

M E M O R A N D U M

TO: Council, SSC, and AP Members  
FROM: Jim H. Branson  
Executive Director  
DATE: November 30, 1981  
SUBJECT: Bering Sea/Aleutian Islands Groundfish

*ACTION REQUIRED*

- I. *Because of increases in the projected 1982 domestic harvest of groundfish, the Council needs to amend the JVP, DAP, and DAH amounts in the FMP.*
- II. *Amendment #1, under review by the Secretary since September 2, 1981, is encountering problems. We need to meet with the PDT to discuss those problems. In the meantime, Secretarial Review will be suspended. A full report to the Council probably cannot be finished before the March meeting.*
- III. *An update of the status of the FMP and amendments will be presented.*

BACKGROUND

I. UPDATE DAH, AMEND THE FMP

The National Marine Fisheries Service has completed its survey of anticipated joint ventures for 1982. The results are given below in Table 1.

TABLE 1

1982 ANTICIPATED INCREASE IN JOINT VENTURES  
and DOMESTIC HARVESTING (MT's)

<u>Species</u>	<u>Need</u>	<u>Current</u>	<u>Revised</u>
Pollock	JVP	9,050	64,000
Yellowfin Sole	JVP	25,000	30,000
Other Flatfish	JVP	3,000	10,000
Atka Mackerel	JVP	100	14,500

If the Council uses the figures in Table 1, the new estimates of DAH applicable in the Bering Sea will be as given in Table 2.

TABLE 2

PROPOSED 1982 JVP, DAP, DNP, AND DAH (MT's)

<u>Species</u>	<u>JVP</u>		<u>DAP</u>	<u>DNP</u>	<u>DAH</u>	
	<u>Current</u> <sup>1/</sup>	<u>Proposed</u>	<u>Current</u>	<u>Current</u>	<u>Current</u>	<u>Proposed</u>
Pollock BS	9,050	64,000	10,000	500	19,550	74,500
Pollock AI	-0-	---	-0-	---	---	---
Yellowfin Sole	25,000	30,000	1,000	200	26,200	31,200
Turbots	75	N/C <sup>2/</sup>	1,000	---	1,075	N/C
Other Flatfish	3,000	10,000	1,000	200	4,200	11,200
Pacific Cod	17,065	N/C	26,000	200	43,265	N/C
POP BS	830	N/C	550	---	1,380	N/C
POP AI	830	N/C	550	---	1,380	N/C
Other Rockfish	450	N/C	1,100	---	1,550	N/C
Sablefish BS	200	N/C	500	---	700	N/C
Sablefish AI	200	N/C	500	---	700	N/C
Atka Mackerel	100	14,500	-0-	---	100	14,500
Squid	50	N/C	-0-	---	50	N/C
Other Species	<u>200</u>	<u>6,000</u>	<u>1,400</u>	<u>400</u>	<u>2,000</u>	<u>7,800</u>
Total	57,050	144,200	43,600	1,500	102,150	189,300

1/ Current figures are from Amendment #2, which is to be implemented in January 1982.

2/ N/C=no change

If the Council adopts the figures proposed in Table 2, the 1982 initial allocations available for foreign and domestic fishermen will be as given in Table 3.

TABLE 3  
PROPOSED 1982 INITIAL AVAILABLE ALLOCATIONS (MT's)

<u>Species</u>	<u>OY</u>	<u>DAH</u>			<u>TALFF</u>	
		<u>Current</u>	<u>Proposed</u>	<u>Reserve</u>	<u>Current</u>	<u>Revised</u>
Pollock BS	1,000,000	19,550	74,500	50,000	930,450	875,500
Pollock AI	100,000	---	---	---	100,000	N/C
Yellowfin Sole	117,000	26,200	31,200	5,850	84,950	79,950
Turbots	90,000	1,075	N/C	4,500	84,425	N/C
Other Flatfish	61,000	4,200	11,200	3,050	53,750	46,750
Pacific Cod	78,700	43,265	N/C	3,935	31,500	N/C
POP BS	3,250	1,380	N/C	162	1,708	N/C
POP AI	7,500	1,380	N/C	375	5,745	N/C
Other Rockfish	7,727	1,550	N/C	500	5,677	N/C
Sablefish BS	3,500	700	N/C	350	2,450	N/C
Sablefish AI	1,500	700	N/C	150	650	N/C
Atka Mackerel	24,800	100	14,500	1,240	23,460	9,060
Squid	10,000	50	N/C	500	9,450	N/C
Other Species	<u>74,249</u>	<u>2,000</u>	<u>7,800</u>	<u>3,712</u>	<u>68,537</u>	<u>62,737</u>
Total	1,579,226	102,150	189,300	74,324	1,402,752	1,315,602

Domestic Catches (MT's) in the Bering Sea as of October 31, 1981 were as follows:

<u>Species</u>	<u>JVP</u>	<u>DAP</u>	<u>Total</u>
Pollock	41,915.8	---	41,915.8
Yellowfin Sole	15,971.8	31.5	16,003.3
Other Flatfish	6,018.5	---	6,018.5
Turbots	0.2	---	0.2
Pacific Cod	9,330.0	8786.5	18,116.5
POP	1.4	-0-	1.4
Other Rockfish	7.0	0.8	7.8
Sablefish BS	24.1	---	24.1
Sablefish AI	156.0	---	156.0
Atka Mackerel	1,633.0	---	1,633.0
Squid	4.4	---	4.4
Other Species	<u>3,438.7</u>	<u>99.8</u>	<u>3,538.5</u>
Total	78,500.9	8,918.6	87,419.5

This Council meeting should serve as the public hearing to receive testimony on the proposed changes in DAH. If the Council then approves any changes in DAH for Secretarial Review, the Amendment could be implemented as follows:

Bering Sea/Aleutian Islands Amendment #4  
Changes to DAH  
Proposed Implementation Schedule\*

<u>Date</u>	<u>Action</u>
December 8, 1981	Council approves Amendment for Secretarial Review.
December 16, 1981	Staff sends Amendment to NMFS Region for FR notice, Regulations; RIR, EIS determinations are negative.
January 15, 1982	Amendment sent to Secretary, 45-day review starts.
March 4, 1982	Review ends.
March 15, 1982	NPRM 30-day comment period.
April 15, 1982	Comment period ends.
April 29, 1982	NFRM, 30-day APA period.
May 28, 1982	Amendment #4 becomes effective.

\*Schedule assumes no RIR or EIS and DOC, OMB reviews incorporated into 60-day Secretarial Review. This has been known to happen.

In any event, it is most probable that Amendment #4 can be implemented before the autumn of 1982, therefore the Council could recommend to the Secretary of State to withhold current TALFF Allocations based on the proposed figures.

## II. AMENDMENT #1

Amendment #1 has been under review by the Secretary of Commerce since September 2, 1981. This Amendment is designed to: (1) establish a multi-species, multi-year optimum yield for the groundfish complex; (2) establish a new schedule for the apportionment of groundfish reserves to DAH and TALFF; (3) reduce restrictions on the domestic trawl fishery operating in the Bristol Bay pot sanctuary and the winter halibut savings area; (4) delegate authority to the Regional Director to issue in-season field orders for conservation purposes and to avoid gear conflicts; and (5) designate two new areas between 170°w and 172°w longitude where foreign fishing will be permitted seaward of three nautical miles from the baseline used to measure the territorial sea.

Understandably, an Amendment of such complexity has raised a few eyebrows in Washington, D.C. The Council staff has received informal comments and questions via the NMFS Regional office. The staff would like to meet with the Plan Development Team, to discuss the issues, and develop any clarifying language or alternatives which may be necessary to advance this important action through the review labyrinth.

## III. STATUS OF THE FMP, AMENDMENTS #1-a, #2, #3

Amendments #1-a and #2 were approved on September 28, 1981 and filed as Proposed Rulemaking in the Federal Register on October 23, 1981. The comment period on the proposed regulations will end in mid-December. Final

Regulations should be in place on, or close to January 1, 1982. The original FMP is scheduled to be implemented on January 1, 1982.

Amendment #1-a established a PSC for chinook salmon for foreign trawl operations in the Bering Sea of 55,200 fish for 1982.

Amendment #2 increased the DAH for yellowfin sole and other flatfish, and increased the OY, DAP, RESERVES, and DAH for Pacific Cod.

Amendment #3, the Prohibited Species Amendment, was sent to the NMFS Regional office on October 20, 1981. The Regional office is preparing the Regulatory Impact Review (RIR) and the Proposed Implementing Regulations necessary to submit a complete amendment package for Secretarial Review. The Council staff will submit the package for review as soon as all documentation is available.

As part of the preparation of the documents for Amendment #3, the Table of "Target Reduction Schedule of Prohibited Species from 1977-1980 Base Levels" has been modified slightly to reflect the latest available information from the National Marine Fisheries Service. The new table (E-6a) and the table which resulted from the September Council meeting (E-6b) are included for your reference.

JP

MODIFIED TO REFLECT LATEST INFORMATION  
(November 1981)

TABLE 1 -- Target Reduction Schedule of Prohibited Species  
from 1977-80 Base Levels

Year	Metric Tons per mt groundfish		Number of Individuals per mt groundfish			
	Halibut	Chinook	Salmon <sup>2/</sup> Total Salmon <sup>1/</sup>	King crab	Tanner crab	
<u>Base Catch Rates (R), or Number</u>						
1977-80	3,182	74,400	80,000	916,804	16,003,329	
Average	<u>1,301,250</u> R=0.002445			<u>1,301,250</u> R=0.704556	<u>1,301,250</u> R=12.29843	
<u>Schedule of Reduction (percent of base catch rates or absolute catch levels)</u>						
(1981)	--	65,000	--	--	--	
(1982)R=.0022	90%	55,250	59,409	R=.66933	95%	R=11.684 95%
(1983)R=.00196	80%	45,500	48,925	R=.6341	90%	R=11.0686 90%
(1984)R=.00171	70%	to be determined		R=.59887	85%	R=10.4537 85%
(1985)R=.00147	60%	to be determined		R=.56365	80%	R=9.8387 80%
(1986)R=.001223	50%	16,250 <sup>2/</sup>	17,473 <sup>2/</sup>	R=.52842	75%	R=9.2238 75%

Note: Determination of Total Allowable Catches (TAC) of Groundfish are subject to Prohibited Species Catch (PSC) restrictions.

- 1/ Absolute numbers of salmon are calculated on the assumption that 93% of incidentally-caught salmon are chinook.
- 2/ A full and complete review of the salmon incidental catch reduction program will be conducted in 1983 to determine what the salmon incidental catch limits should be thereafter. This review will consider the status of the salmon resource, the economic and technological possibility of further incidental catch reductions, and other relevant matters. The review would also consider the economic and technological reasonableness of the goal set out above.

Foreign Catches

D.B. Eaton Area  
165°W to 167°W  
54°N to 55°30'N

Species	<u>1979</u> <sup>1/</sup>	<u>1980</u> <sup>2/</sup>
Yellowfin Sole	2,300	1,382
Pollock	220,000	194,823
Arrowtooth Flounder	1,100	1,365
Flathead Sole	1,170	688
Rock Sole	761	272
Pacific Cod	7,555	7,826
Sablefish	347	887
Greenland Turbot	5,293	5,250
Other Flatfish	1,700	911
POP	646	96
Other Rockfish	365	88
Atka Mackerel	1,300	3,815
Squid	<u>800</u>	<u>669</u>
Total	243,337	218,072

1/ Source: Observer Program

2/ Source: Observer Program, Foreign Reported Catches



620

60°

58°

56°

168°

166°

164°

162°

160°

158°

156°

154°

Winter Halibut Savings Area

Pot Sanctuary

ST. LAWRENCE ISLAND  
Pogonias Cape  
Northwest Cape

ST. MATTHEW ISLAND

PRIBILOF ISLANDS  
St. George

NELSON ISLAND  
Newtok  
Akulurak  
Sleds Point

UNIMAK ISLAND  
Kachikuga  
Kerigamut

KUSKOKWIM BAY  
Karnagamiut  
Kineginak  
Cape Nemirov

NORTON SOUND  
Council  
Salomaa  
Kayuk  
Unalakleet  
Steebik

BRISTOL BAY  
Pilot Point  
Part Helden  
Meshik  
Ching  
Ching Lake

TRINITY ISLAND  
Kaguyah

MCGRATH BOROUGH  
Sterling Landing  
Farwell

PENINSULA BOROUGH  
Sporovich-Ad  
Tanaq Point

SHEDIK ISLAND  
Ugash  
Lava Bay

SHUNAGIN ISLANDS  
Sanaq

FOX ISLANDS  
Chiroofski  
Fligina  
Umnak  
Nukavki

UNIMAK ISLAND  
Cape Saracher  
Umnak  
Sanaq

BRISTOL BAY BOROUGH  
Egegik

YUKON RIVER  
Kakakotet  
Kaknessa  
Paorman

YUKON RIVER  
Ophir  
Taka  
Medfrao

YUKON RIVER  
Crooked Creek  
Georgetown  
Shekute  
Stony River  
Soyu

YUKON RIVER  
Kashnag  
Newthanna  
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Sara Bay  
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TABLE FROM SEPTEMBER 1981 COUNCIL MEETING

TABLE 1 -- Target Reduction Schedule of Prohibited Species  
from 1977-80 Base Levels

Year	Metric Tons per mt groundfish		Number of Individuals per mt groundfish		
	Halibut	Chinook	Salmon <sup>2/</sup> Total Salmon <sup>1/</sup>	King Crab	Tanner Crab
<u>Base Catch Rates (R), or Number</u>					
1977-80	3,182	74,400	80,000	916,804	16,003,329
Average	1,258,102			1,258,102	1,258,102
	R=0.0025292			R=0.72872	R=12.720
<u>Schedule of Reduction (percent of base catch rates or absolute catch levels)</u>					
(1981)	--	65,000	--	--	--
(1982)	90%	55,500	59,409	95%	95%
(1983)	80%	45,500	48,925	90%	90%
(1984)	70%	to be determined		85%	85%
(1985)	60%	to be determined		80%	80%
(1986)	50%	16,250 <sup>2/</sup>	17,473 <sup>2/</sup>	75%	75%

Note: Determination of Total Allowable Catches (TAC) of Groundfish are subject to Prohibited Species Catch (PSC) restrictions.

1/ Absolute numbers of salmon are calculated on the assumption that 93% of incidentally-caught salmon are chinook.

2/ A full and complete review of the salmon incidental catch reduction program will be conducted in 1983 to determine what the salmon incidental catch limits should be thereafter. This review will consider the status of the salmon resource, the economic and technological possibility of further incidental catch reductions, and other relevant matters. The review would also consider the economic and technological reasonableness of the goal set out above.

14.3 Fishing Year

The fishing year shall be the calendar year (January 1 -December 31). Should this FMP be implemented at a date other than January 1, fish allocations will be prorated as if implementation had begun the previous January 1.

14.4 Management Measures -- Domestic Fishery

14.4.1 Permit Requirements

All U.S. vessels harvesting and retaining groundfish or engaging in support activities in that part of the fishery conservation zone governed by this FMP must have on board a current permit issued by the Secretary of Commerce, or, if considered acceptable by the Secretary, a State of Alaska vessel license.

14.4.2 Prohibited Species

United States vessels must minimize their incidental harvest of Pacific halibut, salmon, Tanner crab, and any other species the fishery for which in the area governed by this FMP is governed by another FMP, and shall return those species to the sea promptly if they are taken.

14.4.3 Fishing Area Restrictions

A. General

None

B. Trawl Fishery

1. Area A -- "Bristol Bay Pot Sanctuary" (as described in Appendix III and Figure 27) -- domestic trawling will be permitted year-round on an experimental basis and be monitored closely by observers. Those domestic vessels fishing for a "species venture" will be subject to the following restrictions:

a. Definition of Species Venture.

A species venture is defined to be any one of the following:

- (1) joint ventures using a foreign processor of a particular flag and controlled by either a particular American partner or a foreign entity directly;
  - (2) individual factory trawler operations;
  - (3) domestic joint ventures with at sea processing by a particular processor/buyer;
  - (4) trawl-caught deliveries to a particular buyer.
- b. For each species venture domestic trawling will be permitted until the annual incidental interception of Pacific halibut exceeds the guideline level as determined by the appropriate analysis of relevant data.

The guideline level shall be one percent by line weight of the total harvest of each species venture. Each species venture's harvest shall be monitored on a current time basis by observers or other appropriate means. At the

initial 10,000 metric ton level, the incidental catch of Pacific halibut shall be determined. Upon achieving a 20,000 mt catch, if a species venture's incidental catch of Pacific halibut exceeds one percent by weight of total catch, the species venture shall be restricted to pelagic trawl gear for the remainder of the fishing year when trawling in Area A. If a species venture's incidental catch of Pacific halibut is one percent or less, then the species venture may continue bottom trawling subject to the one-percent incidental catch of Pacific halibut restriction for each additional 20,000 mt catch level achieved.

Domestic fishermen trawling in Area "A" shall provide appropriate data and observation from their own records relevant to the nature of their fishing efforts, and shall cooperate with personnel assigned for scientific study of fishing activity in Area "A".

The Council will consider relevant data on all prohibited species accumulated and analyzed from Area A and will take appropriate action as necessary.

2. Area B -- "Winter Halibut Savings Area" (as described in Appendix III and Figure 27):
  - a. December 1 - May 31 -- domestic trawling will be permitted on an experimental basis and monitored closely by observers.
  - b. June 1 - November 30 -- no closures.

Rationale -- To reduce high incidental catches and mortality of juvenile halibut which are known to occur in winter concentrations in the Bristol Bay Pot Sanctuary and the Winter Halibut Savings Area while allowing some expansion in the traditional crab-bait trawl fishery and the development of a domestic groundfish fishery for human consumption.

3. Other Areas -- no closures

C. Longline Fishery

1. Area B - Winter Halibut-Savings Area (as described in Appendix III and Figure 27):
  - a. December 1 - May 31 -- domestic longlining will be permitted landward of the 500 m isobath until the total U.S. longline catch (excluding halibut) from this area exceeds 2,000 mt.
  - b. June 1 - November 30 -- no closures.

Rationale -- To reduce high incidental catch and mortality of juvenile halibut which are known to occur in winter concentrations in the Winter Halibut-Savings Areas while allowing for some expansion in the domestic setline fishery for species other than halibut.

E-6  
BSAIGF FMP  
Proposed Regulations  
Amendment  
# 1

(2) When the combined catch by foreign and United States vessels in the fishery or applicable sub-area of the fishery reaches the TAC amount for a species or species group, further fishing which involves the catching or taking of that species is prohibited in the management area or applicable sub-area for the remainder of the fishing year.

(b) Winter Halibut-Savings Area catch limit. (1) Area defined.

The Winter Halibut-Savings Area consists of all waters encompassed by straight lines connecting the following points in the order listed:

- 54°36'N latitude--164°55'42"W longitude (Cape Sarichef Light)
- 52°40'N latitude--170°00'W longitude;
- 55°30'N latitude--170°00'W longitude;
- 55°30'N latitude--166°47'W longitude;
- 56°00'N latitude--167°45'W longitude;
- 56°00'N latitude--166°00'W longitude;
- 56°30'N latitude--166°00'W longitude;
- 56°30'N latitude--163°00'W longitude;
- 56°20'N latitude--163°00'W longitude;
- 55°16'N latitude--166°10'W longitude;
- 54°36'N latitude--164°55'42"W longitude (Cape Sarichef Light).

(2) Longline. During the period from December 1 to May 31, no more than 2,000 metric tons of groundfish may be taken with longline gear in water less than 500 meters deep in the Winter Halibut Savings Area.

(c) Bristol Bay Pot Sanctuary gear restrictions.

Initial  
ALFF

(1) Area defined. The Bristol Bay Pot Sanctuary consists of all waters encompassed by straight lines connecting the following points, in the order listed:

54°36'N latitude--164°55'42"W longitude (Cape Sarichef Light);  
55°16'N latitude--166°10'W longitude;  
56°20'N latitude--163°00'W longitude;  
57°10'N latitude--163°00'W longitude;  
58°10'N latitude--160°00'W longitude; and  
Intersection of 160°00'W longitude with the  
Alaska Peninsula.

(2) Trawl. (i) Domestic vessels involved in a species venture are subject to the following restrictions:

(A) A species venture is defined to be any one of the following:

- (1) A joint venture using a foreign processor of a particular flag and controlled by either a particular American partner or a foreign entity directly;
- (2) An individual factory trawler operation;
- (3) A domestic joint venture with at sea processing by a particular processor/buyer;
- (4) Trawl-caught deliveries to a particular buyer.

(B) The incidental catch of Pacific halibut in each 20,000 metric ton groundfish catch of a species venture is determined from observer data or other means approved by the Regional Director. Upon achieving a 20,000 metric ton catch, if a species venture's incidental catch

of Pacific halibut exceeds one percent by weight of total catch, the species venture shall be restricted to pelagic trawl gear for the remainder of the fishing year when trawling in the Bristol Bay Pot Sanctuary. If a species venture's incidental catch of Pacific halibut is one percent or less, then the species venture may continue bottom trawling subject to the one-percent incidental catch of Pacific halibut restriction for each additional 20,000 metric ton catch level achieved.

~~(d) Field orders. (1) If the Regional Director determines that a final TAC will be reached, he shall issue a field order pursuant to §675.22 prohibiting fishing for all groundfish species in the management area or sub-area to which that TAC applies, except that the Regional Director shall not prohibit, under this section, fishing for sablefish by fishing vessels using longline gear unless he determines that a TAC for sablefish will be reached.~~

~~(2) If the Regional Director determines that the catch limit specified in §675.20(b)(2) will be reached, he shall issue a field order pursuant to §675.22 prohibiting longlining in waters less than 500 meters deep in the winter halibut savings area until June 1.~~

~~(3) The Regional Director may issue field orders pursuant to §675.22 adjusting time and/or area closures for conservation reasons. The field orders may open or close fishing areas or parts thereof and fishing seasons based upon the following considerations:~~