MEMORANDUM

DATE: February 4, 1980

TO: Council Members, Scientific & Statistical Committee

and Advisory Panel

FROM: Jim H. Branson, Executive Director

SUBJECT: Bering Sea/Aleutian Islands Groundfish FMP: Proposed Amendments,

Comment on Release of Reserves and decision on 'scoping'

meeting.

ACTION REQUIRED

(1) No action required on proposed amendment list.

(2) <u>Recommendations</u> <u>are needed</u> on the first scheduled release of reserves.

(3) Set a 'scoping' meeting for amendments as required by NEPA.

BACKGROUND

(1) The BS/AI Management Plan Drafting Team met in Seattle on January 29-31 to discuss annual amendments to this plan. Bert Larkins turned over the leadership of that team to Dr. Low who produced the attached list (Attachment #1) of "Categories of Amendments" and the following schedule:

February Meeting Present broad amendment categories

(Attachment 1)

Early March Scoping Meeting

March Meeting. Present actual amendments

April 1 - 20 Public hearing on amendments April Meeting. Council action on amendments

Effective January 1, 1981

(2) The BS/AI Groundfish Plan has not been implemented yet. The PMP, which regulates the foreign fishery is in place and currently contains "Apportionment of Reserve" regulations similar to those in our Plan. The first release of reserves is scheduled for February 2nd. Up to 25% of each reserve amount (attachment 2) is to be reallocated to DAH or TALFF as appropriate.

Two sets of comments have been received and are attached (attachment 3); both from Marine Resources, Inc. They collectively recommend:

- (a) Atka mackerel reserves be released to DAH (JVP).
- (b) No yellowfin sole, turbot, or other flounders be released to TALFF.
- (c) Yellowfin sole reserves be released to DAH (JVP).
- (d) Reallocate unallocated 7,500 mt yellowfin sole from TALFF to DAH.

We are presently unable to provide catch data from the US/USSR joint venture or the Icicle operation because it would violate the confidentiality of data, interim final regulations. We are also not able to provide foreign catch data because the tabulated foreign catches are only used with "NMFS best blend" calculations which are not available to us.

(3) A 'scoping' meeting is required by Sec. 1501.7 of CEQ's NEPA regulations and a workplan by NOAA Directives Manual, Chapter 21, Sec. 24 (part of E012044 process). We file a 'Notice of Intent' to prepare an EIS, then decide if we should at scoping meeting. Estimates of costs and benefits of regulation,, etc., are supposed to be decided and decision made as to whether fishery is in need of regulation.

Attachments

MIH

CATEGORIES OF AMENDMENTS TO THE BERING SEA/ALEUTIAN ISLANDS GROUNDFISH FISHERY MANAGEMENT PLAN

- 1. A multiple year, multiple species approach in which MSY, OY and reserve apply to the groundfish complex as a whole with TAC ranges established for individual species groups. Between-year adjustments within each TAC range would be accomplished by the regulatory rather than amendment process.
- 2. A package of amendments dealing with prohibited species which, if accepted in total, would allow doing away with most time and area closures by:
 - (a) Establish limits on the tonnage of each prohibited species that will be allowed (but must still be discarded) which will be allocated to DAH and TALFF and if exceeded, cost closure of entire national fishery.
 - (b) Economic disincentive (per my July, 1979 letter to Branson) with options as to whether it should apply to domestic fishermen.
 - (c) Funding for sufficient observer coverage to assure that prohibited species do not exceed the allowable tonnage.
- 3. Resolve the problem of the high incidental catch of salmon and herring in the foreign trawl catch.
- 4. Reexamine the concept of area closures for the following: the Misty Moon Grounds, the winter halibut savings area and the Bristol Bay pot sanctuary.
- 5. Update the status of stocks.
- 6. Address the Processor Preference Amendment, especially evaluating the impact and the criteria for specific time and area closures: especially the Akutan/Akun 12-mile closure.
- 7. Re-examine the definitions for Pacific ocean perch and other rockfishes.
- 8. Evaluate and examine the OY's for pollock and yellowfin sole.
- 9. Evaluate and modify the Regional Director's in-season authority for time and area closures for gear conflicts and potential ground pre-emption problems.

ANNEX III -- Derivation of Total Allowable Level of Foreign Fishing

(TALFF) (Metric Tons)

Reference: Species group	Sub-area <u>1</u> /	Annex I ABC = OY	Section 13.1 Reserve	Annex II Initial DAH	Initial TALFF
Pollock	Bering Sea	1,000,000	50,000	19,550	930,450
Pollock	Aleutian	100,000	<u>3</u> /		100,000
Yellowfin sole		117,000	5,850	2,050	109,100
Turbots		90,000	4,500	1,075	84,425
Other flatfishes $\underline{2}/$		61,000	3,050	1,300	56,650
Pacific cod		58,700	2,935	24,265	31,500
Pacific ocean perch	Bering Sea	3,250	162	1,380	1,708
Pacific ocean perch	Aleutian	7,500	375	1,380	5,745
Other rockfish		7,727	500	1,550	5,677
Sablefish	Bering Sea	3,500	350	700	2,450
Sablefish	Aleutian	1,500	150	700	650
Atka mackerel	- 2	24,800	1,240	100	23,460
Squid		1.0,000	500	50	9,450
Others		74,249	3,712	2,000	68,537
Total		1,559,226	73,324	56,100	1,429,802

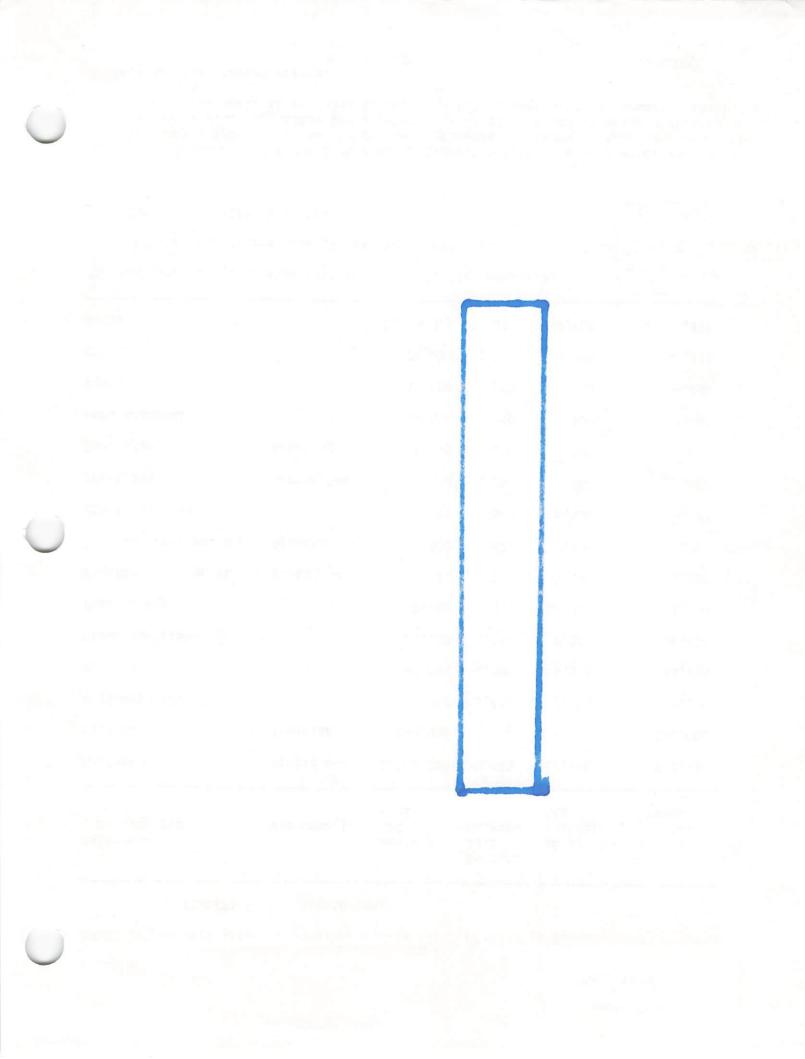
^{*1/} BS Bering Sea (Statistical Areas I, II, III combined).

AL Aleutian Island Area (Statistical Area IV).

^{2/} Excluding Pacific halibut.

This OY calculated for the offshore pollock population in deep water is discussed in Annex I (p. A-13). No reserve is considered necessary at this time since there is little U.S. capability for a pelaptic trawl fishery and resource abundance on the continental shelf is expected to keep any U.S. effort on that component identified as "B.Sea."

^{*} Includes territorial waters.





Feb. 1980 UNITED STATES DEPARTMENT OF COMMERCE National Oceanic and Atmospheric Administration

National Marine Fisheries Service P.J. Box 1668 Juneau, Alaska 99802

January 28, 1980

Jim Branson, Executive Director North Pacific Fishery Management Council P.O. Box 3136-DT Anchorage, AK 99510

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Agenda G-3

Dear Jim:

This letter follows up my January 25, 1980, phone conversation with Mark Hutton. The first reserve apportionment under the PMP for the BS/A Trawl Fisheries and Herring Gillnet Fishery is scheduled for February 2, 1980.

Wally Pereyra of Marine Resources Co., Inc., has notified us that his joint venture operation is able to deliver substantial amounts of Atka mackerel to Soviet vessels. However, only 100 mt of Atka mackerel are available for joint ventures. As soon as possible on or after February 2, we would like to apportion eligible amounts of Atka mackerel to DAH and reapportion it to JVP. Regulations require that we consult with the Council prior to apportioning reserves. Since the next scheduled Council meeting is not until February 7 - 8, we thought time could be saved if the Council staff could conduct a telephone poll of Council members. If you are agreeable, we may be able to provide Marine Resources Co., Inc., with needed amounts of Atka mackerel in a more timely fashion and satisfy the regulation requirements.

Sincerely,

James W. Brooks

Chief, Fisheries Management Division

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Marine Resources Co., Inc.

HEAD OFFICE: 4215 - 21st Avenue West Suite 206 Seattle, Washington 98199 Phone: (206) 285-2701 Telex: 32-8041 MRC SEA

NAKHODKA OFFICE: Hotel Horizon-BAMR Suite 224 Nakhodka Primorskogo 4 U.S.S.R. Telex: 213434 MRKNHDSU

Agenda G-3

January 25, 1980

Harry Rietze
Regional Director
Alaska Region
National Marine Fisheries Service
P. O. Box 1668
Juneau, Alaska 99801

Dear Harry:

Marine Resources Company would like to comment on the decision whether to release any of the reserves established in the Bering Sea Groundfish PMP scheduled for February 2, 1980. With our fishing operation in the Bering Sea just getting underway, the uncertainties of the elements, available fish, and regulatory constraints cause us to be reluctant to recommend the release of any of the reserves to TALFF for species sought by Marine Resources at this time.

Our claim to the reserves is highlighted by the circumstances which we have recently encountered concerning Atka mackerel. Although we projected only small Atka mackerel harvests and therefore requested only 100 tons of fish, we now find that our fishermen are catching this species in significant quantities. As the catch approaches the 100 MT JVP for Atka mackerel, we are very concerned that the permit condition on the Soviet processing vessels limits the amount of fish that may be received to the amount of JVP.

Because of this permit condition, U.S. fishermen will have to wastefully return to the sea Atka mackerel in excess of 100 tons unless the restriction is lifted. More importantly, they will have to sort the catches before transfer, which will cause serious delays and increase costs, to insure that we don't shut down all J.V. operations (both Soviet and ROK). This would occur if the 100 MT limit were reached before any corrective actions were taken with respect to the JVP amounts in the PMP.



Harry Rietze January 25, 1980 Page 2.



This type of permit condition may be appropriate for certain species in certain instances. However, as it is applied across the board to all JVP's, the result is a limitation on U.S. fishermen where none is needed, nor intended. We believe that this permit condition should be changed immediately to allow joint ventures to proceed as planned and approved.

The other regulatory constraint which affects our operation is the procedure specified in 50 CFR Section 611.93 for reassigning reserve amounts to DAH. While such a process is clearly necessary to reallocate reserves to TALFF, it seems less logical to require the same procedures to be followed before the reserve amount may be made available to domestic fishermen. We suggest that the reserve ought to be automatically available to domestic fishermen who need it, rather than requiring U.S. fishermen to go through a lengthy procedure which may take as long as two months before having access to fish that are rightfully theirs under the principles spelled This could be achieved by including the reserve as a subset of DAH along with DAP, JVP and out in the FMP and the FCMA. The reserve would be available to domestic fishermen on demand unless reallocated to TALFF through the reserve release procedure.

In summary, we request that you immediately make available the Atka mackerel from the reserve to meet the demand of U.S. fishermen for this highly underutilized species or to alter the permit restrictions to allow our processing vessels to retain Atka mackerel beyond the specified JVP amount. We also request that the DAH/reserve/TALFF system be reviewed to consider the above concerns. Your prompt attention to this matter is appreciated.

Sincerely,

Walter 7. Pereyra

Vice President and General Manager

for U. S. Operations

WTP:kb



Marine Resources Co., Inc.

HEAD OFFICE: 4215 - 21st Avenue West Suite 206 Seattle, Washington 98199 Phone: (206) 285 2701

Telex: 32-8041 MRC SEA

NAKHODKA OFFICE: Hotel Horizon-BAMR Suite 224 Nakhodka Primorskogo 4 U.S.S.R.

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January 25, 1980

Mr. Harry Rietze Regional Director National Marine Fisheries Service P. O. Box 1668 Juneau, AK 99802

Dear Harry:

Re: 1980 Yellowfin Sole fishery

In our response dated 10 August 1979 to your request for 1980 joint venture intentions we indicated that we expected to purchase around 4000 MT yellowfin sole plus various quantities of other flatfish in 1980. This response was based upon our intention to develop a domestic yellowfin sole fishery if we could put together the markets, processing capacity and fishermen. It now appears that this goal can be achieved in 1980. Accordingly by this letter we want to formally notify you of this intention so that the interests of ourselves and the domestic fishermen who will fish for us can be taken into consideration in your early deliberations on allocations of Reserves and unallocated TALFF.

Specifically this fishery, which will be in addition to our present operation with the <u>Sulak</u> and various replacement processors, will involve 4-5 American trawlers and two Soviet processing vessels (<u>Novaya Fra</u> and <u>Soyuz-5</u>). We plan to operate from June - October in that portion of the central Bering Sea normally fished by the foreign flounder fleets. Cur processing capacity will be about 90 metric tons per day which over a live month period could theoretically mean a take of 13,500 metric tons. We feel though that this amount is unrealistic considering that 1) it will be a new fishery for American fishermen; 2) processors will be unavailable during periods of unloading, re-supply, freezer defrosting, etc.; and 3) bad weather will disrupt fishing and delivery operations from time to time. Accordingly, we feel a more realistic maximum catch would be 7500 - 10,000 MT for a five month fishery.

Harry Rietze January 25, 1980 Page 2.

We note with concern that the present PMP only provides for a yellowfin sole DAH of 2,050 MT with a JVP portion of 850 MT. Moreover there is only 5,850 MT in reserve. Considering the potential harvest from our operation plus that which may be taken by other domestic fishermen (Stewart Investment Group, for example) it seems to us that the amount presently available for domestic fishermen is not sufficient. For this reason we strongly urge that after consulting with the North Pacific Fishery Management Council the following non-actions or actions be taken:

- 1) No allocation of Reserves of yellowfin sole, turbot or other flounders to TALFF
- 2) Allocation of the entire yellowfin sole Reserve of 5,850 MT to the JVP portion of DAH (This will increase DAH to 7,900 MT and JVP to 6,700 MT.)
- 3) Re-allocation by PMP amendment of 7,500 MT of yellowfin sole TALFF which as yet has not been allocated to any foreign nation to reserve.

The above actions will insure that the developing domestic fisheries in the Bering Sea will not be impeded while at the same time not disrupting any foreign fisheries. Since the foreign sole fishery has traditionally taken place in the last half of the year, there will be ample time to re-allocate from DAH and Reserve to TALFF if for some reason the domestic fishery doesn't reach the level anticipated.

Sincerely,

10.17.27

Walter T. Pereyra Vice President and General Manager for U. S. Operations

WTP:kb
cc: Jim Branson
Terry Leitzel
Bob Alverson

Dr. Frank Fukuhara

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	1	JAPAN	BERING SEA	PACIFIC COD		112.6		112.6	112.6	112.6	22000.0	21887.5			
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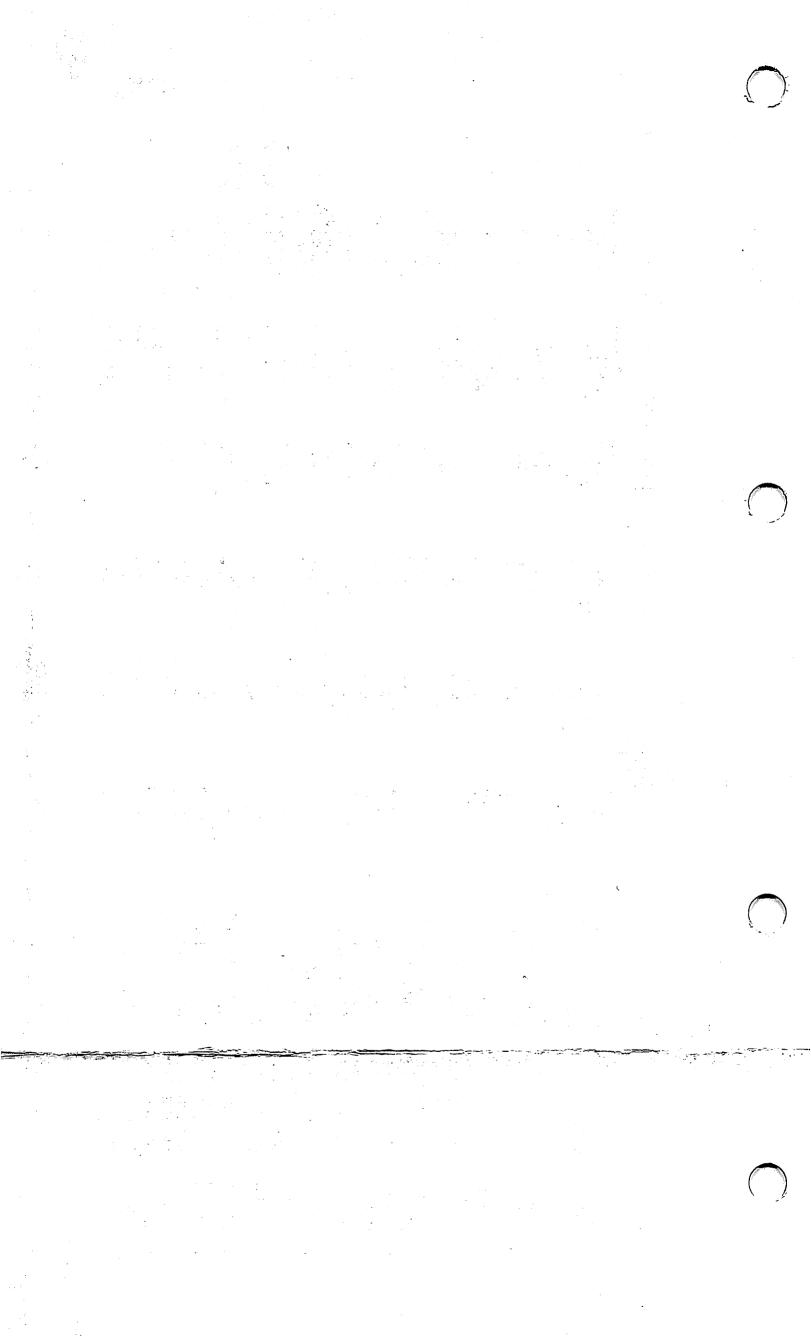
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	1	USSR	BERING SEA	POLLOCK	402.4			402.5	58734+0	58331.7			
	1	USSR	BERING SEA	PACIFIC COD	0.0			0.0	3000.0	3000.0			
	. 1	USSR	BERING SEA	SABLEFISH	0.0			0.0	370.0	370.0			
	1	USSR	BERING SEA	ATKAMACKEREL	154.2			154.3	10400.0	10245.9		•	
•	1	USSR	BERING SEA	POP	, 0.0	0.0		0.0	150.0	150.0			
	1	USSR	BERING SEA	HERRING	4.5		5 4.6	4.6	1900.0	1895.6			
•	1	USSR	BERING SEA BERING SEA	OTHER FISH	0.0			0.0	10800.0	10800.0			
	1	USSR		TURBOTS	0.0		•	0.0	32600.0	32600.0			
	1	USSR	BERING SEA BERING SEA	SQUID	84.9			126.0		1524.1	80/ 7/	/ 2	
	1	KOREA	BERING SEA	YELLOWFIN SO	5.7			0.0		2600.0			
	1	KOREA	BERING SEA	FLOUN WO YFS	16.9			124.0	1100.0	976.1	80/ 5/	/ 4	
	1	KOREA	BERING SEA	POLLOCK	1392.3			1898.5	82825.0	80926.6	81/ 9/		
	1	KOREA	BERING SEA	PACIFIC COD	35.9			62.8	4000+0	3937.3			
	1	KOREA	BERING SEA	SABLEFISH	0.0		1	0.0	370.0	370.0			•
	1	KOREA	BERING SEA	ATKAMACKEREL	0.0			0.0	1670.0	1670.0	•	ΉA	
	. 1	KOREA	BERING SEA	POP	2.2			3.1	300.0	297.0		Agend Feb.	
	1	KOREA	BERING SEA	HERRING	0.0	•		.0	400.0	400.0	·	. nd	
	1	KOREA	BERING SEA	OTHER FISH	36.8			15.0	5140.0	5125.1		19 19	
	1	KOREA	BERING SEA	TUBBOTS	22.5			0.0	1600.0	1600.0		ଞ୍ଚ ନ	
	1	KOREA	DEKTIAN DEW	. (0770)	بنديند و سند	, , , , , , , , , , , , , , , , , , , ,		- · ·	• • • • • • • • • • • • • • • • • • • •			ω	
	FISHER	IES WIT	H NO ACTIVITY	THIS PERIOD	•	,	•						
	1	JAPAN	BERING SEA	RKFISH WOPOP	0.0	0.		0.0	3883.0	3883.0			-
⇔			The state of the s	- Company of the Party of the P	-in-	ند بندست بندست بداید					!	•	- 1

