

# North Pacific Fishery Management Council

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## NEWSLETTER

### Council Recesses June Meeting until August

The North Pacific Fishery Management Council met in Anchorage June 24-29, 1991, but could not complete its agenda. Their decisions, mainly on the inshore-offshore issue, are reported in this newsletter, but most other agenda items remain to be decided when the Council reconvenes in August in Juneau, Alaska. They will meet at the Baranof Hotel, beginning at 10 a.m., Tuesday, August 13, and run through August 15 or possibly August 16, depending on how fast the meeting progresses.

Attached is an agenda for the August extension of the June meeting. Please note that public testimony has been completed and is closed on the following agenda items:

- C-1 Sablefish Management
- C-2 Inshore-Offshore
- D-1(b) Groundfish Amendment 17/22
- D-2(b) Bycatch Amendment Proposals

The last item, bycatch amendment proposals, will be the subject of a special open teleconference of the Council on Wednesday, July 3, at 1 p.m., Alaska Daylight Time. Anyone interested in the results of that teleconference should contact the Council office to receive a complete list of the bycatch proposals to be analyzed during 1991.

Concerning agenda item C-3, North Pacific Fisheries Research Plan, the deadline for written comments was June 14. Oral testimony (and simple transcripts of the testimony) will be taken at the August extension of the June meeting.

### Inshore-Offshore Preferred Alternative Approved

After two years of analysis and consideration of the inshore-offshore issue, the Council has given final approval for Secretarial Review to the proposed groundfish amendment attached to this newsletter. The preferred alternative provides for allocations of Bering Sea and Aleutian Islands pollock between inshore and offshore components to be phased in over three years, beginning in 1992. A special operational area for harvesting vessels will be established south of 56° North latitude between 168° and 163° West longitude, though the offshore fleet will be allowed to harvest some of the roe fishery allotment there. The preferred alternative also provides for a special program to help Western Alaska communities. Gulf of Alaska pollock are allocated to the inshore component except for bycatch amounts, and Gulf of Alaska Pacific cod is allocated ninety percent to the inshore sector. The Council intends to develop and implement a moratorium, perhaps including emergency action, as soon as possible.

All that remains for the Council to consider for inshore-offshore are the proposed regulations that will implement the preferred alternative. Hopefully these will be available for Council review at the

August extension of the June meeting. As noted above, public comment is closed on this issue, but there will be further opportunity for public review during Secretarial Review, which is anticipated to commence in early September.

### **Sablefish and Halibut Management**

The Council completed public testimony on the alternative sablefish individual fishing quota proposals but delayed final approval until the August extension of the June meeting. After the final decision is made, the Council's preferred alternative will be merged with that on halibut and forwarded for Secretarial Review sometime this fall. If IFQs are approved, they could be implemented by late 1993 or early 1994.

The Council approved draft halibut IFQ alternatives for public review. The amendment package will commence a 45-day public review around July 19. A final Council decision is scheduled for September 23-27, 1991. The proposed alternatives and options are attached to this newsletter.

### **Council Seeks Proposals for Rationalizing Groundfish and Crab Fisheries**

The Council finds itself dealing more and more with problems that result from the enormous fishing capacity that has developed off Alaska. These include gear preemptions, bycatch problems, inshore-offshore issues, marine mammal - fisheries interactions, and many other contentious allocative issues that are aggravated by the fast-paced, high capacity nature of the fisheries. Therefore, as part of its deliberation on the inshore-offshore issue, the Council instructed staff to develop alternatives for the Council to consider to rationalize the groundfish and crab fisheries under its jurisdiction. The alternatives now include:

1. ITQs
2. License Limitation
3. Auction
4. Traditional Management Tools
  - a. Trip Limits
  - b. Area Registration
  - c. Quarterly; Semi Annual or Tri-annual allocations
  - d. Gear Quotas (hook and line, pots etc.)
  - e. Time and area closures
  - f. Seasons
  - g. Daylight only fishing
5. Continuation of inshore/offshore allocation
6. Implementation of Community Development Quotas
7. No Action

However, the Council seeks additional proposals from all interested parties, including its Scientific and Statistical Committee and Advisory Panel. These should be received at the Council office by September 30, 1991, so they may be incorporated into a comprehensive proposal package for Council review this coming December. Preliminary discussions of this initiative also will be on the agenda for the September Council meeting.

### **July Bycatch Committee Meeting Cancelled**

The Bycatch Committee will not meet on July 25 as previously announced. Instead, the Committee will schedule a teleconference to discuss salmon bycatch information and a salmon bycatch amendment. The date of the teleconference will be made available to the public as soon as it has been set.

DRAFT AGENDA

**97th Plenary Session  
North Pacific Fishery Management Council  
June 24-28, 1991  
Anchorage, Alaska  
and  
August 13-16, 1991  
Juneau, Alaska**

- A. CALL TO ORDER, APPROVAL OF AGENDA, AND MINUTES OF PREVIOUS MEETING**
  
- B. REPORTS**
  - B-1 Executive Director's Report
  - B-2 ADF&G Report
  - B-3 NMFS Management Report
  - B-4 Enforcement and Surveillance Report
  
- C. NEW OR CONTINUING BUSINESS**
  - C-1 Sablefish Management
    - (a) NMFS report on how an individual fishing quota system would be implemented and enforced.
    - (b) Consider approving individual fishing quota system for Secretarial review.
  - C-2 Inshore-Offshore  
~~Consider approving Amendment 23/18 for Secretarial review.~~  
\*\*Proposed regulations may be available for Council approval.
  - C-3 North Pacific Fisheries Research Plan  
Receive report from Data Committee and consider approving plan for Secretarial review.
  - C-4 International Fisheries  
Review high seas driftnet agreements and results of international fisheries meetings.
  - C-5 Marine Mammals
    - (a) Review NMFS-proposed amendments to the Marine Mammal Protection Act
    - (b) Review Draft Recovery Plan for Steller Sea Lions
  - C-6 Anti-Reflagging Act of 1987  
Review recent court decision and its implications.

**C-7 Halibut Management**

- (a) Status report on 1991 fishery
- (b) Approve halibut IFQ alternatives for public review

**C-8 Future Management Planning**

- (a) Receive report from NMFS on procedures and requirements necessary to develop a moratorium on entry into all fisheries under Council jurisdiction, except salmon, and to develop individual fishing quota systems for those fisheries.
- (b) Establish schedule for design and analysis and task staff as appropriate.

**C-9 Other Business**

**D. FISHERY MANAGEMENT PLANS**

**D-1 Groundfish: Plan Amendments and Regulatory Actions**

- (a) NMFS status report on plan and regulatory amendments, and emergency rules.
- (b) Approve proposed groundfish amendment 17/22 for Secretarial review.
- (c) Consider industry request to increase TAC for deepwater flatfish in the Central Gulf to 35,000 mt (ABC is 38,900 mt).
- (d) Initial consideration of any proposed changes in groundfish seasons and recordkeeping/reporting requirements for 1992.
- (e) Consider schedule for analyzing quarterly cod allocations in the Bering Sea/Aleutian Islands.

**D-2 Groundfish: Bycatch**

- (a) Receive report of IPHC workgroup on halibut bycatch and report on halibut bycatch by gear type in the Gulf of Alaska.
- (b) Receive report from Ad Hoc Bycatch Committee and task staff with analysis of bycatch amendment
- (c) Review of herring bycatch management and effectiveness of special closed areas.

**E. FINANCIAL REPORT**

**F. PUBLIC COMMENTS**

**G. CHAIRMAN'S REMARKS AND ADJOURNMENT**

**COUNCIL'S PREFERRED ALTERNATIVE**  
**AGENDA ITEM C-2: INSHORE/OFFSHORE**  
(Original motion introduced June 26, 1991; passed as amended June 28, 1991)

*Motion for a Comprehensive Fishery Rationalization Program for the groundfish and crab resources in the Gulf of Alaska and the Bering Sea and Aleutian Islands:*

**I. MORATORIUM**

The Council reiterates its intention to develop and implement as expeditiously as possible a moratorium, including implementation by emergency action at the soonest possible date.

**II. DEFINITIONS, RULES, AND ALLOCATION**

Relative to definitions, rules and allocations for inshore and offshore components of the Gulf of Alaska (GOA) pollock and Pacific cod fisheries and the Bering Sea and Aleutian Islands (BSAI) pollock fisheries:

**A. DEFINITIONS**

The following definitions shall apply:

**Groundfish:** The term "groundfish" means pollock and/or Pacific cod in the Gulf of Alaska and pollock in the Bering Sea/Aleutian Islands.

**Offshore:** The term "offshore" includes all catcher/processors not included in the inshore processing category and all motherships and floating processing vessels which process groundfish at any time during the calendar year in the Exclusive Economic Zone (from 3 to 200 nautical miles from the Baseline).

**Inshore:** The term "inshore" includes all shorebased processing plants, all trawl catcher/processors and fixed gear catcher/processors whose product is the equivalent of less than 18 metric tons round weight per day, and are less than 125 feet in length, and all motherships and floating processing vessels, which process groundfish at any time during the calendar year within 3 nautical miles of the Baseline.

**Trawl Catcher/Processor:** The term "trawl catcher/processor" includes any trawl vessel which has the capability to both harvest and process its catch, regardless of whether the vessel engages in both activities or not.

**Mothership/Floating Processing Vessel:** The term "mothership" or "floating processing vessel" includes any vessel which engages in the processing of groundfish, but which does not exercise the physical capability to harvest groundfish.

**Harvesting Vessel:** The term "harvesting vessel" includes any vessel which has the capability to harvest, but does not exercise the capability to process, its catch on a calendar year basis.

## B. RULES

The following rules shall apply to both the Gulf of Alaska, and the Bering Sea and Aleutian Islands:

1. Each year, prior to the commencement of groundfish processing operations, each mothership, floating processing vessel, and catcher-processor vessel will declare whether it will operate in the inshore or offshore component of the industry. A mothership or floating processing vessel may not participate in both, and once processing operations have commenced, may not switch for the remainder of the calendar year. For the purpose of this rule, the Gulf of Alaska, the Bering Sea and the Aleutian Islands are viewed as one area, and groundfish applies to all of the species combined which have been allocated to one component or the other.
2. A mothership or floating processing vessel which participates in the inshore component of the industry shall be limited to conducting processing operations on pollock and Pacific cod, respectively, to one location within 3 nautical miles of the Baseline, but shall be allowed to process other species at locations of their choice.
3. If during the course of the fishing year it becomes apparent that a component will not process the entire amount, the amount which will not be processed shall be released to the other components for that year. This shall have no impact upon the allocation formula.
4. Harvesting vessels can choose to deliver their catch to either or both markets (e.g. inshore and offshore processors); however, once an allocation of the total allowable catch (TAC) has been reached, the applicable processing operations will be closed for the remainder of the year unless a surplus reapportionment is made.
5. Allocations between the inshore and offshore components of the industry shall not impact the United States obligations under the General Agreement on Tariffs and Trade.
6. Processing of reasonable amounts of bycatch shall be allowed.
7. The Secretary of Commerce would be authorized to suspend the definitions of catcher/processor and shoreside to allow for full implementation of the Community Development Quota program as outlined in Section III.

## C. ALLOCATIONS

The following allocations shall apply:

### a. Gulf of Alaska

**Pollock:** One hundred percent of the pollock TAC is allocated to harvesting vessels which deliver their catch to the inshore component. Trawl catcher/processors will be able to take pollock incidentally as bycatch.

**Pacific cod:** Ninety percent of the TAC is allocated to harvesting vessels which deliver to the inshore component and to inshore catcher/processors; the remaining ten percent is allocated to offshore catcher/processors and harvesting vessels which deliver to the offshore component. The percentage allocations are made subarea by subarea.

b. Bering Sea/Aleutian Islands

**Pollock:** The Bering Sea/Aleutian Islands pollock TAC shall be allocated as follows:

A phase-in period for the BSAI with an allocation of the pollock TAC in the BSAI as follows:

	<u>Inshore</u>	<u>Offshore</u>
Year 1	35%	65%
Year 2	40%	60%
Year 3	45%	55%

**Bering Sea Harvesting Vessel Operational Area:** For pollock harvesting and processing activities, a harvesting vessel operational area shall be defined as inside 168° through 163° West longitude, and 56° North latitude south to the Aleutian Islands. Any pollock taken in this area in the directed pollock fishery must be taken by harvesting vessels only, with the exception that 65% of the at-sea "A" season pollock allocation available to the offshore segment may be taken by the offshore segment in the operational area.

**III. WESTERN ALASKA COMMUNITY QUOTA**

For a Western Alaska Community Quota, the Council instructs the NMFS Regional Director to hold 50% of the BSAI pollock reserve as identified in the BSAI Groundfish Fishery Management Plan (FMP) until the end of the third quarter annually. This held reserve shall be released to communities on the Bering Sea Coast who submit a plan, approved by the Governor of Alaska, for the wise and appropriate use of the released reserve. Any of the held reserve not released by the end of the third quarter shall be released according to the inshore and offshore formula established in the BSAI FMP. Criteria for Community Development Plans shall be submitted to the Secretary of Commerce for approval as recommended by the State of Alaska after review by the North Pacific Fishery Management Council (NPFMC).

The Western Alaska Community Quota program will be structured such that the Governor of Alaska is authorized to recommend to the Secretary that a Bering Sea Rim community be designated as an eligible fishing community to receive a portion of the reserve. To be eligible a community must meet the specified criteria and have developed a fisheries development plan approved by the Governor of the requesting State. The Governor shall develop such recommendations in consultation with the NPFMC. The Governor shall forward any such recommendations to the Secretary, following consultation with the NPFMC. Upon receipt of such recommendations, the Secretary may designate a community as an eligible fishing community and, under the plan, may release appropriate portions of the reserve.

#### **IV. OTHER ALTERNATIVES TO BE CONSIDERED**

Commencing immediately, the Council instructs its staff and the GOA and BSAI plan teams, with the assistance of the Alaska Fisheries Science Center, the Alaska Regional Office of the National Marine Fisheries Service, the Scientific and Statistical Committee and Advisory Panel, to undertake the development of alternatives for the Council to consider to rationalize the GOA and BSAI groundfish and crab fisheries under the respective FMPs. The following alternatives shall be included but not limited to:

1. ITQs
2. License Limitation
3. Auction
4. Traditional Management Tools
  - a. Trip Limits
  - b. Area Registration
  - c. Quarterly; Semi Annual or Tri-annual allocations
  - d. Gear Quotas (hook and line, pots etc.)
  - e. Time and area closures
  - f. Seasons
  - g. Daylight only fishing
5. Continuation of inshore/offshore allocation
6. Implementation of Community Development Quotas
7. No Action

The Executive Director of the Council, on behalf of the Council, shall immediately solicit from the Council family and other interested parties ideas in addition to those identified above for rationalization of these fisheries. This request should ask for ideas to be submitted by September 30, 1991.

#### **V. DURATION**

If by December 31, 1995, the Secretary of Commerce has not approved the FMP amendments developed under item IV above, the inshore/offshore and Western Alaska Community Development Quotas shall cease to be a part of the FMPs and the fisheries shall revert to the Olympic System.