the same level as during 1977. The cutter MORGENTHAU was transferred to the Pacific area in mid-1977 and saw her first duty on the Alaska Fisheries Patrol in October 1977. In late 1978, the MORGENTHAU will be joined in the Pacific by the cutter SHERMAN, presently stationed in Boston. With the shift of the SHERMAN to the west coast, the inventory of 378-foot high endurance cutters in the Pacific area available for the Alaska Fisheries Patrol will have increased to eight. Due to the fact that many of our high and medium endurance cutters are scheduled to undergo extensive shipyard overhauls during 1978 for the installation of pollution control/sanitary systems and will not be available for patrol duty, many of the Seventeenth District's 180-foot buoy tenders will spend significant amounts of time on fishery patrol in order to maintain the current levels of patrol effort.

c. FCMA enforcement during 1978 will be aided, for the most part, by improvements that were made in the 1978 Foreign Fishing Regulations. The regulations were streamlined and are now easier to understand and to enforce.

d. The 1978 Foreign Fishing Regulations do contain one major potential problem area. The 1978 regulations require foreign fishing vessels to log all the fish that they catch, whether they retain it or not. There will be great incentive for foreign fishing vessels to falsely log catches in certain "small quota" species groups in order to avoid being closed out of a major fishery early due to quota attainment in an incidental species category. This potential problem will be monitored closely in order to deter possible violations.

- Encl: (1) Patrol effort statistics for July thru December 1977  
(2) Patrol effort statistics for January 1978  
(3) Boarding/enforcement incident analysis  
(4) Surveillance standard analysis  
(5) Boarding standard analysis

COAST GUARD PATROL EFFORT (1977)

	CUTTER PATROL DAYS	AIRCRAFT PATROL HOURS	MILES PATROLLED	FISHING VESSEL IDENTIFICATION				FISHING VESSEL BOARDINGS				TOTAL			
				JA	KS	PL	TW	UR	TOTAL	JA	KS		PL	TW	UR
JULY	101	215.7	31,328	728	27	1	0	12	768	73	12	0	0	4	89
AUGUST	58	192.2	36,394	558	33	0	12	17	610	52	4	0	4	2	62
SEPTEMBER	89	171.3	35,678	903	39	0	2	6	1,009	65	6	0	1	12	84
OCTOBER	84	102.3	28,714	328	59	1	0	88	476	20	10	0	0	6	36
NOVEMBER	73	170.7	38,595	245	50	6	1	89	391	22	3	1	0	12	38
DECEMBER	45	121.7	29,118	127	8	0	2	71	208	16	1	0	0	13	30

COAST GUARD PATROL EFFORT (1978)

CUTTER PATROL DAYS	AIRCRAFT PATROL HOURS	MILES PATROLLED	FISHING VESSEL IDENTIFICATION				FISHING VESSEL BOARDINGS				TOTAL					
			JA	KS	PL	TW	UR	TOTAL	JA	KS		PL	TW	UR		
JANUARY 1-21	24	68.5	14,419	38	0	0	0	30	68	5	5	0	0	0	0	5

1977

ANALYSIS OF BOARDINGS AND ENFORCEMENT INCIDENTS (BOARDINGS/INCIDENTS)

	JAPAN	USSR	S. KOREA	POLAND	TAIWAN	ALL % BOARDINGS RESULTING IN INCIDENTS
MARCH	26/1	21/4	1/1	N/A	N/A	12%
APRIL	38/6	9/2	4/0	N/A	N/A	13%
MAY	75/2	18/0	1/0	N/A	N/A	2%
JUNE	171/6	3/0	0/0	N/A	0/0	3%
JULY	73/2	4/0	12/5	N/A	N/A	8%
AUGUST	52/9	2/0	4/1	N/A	4/4	23%
SEPTEMBER	65/3	12/0	6/1	N/A	1/1	6%
OCTOBER	20/0	6/0	10/3	0/0	N/A	8%
NOVEMBER	22/0	12/0	3/0	1/0	0/0	0%
DECEMBER	16/1	13/1	1/0	N/A	N/A	6%
CUMULATIVE TOTAL	568/30	100/7	42/11	1/0	5/5	716/53

SURVEILLANCE STANDARD ANALYSIS  
FOR INDEPENDENT FISHING VESSELS

TIME PERIOD	NUMBER OF F/V ON GROUNDS FOR ENTIRE PERIOD	NUMBER OF F/V ON GROUNDS FOR ENTIRE PERIOD THAT WERE SIGHTED	% SIGHTED
1 - 14 Oct 77	93	76	82
18-31 Oct 77	82	68	83
1 - 14 Nov 77	73	62	84
14-27 Nov 77	69	51	74
2-15 Dec 77	46	36	78
18-31 Dec 77	18	13	72
1-15 Jan 78	12	1	8 Note 2

Note: (1) The surveillance goal is to achieve a 90 percent probability of detecting an independent fishing vessel on the grounds during any two week period.

Note (2) Low surveillance figure is due to the fact that during this time period C-130 aircraft from Coast Guard Air Station Kodiak were involved in a massive search in the North Pacific Ocean for 70 possible survivors of a merchant vessel that sank.



1978

BOARDING STANDARD ANALYSIS  
FOR INDEPENDENT FISHING VESSELS

<u>MONTH</u>	<u>GOAL</u>	<u>ACTUAL BOARDINGS</u>	<u>% GOAL ACHIEVED</u>
January (thru 1/15)	8.8	3	34%

Note: Boarding goal is to board every independent fishing vessel one per quarter on the average.