AGENDA D-4
JANUARY 1986

M E M O R A N D U M

TO: Council, SSC and AP Members

FROM: Jim H. Branson
Executive Director

DATE: January 9, 1986

SUBJECT: Bering Sea/Aleutian Islands Groundfish FMP

ACTION REQUIRED

Decide which proposals for plan amendment to send out for public review.

BACKGROUND

In April 1984 the Council adopted a cycle for amending the groundfish FMPs that provides specific deadlines for proposals, preparation of decision documents, and Council decisions. The cycle began in September with the call for proposals, and the December meeting was designated as the proposal deadline.

Scheduled for this meeting are Council review of the 1986 proposal package and selection of proposals to be included in this year's amendment cycle. The plan team has reviewed the proposals and prioritized them. Due to the short review time we were unable to send the proposal package and team review to you prior to this meeting.

The Bering Sea FMP is a framework plan which provides a great deal of management flexibility, but some actions still require plan amendment. Other actions are allowed by the FMP but are contrary to current regulations and would require regulatory amendment. The team has identified the action required for each proposal. The team will prepare an amendment package which contains all proposals selected by the Council at this meeting, and the package (including draft decision documents and analyses) will be available for review at the March meeting. Of the 10 proposals received, the team feels that 3 rate immediate Council attention. However, one of these (DAP priority, #10) requires a great deal of input from the public that may not be forthcoming in a timely manner. The 1986 amendment schedule is as follows:

Date	Action
March 19-21	Council reviews draft decision documents; sends package out for public review.
June 22-26	Council reviews public comments; final decision on amendment package.
June/July	Submit amendment to Secretary of Commerce.
December	Amendment implemented.

The items included under this agenda item are:

D-4(a) List of proposals
D-4(b) Team ranking of proposals
D-4(c) Plan team report
D-4(d) Letters received requesting amendments

Proposals Recieved for 1986 Amendment Cycle

Carried over from 1985

1. Require the use of biodegradable gear (panels in sablefish pots, etc.).

2. Establish smaller management units for POP and sablefish.

3. Provide for allocations to individual joint venture companies.

New Proposals

4. Establish Field Order authority for the Regional Director (NMFS).

5. In-season reallocation within DAH (NMFS).

6. Independent allocations to DAP, JVP, and TALFF (i.e. so they can't close each other down). Under this issue, four separate specific proposals were received during the proposal period:

Alternative 1. Single-species closure authority (NMFS).

Alternative 2. For fully utilized DAP species, set TAC=DAP and establish absolute PSC limits by fishery and/or regulatory area which would be in addition to TAC (NMFS).

Alternative 3. Allocate a portion of the OY or TAC of each species taken as bycatch (halibut, crab, salmon, sablefish, POP and rockfish) to each groundfish fishery in each management area. This would be a retainable bycatch which would be allocated to user groups by gear type, company, industry association, etc. (Mick Stevens).

Alternative 4. The Regional Director should be empowered to close a directed fishery for a given species at some point short of the TAC, thereby preserving the minimal bycatch needs of other directed fisheries (North Pacific Longline Association of Japan, Japan Deep Sea Trawlers Assoc. and Hokuten Trawlers Assoc.).

7. Extend the foreign PSC limits for salmon, crabs, and halibut established by Amendment 3 if necessary (Plan Team).

8. Raise the upper limit of the OY range to 2.4 million metric tons (Japan Deep Sea Trawlers Assoc. and the Hokuten Trawlers Assoc.)

9. The "ecosystem management" approach should be reevaluated and replaced with a more rational management approach (Walter Pereyra, Dennis Petersen).

10. The FMP should provide management flexibility to allow priority access to stocks important to the domestic industry. For example, a minimum of 90 days priority access to cod stocks during January, February, and March should be provided (i.e. no foreign or joint venture cod fishing allowed) (Charles Bundrant).

Table 1. Plan Team rating of proposed amendments for the 1986 cycle.

Proposal Number	Proposal Description	Action Required	Resource Conservation	Promote Orderly Fishery	No Additional Admin/Enforc Costs	Socioec Impacts	Total
1	Biodegradable gear	Amendment	1	1	0	2	4 L
2	Smaller mgt. areas	Announcement					
3	JVP allocations	Permits					
ssc 4 AP	Field Order	Amendment	3	3	2	3	11 H
5 AP	Reallocation of DAH	Reg	1	2	1	1	5 M
ssc 6 AP	Independent DAP,JVP,TALFF	Amendment	1	3	1	3	8 H
7 AP*	Extend Foreign PSCs	No action					
8	Raise OY	Amendment	0	0	2	2	4 L
9	Ecosystem Management	Amendment	0	0	2	0	2 L
ssc 10 AP	DAP Priority	Amendment?	0	2	2	3	7 H

Rating Low 0<---->3 High
Total 0-4=Low, 5-6=Medium, 7-up=High

Plan Team Criteria for Rating FMP Proposals

Resource Conservation - a proposal may be necessary for conservation of a fish resource. A score of 3 indicates a high degree of importance. A 0 indicates not important or not applicable.

Promote Orderly Fishery - a proposal may promote an orderly fishery or fishery development.

No additional Administrative/enforcement costs - a proposal which would require increased costs is given a low score.

Socioeconomic Impacts - a proposal if implemented would result in either positive or negative socioeconomic impacts. A score of 3 indicates a significant impact. A 0 indicates no impact.

COM1/AF

Bering Sea/Aleutian Islands Groundfish FMP
Review of Proposed Amendments for 1986

and

Plan Team Conference Call Report

January 7, 1986

North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Bering Sea/Aleutian Islands Groundfish FMP
Review of Proposed Amendments for 1986
January 7, 1986

General

The Bering Sea/Aleutian Islands Plan Team held a conference call meeting to review proposals for amendment to the FMP for 1986. These proposals were submitted to the Council office prior to the end of the December Council meeting or were carried over from the 1985 amendment cycle. The Team was unable to meet all in one place prior to the January Council meeting due to the short time period between Council meetings and travel budget constraints. Participants in the conference call were:

Team Members	
Loh-Lee Low	Team Chairman, NMFS, Seattle
Jim Glock	NPFMC, Anchorage
Abby Gorham	University of Alaska, Fairbanks
Janet Smoker	NMFS, Juneau
Ron Berg*	NMFS, Juneau
Fritz Funk*	ADFG, Juneau
Pete Jackson*	ADFG, Kodiak
Jim Blackburn	ADFG, Kodiak
Rick Deriso	IPHC, Seattle

* Not present.

Others	
Jay Ginter	NMFS, Juneau
Joe Terry	NWAFC
Jerry Reeves	NWAFC
Steve Dickinson	JFA
Mick Stevens	Profish
Thorn Smith	NPFVOA
Ted Evans	AFTA
Bert Larkins	MRC

AGENDA

I. Review proposals for 1986 FMP amendment cycle

II. Status report on Yellowfin sole/king crab report

III. Pacific cod model and recent analysis

I. REVIEW PROPOSALS FOR 1986 FMP AMENDMENT CYCLE

A. Groundfish FMP Amendment Cycle Procedures and Schedule

The annual Bering Sea Groundfish FMP amendment cycle began with the proposal period which ended at the December Council meeting. According to the Council's policy on annual management cycles, Council staff review all the proposals for structural completeness using the following four criteria:

1. Is the objective clearly evident and stated?
2. Is a preferred solution offered?
3. Is supporting documentation presented to explain the problem and need?
4. Does it affect the FCZ?

The Plan Team is responsible for the initial review , assessing the technical merits of proposals against Council goals and FMP objectives. Team recommendations are given to the SSC and AP who will review the proposals in light of their particular expertise and will refer all proposals to the Council with recommendations on adoption or rejection. The Council will review all proposals prior to their selection of those which they want the Plan Team to further develop and analyze. The Plan Team will prepare draft decision documents for the Council to review at the March meeting, and then those draft documents will be released for public review in early April. The Council will make their final decisions at the following meeting (currently scheduled for Kodiak in June).

B. Proposals Reviewed

At their February 1985 meeting the Council voted to postpone action on three proposals with instructions to the Team to develop them for the 1986 amendment cycle. These three proposals were:

1. Require the use of biodegradable gear (panels in sablefish pots, etc.).
2. Establish smaller management units for POP and sablefish.
3. Provide for allocations to individual joint venture companies.

The Team also addressed the following issues raised by the public, agencies and individual Team members:

4. Establish Field Order authority for the Regional Director.
5. In-season reallocation within DAH
6. Independent allocations to DAP, JVP, and TALFF (i.e. they can't close each other down). Under this issue, four separate specific proposals were received during the proposal period:
   Alternative 1. Single-species closure authority.
   Alternative 2. (regulatory amendment) For fully utilized DAP species, set TAC=DAP and establish absolute PSC limits by fishery and/or regulatory area which would be in addition to TAC (NMFS Alaska Region).
   Alternative 3. Allocate a portion of the OY or TAC of each

species taken as bycatch (halibut, crab, salmon, sablefish, POP and rockfish) to each groundfish fishery in each management area. This would be a retainable bycatch which would be allocated to user groups by gear type, company, industry association, etc. (Mick Stevens).
Alternative 4. The Regional Director should be empowered to close a directed fishery for a given species at some point short of the TAC, thereby preserving the minimal bycatch needs of other directed fisheries (North Pacific Longline Assoc. of Japan, Japan Deep Sea Trawlers Assoc. and Hokuten Trawlers Assoc.).

7. Extend the foreign PSC limits for salmon, crabs, and halibut established by Amendment 3.

In addition the following proposals were received:

8. Raise the upper limit of the OY range to 2.4 million metric tons (Japan Deep Sea Trawlers Assoc. and the Hokuten Trawlers Assoc.)
9. The "ecosystem management" approach should be reevaluated and replaced with a more rational management approach (Walter Pereyra, Dennis Petersen).
10. The FMP should provide management flexibility to allow priority access to stocks important to the domestic industry. For example, a minimum of 90 days priority access to cod stocks during January, February, and March should be provided (i.e. no foreign or joint venture cod fishing allowed) (Charles Bundrant).

C. Team Discussion Procedure

The Team reviewed the proposals according to the procedure established for the 1985 amendment cycle and called in technical experts to provide data and advice on specific issues. Each proposal was discussed by the Team with input from the public in attendance in Seattle. Proposals were categorized according to the type of action necessary (FMP amendment, regulatory amendment, etc.) and ranked according to the immediacy of the need for action and the feasibility of completion during this cycle.

D. Team Rating of Proposals

The Team's evaluation of the 10 proposals is presented in two forms. Table 1 summarizes the evaluation and ratings. This is followed by an in-depth discussion of each proposal.

DISCUSSION

Proposal 1 (Carryover from 1985 cycle) Require the use of biodegradable gear (panels in sablefish pots, etc.) to reduce the impact of lost gear.

Rating: Low

Table 1. Plan Team rating of proposed amendments for the 1986 cycle.

Proposal Number	Proposal Description	Action Required	Resource Conservation	Promote Orderly Fishery	No Additional Admin/Enforc Costs	Socioec Impacts	Total
1	Biodegradable gear	Amendment	1	1	0	2	4
2	Smaller mgt. areas	Announcement					
3	JVP allocations	Permits					
4	Field Order	Amendment	3	3	2	3	11
5	Reallocation of DAH	Reg	1	2	1	1	5
6	Independent DAP,JVP,TALFF	Amendment	1	3	1	3	8
7	Extend Foreign PSCs	No action					
8	Raise OY	Amendment	0	0	2	2	4
9	Ecosystem Management	Amendment	0	0	2	0	2
10	DAP Priority	Amendment?	0	2	2	3	7

Rating Low 0<---->3 High
Total 0-4=Low, 5-6=Medium, 7-up=High

Plan Team Criteria for Rating FMP Proposals

Resource Conservation - a proposal may be necessary for conservation of a fish resource. A score of 3 indicates a high degree of importance. A 0 indicates not important or not applicable.

Promote Orderly Fishery - a proposal may promote an orderly fishery or fishery development.

No additional Administrative/enforcement costs - a proposal which would require increased costs is given a low score.

Socioeconomic Impacts - a proposal if implemented would result in either positive or negative socioeconomic impacts. A score of 3 indicates a significant impact. A 0 indicates no impact.

COM1/AF

Action Required: Regulatory amendment

The proposal recommends the use of biodegradable material which, when degraded, either provides for escapement of captured fish or renders the gear ineffective. The Team recommended further study of the rate of biodegradation of various materials at the depths the gear might be used. No new information has become available since the Team reviewed this issue in 1985. In 1985 the Team ranked this a low priority for plan amendment and a high priority for research.

Proposal 2 (Carryover from 1985 cycle) Establish smaller or different quota areas for management of sablefish and POP resources in order to prevent potential overfishing.

Rating: Low.

Action Required: Announcement

This was proposed by Team members for the 1985 cycle based on the concern that sablefish and POP resources in the vicinity of Unimak Pass (in the Bering Sea management area) are part of the Aleutian stock. Thus the Bering Sea TAC would be artificially inflated. The Team has discussed the idea of redrawing the management boundaries within the Bering Sea/Aleutian Islands and finds that it is premature to establish new boundaries at this time. The Team will continue to evaluate stock status and distribution information to determine what boundaries might be more appropriate.

Proposal 3 (Carryover from 1985 cycle) Provide for allocations of JVP to individual joint venture operations.

Rating: Not needed

Action Required: Permit restrictions

The Council has established a policy to allocate bycatch amounts to individual joint ventures while leaving the directed amounts as a pool which is available to all joint ventures. Thus this proposal is not needed.

Proposal 4 (NMFS) Establish Field Order authority for the Regional Director.

Rating: High

Action Required: Plan amendment

Field Order authority is not provided in the FMP or regulations. This means that the Regional Director cannot make inseason adjustments of time, area, or TACs (downward) even in the case of biological

emergency. Field Order authority is essential for inseason management and should be implemented as soon as possible.

Proposal 5 (NMFS) Provide for in-season reallocation within DAH.

Rating: Medium

Action Required: Regulatory amendment

Current regulations allow for unused DAP to be transferred to JVP or TALFF. The regulations are silent on transferring TALFF or JVP to DAP. This proposal is somewhat contrary to proposal 6 which seeks to protect JVP and TALFF from encroachment by DAP. This proposal could be included as another alternative under proposal 6. It should probably be expanded to provide guidance on the priorities of transfers, i.e. unallocated TALFF first, allocated TALFF next, JVP next, etc.

Proposal 6 Establish mechanisms to control the harvest of fully utilized DAP species while avoiding total shutdown of all fisheries in the management area when TAC is reached. It should be noted that each of these alternatives requires Field Order authority. Other alternatives could be developed to deal with this issue, and some could be combined into a comprehensive bycatch policy/management approach.

Rating: High

Action Required: Plan amendment

Alternative 1 (NMFS) Provide the Regional Director with single-species closure authority.

Current regulations state that DAP fisheries may not be shut down until TAC has been taken. When TAC is reached for any species, all fisheries which might take any more of that species must terminate. There is no provision in the regulations for prohibited species classification when TAC is reached or for closing only directed fisheries. This proposal would allow the RD to close directed fishing for any species while allowing other fisheries to continue.

Alternative 2 (NMFS) For fully utilized DAP species, set TAC=DAP and establish absolute PSC limits by fishery and/or regulatory area which would be in addition to TAC.

This alternative would establish two species groups which would receive different treatment: (1) fully utilized species intended as bycatch only in other target fisheries; and (2) species targeted by DAP, JVP and TALFF fisheries such as pollock, Pacific cod and flounders. The proposal would provide a flexible basis for regulatory action for the management of both species categories taken by DAP fisheries. All DAP fisheries fishermen could participate in th

harvest of each species until the entire TAC were taken. The species would then become a prohibited species to all DAP fishermen, although they could continue fishing for other species. JVP and TALFF would equal zero and separate JVP and TALFF prohibited species catch (PSC) limits would be established. The combined TAC and PSC limits must be low enough to assure that overfishing would not occur, so the Council would need to leave a buffer between the TAC and the level of catch beyond which overfishing might be expected to occur. PSC limits for DAP fisheries would also need to be established.

Alternative 3 (Mick Stevens) Establish bycatch allowances first and then allocate the remaining TAC to DAP. The joint venture bycatch allowance would be retainable.

This alternative suggests that realistic but not excessive bycatch allowances should be set as the first step in determining the apportionments of each fully utilized TAC. Some way to deal with TALFF also would have to be developed. The proposal recommends that bycatch allowance be apportioned out by gear type, association, company or some other equitable basis.

Alternative 4 (NPLGA, JDSTA, HTA) Allow the RD to close a directed fishery before TAC is achieved and allow the remainder to be taken as bycatch only.

This alternative needs further development by the Plan Team and the groups that proposed it.

Proposal 7. Extend the foreign PSC limits for salmon, crabs, and halibut established by amendment 3.

Rating: High if these rates expire at the end of 1986.
Low if they do not expire.

Action Required: Plan amendment (if any action is required)

The foreign PSC limits for crab, halibut and salmon in the BSAI area may expire in 1987. The Team did not have a final interpretation on this issue from NOAA General Counsel prior to the conference call and understand that this final opinion will be provided to the Council at the January meeting. The rates currently in place are not very useful because they are not limiting to the foreign fisheries. With few exceptions the actual foreign bycatches have been well below the limits.

Proposal 8. (JDSTA, HTA) Raise the upper limit of the OY range to 2.4 million mt.

Rating: Low

Action Required: Plan amendment

In the 1985 amendment cycle the Council addressed this proposal and rejected it as unnecessary. The Plan Team had given this proposal a ranking of "Medium" at that time but stated that since the biomass of two major species was declining it is unlikely that EY for the complex would exceed 2.0 million mt. Declines in the flatfish species makes it even less likely that the upper end of the OY range will be exceeded in the near future. The proposal has been resubmitted for the 1986 cycle.

Proposal 9. (Walter Pereyra, Dennis Petersen) The "ecosystem management" approach should be reevaluated and replaced with a more rational management approach.

Rating: Low

Action Required: Plan amendment

This proposal is very general and needs to be clarified, expanded, etc. This would seem to be a major overhaul of the FMP since the management framework is built on the ecosystem concept. The complaints arose over some of the proposed initial TACs which went out for public comment. For example, the proposed yellowfin sole TAC was very large in spite of the fact that preliminary data (which had not been fully evaluated by the Plan Team) indicated a decline in stock abundance. The FMP does allow the flexibility for very large management errors and requires that care be taken each year to avoid mistakes. Safeguards could be built into the FMP and/or regulations to reduce the flexibility and thus the potential for indiscretion.

Proposal 10. (Charles Bundrant) The FMP should provide the means for allowing priority access to stocks by domestic processors (for example, delaying the JV and TALFF fisheries for Pacific cod.

Rating: High

Action Required: Uncertain

Priority access by the U.S. industry is the central theme of the MFCMA. Specific means of accomplishing this priority should be developed. A great deal of economic analysis will be required to determine the best means to support the domestic industry and it may not be possible for the Plan Team to accomplish this in a timely manner. The Team feels that given our experience with Fishery Development Zone proposals in the past it will be necessary for the DAP industry to come forward with information on how the Council can address their needs. The Team needs guidance on how to approach this issue since it is a general philosophical question.

II. STATUS REPORT ON NWAFC YELLOWFIN SOLE/ KING CRAB REPORT

The Team did not have copies of the draft NWAFC report on the yellowfin sole/king crab report prepared by Joe Terry and Jerry Reeves. However, Joe Terry explained the methods he used in the analysis to the Team and briefly summarized the results. The Team will review the report at the earliest possible opportunity.

III. PACIFIC COD MODEL AND RECENT ANALYSIS

Acting on a request from Ted Evans, the NWAFC reanalyzed the status of Pacific cod predicted by the model when certain assumptions are modified. The cod model attempts to predict the spawning biomass necessary to produce a certain number of recruits. The recruitment target is set at 9.4 million age-zero fish, the average recruitment from 1978-1985. Ted Evans requested that the model be run with various higher recruitment targets so that output would reflect inclusion of the strong 1977 yearclass. As expected, the higher the recruitment target, the lower the harvest (ABC) because it would be necessary to leave more spawners on the grounds. At the recruitment level that includes 1977 in the average, the ABC would be 68,000mt. However, Pacific cod exhibit wildly fluctuating recruitment even in the absence of fishing pressure and it is difficult to predict the precise recruitment which will result from a given spawning biomass.

The Team has evaluated their TAC recommendation and the action taken by the Council at the December meeting. The TAC approved by the Council (229,000 mt) is predicted to result in a recruitment level of 9.9 million age-zero fish and a 1986 total biomass of 1,063,000 mt. This recruitment level is still higher than the long term historical trend, and the predicted 1987 biomass (1,063,000 mt) is larger than the 1985 biomass (950,000 mt). Therefore the Team finds their recommended TAC and the Council's TAC consistent with the data and the status of the resource.

AGENDA D-4(d)
JANUARY 1986

UNITED STATES DEPARTMENT C
National Oceanic and Atmospheric
National Marine Fisheries Service
P.O. Box 1668
Juneau, Alaska 99802

Distribute to Council

6(2)

December 10, 1985

Jim Branson, Executive Director
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Dear Jim:

We recently wrote to you describing our proposal to implement Regulatory Amendments to the Gulf of Alaska and Bering Sea and Aleutian Islands FMPs which will provide management flexibility to prevent a domestic directed fishery from shutting down domestic and foreign target fisheries on other groundfish species as a result of the directed fishery harvesting the entire OY or TAC. In that letter, we recommended that the Council develop more comprehensive controls during the upcoming groundfish amendment cycle.

We are writing again to offer a proposal regarding the form those more comprehensive controls might take. We think this is a major issue deserving of careful Council consideration.

Our proposal essentially incorporates and builds upon the Regulatory Amendment we propose for the two FMPs. It is based on the concept of categorizing the groundfish species into two groups which would receive different treatment. The two species groups are: (1) fully utilized species intended as by-catch only in other target fisheries; and (2) species targeted by DAP, JVP and TALFF fisheries such as pollock, Pacific cod and flounder.

We suggest that the Council utilize our proposed Regulatory Amendment as a flexible basis for regulatory action for the management of both species categories taken by the DAP fisheries. Thus, all DAP fishermen would participate in the harvest of each species until the entire OY or TAC were taken. Assuming we in NMFS had exhausted any possibility of increasing DAP by releasing operational reserves, the subject species would then become a prohibited species to all DAP fishermen. In this manner, the directed fishery would cease but DAP fishermen targeting on other species would be able to continue while treating the subject species as a prohibited species.

For the fully utilized species category in joint venture and foreign fisheries targeting on other species, however, we propose that the Council establish a framework procedure by which it would recommend absolute PSC limits by fishery and/or regulatory area. At the beginning of the year, the Council would recommend that TACs be equal to DAPs for those fully utilized species and recommend PSC limits for JVP and foreign fisheries

that are in addition to the TAC. The annual PSC limits would be equivalent to present minimal bycatch TALFF and JVP amounts. We would foresee the Council establishing the PAC limits at its September and December meetings along with the other initial apportionments. In this manner, the JVP and foreign fisheries would be protected from being closed down by the directed DAP fishery, but would never be allowed to retain any catch of the subject species and would be closed down when their PSC limits were reached. This approach is an acknowledgement of the fully utilized status of these species with respect to joint venture and foreign fishing. The target species category would be regulated in the same manner as the DAP fisheries.

This proposal assumes, of course, that the additional prohibited species catch mortality would not constitute overfishing as defined relative to the Magnuson Act. To ensure this, we in NMFS should be provided discretionary authority to prohibit all bottom trawling or make other time and area adjustments in addition to PSC status when the potential catch of a prohibited species might result in overfishing. To ensure this, the Council would also need to take account of the possible magnitude of a PSC catch when it recommended OY or TAC amounts for the various species. The Council would need to leave a buffer between the TAC and the level of catch beyond which overfishing might be expected to occur, to account for all anticipated prohibited species catch.

These proposed changes to the required inseason management actions are not meant to replace the provisions of Amendment 1 which allow individual species TACs to be increased by reapportionment from the nonspecific reserves. We would certainly look to reapportion reserves first, where practicable.

We urge you to bring this matter to the attention of the appropriate plan teams and the Council for consideration during the upcoming amendment cycle.

Sincerely,

Robert W. McVey
Director, Alaska Region

Enclosure

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Jim Branson
Executive Director
NPFMC

Re: Plan Amendments for 1986
Amendment Cycle

Dear Jim =

Please accept this note as a proposal on behalf of the Japan Deep Sea Trawlers Association and the Hokuten Trawlers Association that the ~~~~ Bering Sea / Aleutian Islands Groundfish FMP be amended to raise the upper limit of the OY range for the groundfish complex to 2.4 million M.T.

Thanks!

Stephen B. Johnson

6(3)

AMENDMENT TO THE FISHERY MANAGEMENT PLAN FOR THE GROUNDFISH FISHERY OF THE BERING SEA/ALEUTIAN ISLANDS

SUBMITTED BY: Michael G. Stevens December 12, 1985

STATEMENT OF PROBLEM:

There is a lack of a comprehensive approach to manage the harvest and utilization of non target species caught incidentally in Domestic (including JVP) groundfish fisheries of this region. Some species, such as halibut, crab and salmon [which are considered domestically fully utilized (DAP)] are called prohibited species and therefore may not be retained or sold when they occur as a by-catch. Other species such as sablefish, ocean perch and other rockfish are also considered fully utilized (DAP) and may or may not be retained and sold up to certain limits when taken as a by-catch. This inconsistency is confushing and cumbersome to managers and the industry.

Presently the impact of a particular user group's by-catch of, or the target fishery for these same species upon reaching certain limits, has direct operational and economic ramifications on all the other user groups. One operation or operator can presently shut down an entire management area for all operators for all target species operations for the entire year. While this may be considered "comprehensive" management, it is overly oppressive and too general in its application.

Wastage of harvested resources whether target or by-catch should be further minimized.

OBJECTIVE OF THE AMENDMENT:

- Simplify the classification of fish taken as a by-catch in groundfish fisheries in the region.
- Establish a long term management regime to accommodate the naturally occurring by-catch. Such a regime will add much needed stability to the manager's and industry's perception of and ability to plan for the development of our groundfish fisheries.
- Reduce the undesirable wastage of fish taken as by-catch.
- Make each gear-type and specific operation accountable for its by-catch.

- Provide some protection to different user groups from termination of the operations due to attainment of specific catch levels in the target fishery of by-catch levels in other, separate operations having a by-catch.

BRIEF DESCRIPTION OF AMENDMENT:

Species taken as by-catch (halibut, crab, salmon, sablefish, ocean perch and other rockfish) in groundfish fisheries will have a portion of their optimum yield allocated to the groundfish fisheries targeting on other species. These portions established for the by-catch will be realistic in terms of the actual needs of the target groundfish fisheries and will be adjusted annually (or more frequently subject to relevant available information) based upon the fluctuating relative abundance of the target and by-catch species.

Such by-catch amounts will be allocated by management area to user groups within the industry according to harvesting gear type, buyer/processor, company, industry association or combination of these and other categories. Amounts specified and allocated shall be transferable within the industry but must be recorded with the relevant management agency.

Within the limits specified for each species and according to the allocation among user groups, fish caught as by-catch may be retained and marketed by the holder of the allocation. At such time that an allocation holder's by-catch limits are reached within any management area for any by-catch species, then such allocation holders target groundfish fishery in that area must terminate.

ProFish International, Inc.

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PROFISH INTERNATIONAL

November 1, 1985

Mr. Jim H. Branson
Executive Director
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Re: Comments on 1986 management plans for Bering Sea and Aleutian Islands Groundfish.

Dear Jim:

We are pleased to provide the following comments on the groundfish measures proposed for 1986 in the Bering Sea and Aleutian Islands region in your letter of 8 October, 1985.

Management System: We are very concerned about the ecosystem management format on which the Bering Sea Plan is based. While we can understand the administrative simplicity of being able to manipulate TAC's within an overall TAC for the entire management regime, the basic ecosystem management concept itself is flawed in that it forces managers to manipulate individual species' TAC's so that the total TAC equals the magic two million ton figure regardless of whether the individual TAC's can be justified on the basis of independent stock analysis.

A case in point is the situation presented this year by the substantial reductions in the TAC's for pollock, Pacific cod and atka mackerel. These three species combined will account for about a 162,000 ton reduction in TAC. In order for the bottom line to equal two million tons, though, it was apparently necessary under the Plan to increase the TAC's of other species by a compensating amount. Accordingly, the TAC's of yellowfin sole and other flatfish were increased substantially despite the statement on page two that the stocks of yellowfin sole and other flatfish show a decline of 30% from 1985. The reality and logic of such mathematical manipulations seems weak at best.

Regardless of questionable biological basis for this decision, the proposed increase in sole and flatfish TAC's for 1986 will result in a 40% increase in TALFF for these species... approximately equal to the entire 1985 JV catch. This in turn

657 North 34th Street, Seattle, WA 98103 USA, 206-547-6800, Telex: 320355 PROFSH

6. Atka mackerel - Last year there was a substantial catch (mortality) of immature fish (less than 12 inches) in all regions of the AI during April-May. Catches of these small fish do not represent wise use of the resource particularly in view of evidence that the atka mackerel resource is down. Therefore to allow for better utilization of the resource and minimize the mortality of immature fish, we strongly recommend that an atka mackerel season be set to commence on 1 June 1986, and that the minimum size be set at 12 inches (30.5 cm).

7. We concur with the proposal to have separate TAC's for appropriate species in BS and AI where it can be demonstrated that such separation has a positive biological and fishery management rationale.

We appreciate consideration of our comments by the Plan Team, AP and SSC. It goes without saying that certain changes in the management measures for BS/AI are needed now to allow our domestic fisheries to develop with a minimum of conflict.

Sincerely,

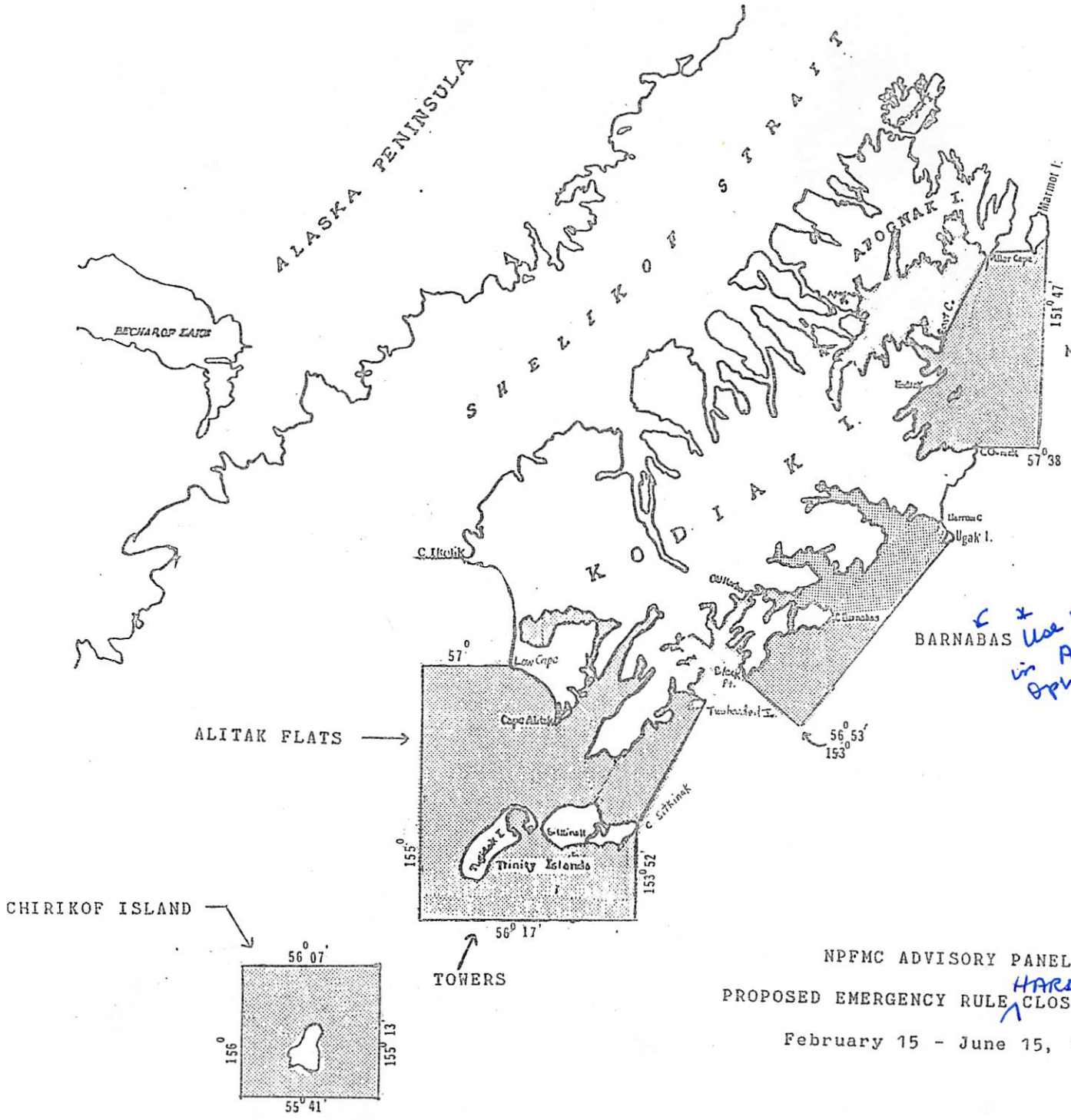
Walter T. Pereyra

Walter T. Pereyra

WTP:jaf

cc: William Gordon
Robert McVey
Dr. William Aron

1/16/86
AP
Report D-3b



NPFMC ADVISORY PANEL

PROPOSED EMERGENCY RULE HARD ON BOTTOM TRAWLS CLOSURES FOR 1986

February 15 - June 15, 1986

* Use the boundaries in ADF&G Appx 2 I think.

Rec'd 1/13/86 in Sitka.

KODIAK FISH & GAME ADVISORY COMMITTEE
211 Mission Rd.
Kodiak, Alaska 99615

January 4, 1986

North Pacific Fishery Management Council
Box 103136
Anchorage, Alaska 99510

Att: James O. Campbell, Chairman

Dear Mr. Campbell,

The Kodiak Fish & Game Advisory Committee met last night, January 3, for 4½ hours to hold elections of members and officers and to comment on ADF&G proposed time and area trawl closures in king crab sensitive areas. Also on the agenda was a report on the incidental harvest of prohibited species during a portion of the 1985 trawl fishery on the east side of Kodiak Island. Seventy six members of the community were present including ten ADF&G personnel, one F.W.P. officer and one Board of Fish member, Ron Jolin.

Approximately 2.5 hours were spent discussing a proposal by the Alaska Department of Fish & Game for specific time and areas closed to trawl fishing in order to protect Kodiak's rebuilding king crab stocks. The time of the closure discussed was between February 15 to June 15. A copy of the proposal is attached; however, the committee and fishermen present were told by the ADF&G staff that this may not be the final

The Kodiak Fish & Game Advisory committee voted 7-1-1 to accept the ADF&G proposal to close specific areas to hard on the bottom trawling from February 15 to June 15. David Harville cast the descenting vote and Dan Campbell abstained from voting.

A decision on the closure lines needed to be made with short notice in order for the committee to forward its recommendations to the Alaska State Board of Fish members, so they could make recommendations to the N.P.F.M.C. The K.A.C. realizes there may be some changes in the closure lines or dates by the time a final regulation is in existence. By voting to accept this proposal the K.A.C. is expressing its strong concern in protecting Kodiak's king crab stocks and its intent that restrictions on trawl gear being operated in king crab sensitive areas need to be initiated.

The K.A.C. is not trying to discourage the development of a groundfish fishery in the Kodiak area, but instead wants to see a groundfish fishery develop with minimal impact on other valuable species such as king crab, tanner crab, salmon and halibut.

Cordially,

Sid Omlid, Chairman
Kodiak Fish & Game Advisory Committee

early development years when trawls were legal gear for king crabs and subsequently prohibited. Additionally, mortality of soft-shell crabs that come in contact with trawl gear but are not retained is expected to be high.

The dangerously low numbers of king crabs indicated by survey data, suggest all effective conservation methods available should be employed to maintain the small remaining reproductive stocks. Hard-on-bottom trawl fisheries that occur in certain Kodiak areas during the soft-shell period for king crab pose unacceptably high risks to the king crab resource given the present status of the king crab stocks. Therefore, the following policy is recommended for implementation.

AREA DESCRIPTION: The following waters of the Kodiak Management Area are recommended for closure to all bottom trawl gear (Figure 1):

Chirikof Island: That portion of the area known as Chirikof defined as all waters enclosed by a line from 56°07' N. lat., 156° W. long then to 56°07' N. lat., 155° 13' W. long., then to 55°41' N. lat., 155°13' W. long., then to 55°41' N. lat., 156° W. long., then back to the starting point.

Alitak and Trinity Islands: All waters of Alitak Bay, Alitak Flats, and Sitkinak Island enclosed by a line from Low Cape (57° N. lat., 154°31' W. long.) to 57° W. lat., 155° N. long., then to 56°17' N. lat., 155° N. long., then to 56°17' N. lat., 153°52' W. long., then to Cape Sitkinak at 56°33'30" N. lat., 153°52' W. long. Including all waters of Olga Bay and Olga Narrows.

East Side: All waters west of a line from Cape Sitkinak (56°33'30" N. lat., 153°52' W. long.) to the southern most tip of Ugak Island (57°22' N. lat., 152°18'30" W. long.) and west of a line from the northern most tip of Ugak Island (57°22'30" N. lat., 152°17' W. long) to Narrow Cape (57°26' N. lat., 152°19' W. long).

West Side: All waters east of a line from Cape Uyak (57°37' N. lat., 154°23' W. long.) to Cape Ugat (57°52' N. lat., 153°51' W. long.) to Raspberry Cape (56°03'45" N. lat., 153°25' W. long.).

North End: All waters east of a line from Cape Raspberry (58°03'45" N. lat., 153°16' W. long.) to Black Cape (58°24'30" N. lat., 152°53' W. long.) to Party Cape on Shuyak Island (58°37'15" N. lat., 152°34' W. long.) and all waters west of a line from Point Banks (58°38' N. lat., 152°20' W. long.) to Tonki Cape (58°21' N. lat., 151°59' W. long.).

Marmot/Chiniak: All waters of Marmot and Chiniak bays enclosed by a line from Pillar Cape (58°09' N. lat., 152°06' W. long.) to 58°09' N. lat., 151°30' W. long., then to 57°37'30" N. lat., 151°31' W. long., then to Cape Chiniak 57°37'30" N. lat., 152°10' W. long. including all waters of Izhut and Kalsin bays.

Portlock Bank: That portion of the area known as Portlock Bank defined as all waters enclosed by a line from 58°30' N. lat., 151°10' W. long. then to 58°30' N. lat., 150°45' W. long., then to 58°12' N. lat., 150°28' W. long., then to 58°12' N. lat., 151° W. long., then to the starting point.

LENGTH OF CLOSURE: The proposed closure would cover the period February 15 through June 15.

DISTRIBUTION OF COMMERCIAL KING CRAB CATCHES DURING THE SOFT-SHELL PERIOD (February through May): During the 1960 through 1968 period, commercial fishing of king crab was permitted during all or part of the molting and soft-shell period. Figure 2 depicts the widespread distribution of the catch but presents a somewhat biased view of where soft-shelled crabs are located. The fishery during this period targeted on hardshell crabs as soft-shell crabs were not saleable. Hardshell crabs prior to arriving on either molting or mating grounds are found in generally deeper waters than those crabs that are molting or engaged in mating. Also, the catches in many statistical areas come from a small portion of the total statistical area depicted in Figure 2. The distribution shown covers virgin stock conditions and very high population levels experienced through the middle 1960's. Commercial fishing during the molting and soft-shell ~~have~~ been prohibited since the 1960's because of the generally acknowledged higher mortality associated with sorting and handling soft-shell crabs. In 1968 the season for king crab closed on March 31 and was scheduled to reopen June

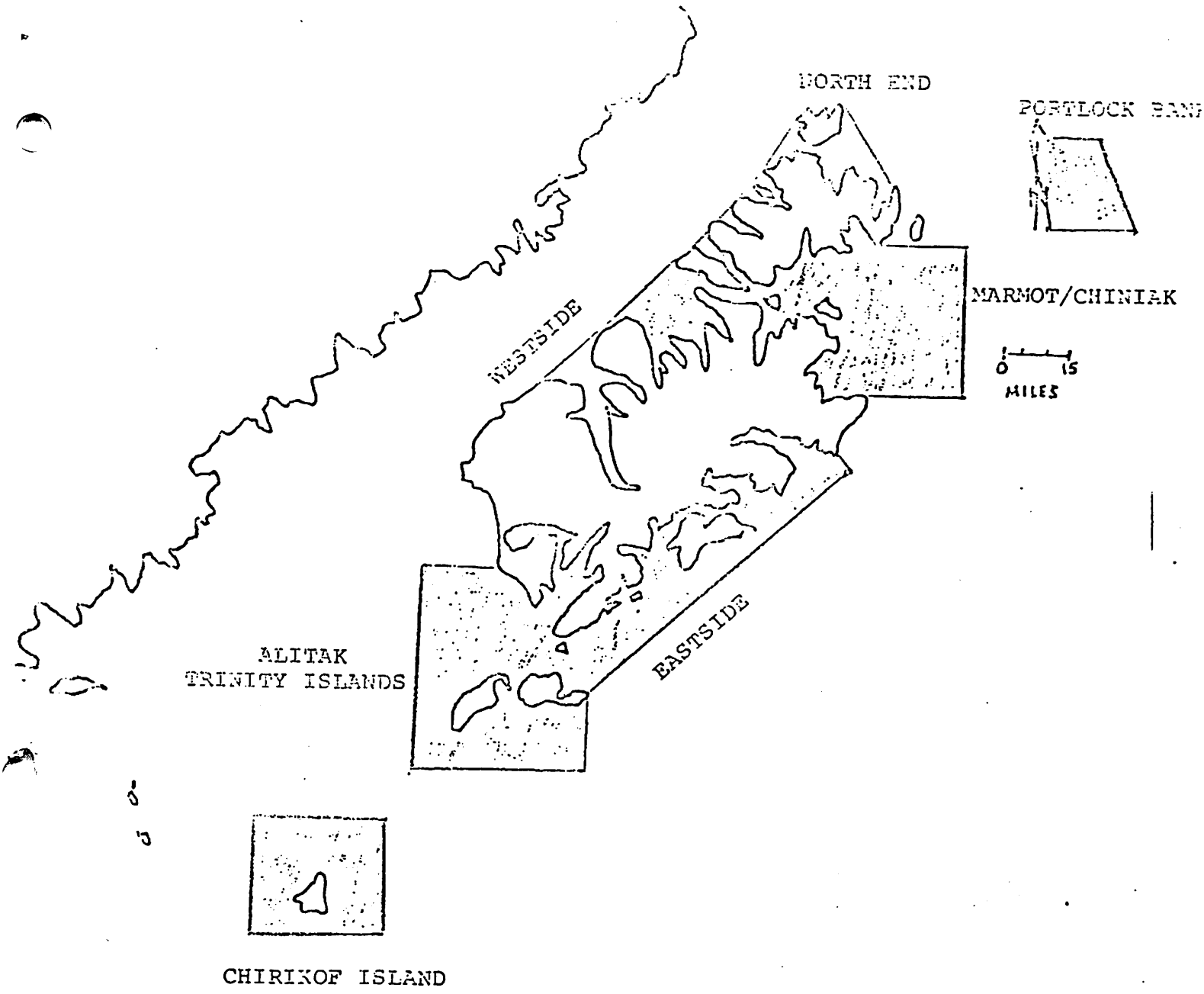


Figure 1. Proposed closed areas to hard-on-bottom trawling from February 15 to June 15, Kodiak Management Area.

Ocean Spray Fisheries, Inc.

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SEATTLE, WASHINGTON 98107
Harvesters of The North Pacific Fisheries since 1968
Member of North Pacific Fishing Vessel Owners Association

789-2033

(206) 789-2033
Eves: 782-0694
282-9100

November 7, 1985

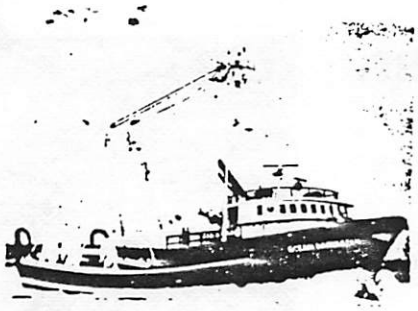
Mr. Jim Branson
Executive Director
North Pacific Fishing Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Re: Bering Sea & Aleutions 1986 Management plans

Dear Jim:

The overriding concern that I have regarding the Bering Sea Plan is the "mega" approach to setting Oy's. This ecosystem format essentially forces the managers to rob Peter to pay Paul even though Peter is in dire straits himself. An example is found in the Council's Newsletter#5-85 where reference is made to declining stocks of yellowfin sole in 1986. Yet, to make the magic "mega" number round outand the ecosystem format work, the 1986 OY for YFS has been increased. Certainly not a very logical approach in my mind and one that the Council should take a very serious look at changing, perhaps using the single species approach where so much emphasis is not placed on having the mathamatical "mega" number being achieved. The downside of this format in 1986 is to have the Bering Sea YFS OY overfished with the resulting incidental catches of king, tanner crab and halibut going off the graph. Therefore, it is my strong feeling that the council should abandon this approach at its earliest opportunity and replace it with a more logical one that would place more emphasis on the single species concept.

One other concern I have is the classification of turbots under one general heading. In actuality there are two species, the Arrowtooth flounders and Greenland turbots, with only one of the species having any real economic value and that being the Greenland turbots. What will happen is that the desireable turbots will be overifshed to achieve the OY with the Arrowtooth Flounders being



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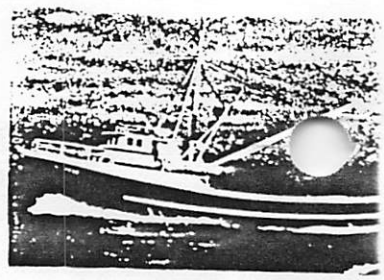

789-2033

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under-exploited. The way to fix this potential problem is to classify these two fish as seperate classes with each having an OY figure.

I don't claim any great biological insights but I do think the system being used is faulted. It goes without saying that the present ecosystem regime is due for some serious revisions.

I thank you and the various teams involved in these plans for giving consideration to my humble observations.

Respectfully,

Dennis Rule

OCEAN SPRAY FISHERIES, INC.
Dennis Petersen

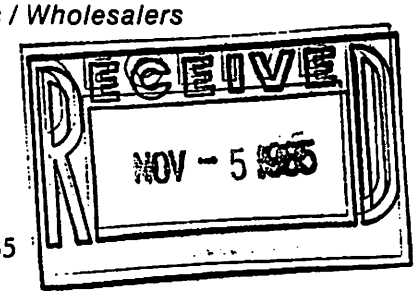
DP/tb

10

TRIDENT SEAFOODS CORPORATION

653 N.W. 41ST STREET • SEATTLE, WA 98107 • (206) 783-3818 • TELEX: TRIDENT-SEA 321266

Seafood Producers / Wholesalers



October 31, 1985

North Pacific Fishery Management Council
Post Office Box 103136
Anchorage, Alaska 99510

Attention: 1986 Bering Sea/Aleutian Islands Groundfish

This letter is in response to your solicitation for industry review of the domestic and foreign groundfish harvests in the Bering Sea and Aleutian Islands Regions.

Our main concerns for the 1986 season are centered on Pacific cod and turbots.

Concerning Pacific cod, we feel the continued development of the American processing segment of the industry warrants the use of time and/or area exclusions of joint venture fishing on the cod stocks.

The aggressive growth of the American trawler fleet and shoreside processors can only continue if management uses time/area exclusive access as a method of implementing priority access to the cod stocks.

A minimum of a 90 day priority access to the cod stocks during the months of January, February and March would allow the domestic fishermen and factory trawlers the needed priority to maximize C.P.U.E. (Catch Per Unit of Effort) thereby lowering production cost, C.P.U.E.$ (Cost Per Unit of Effort). This can be done as a condition on the joint venture permits.

We strongly feel that there should be no TALF of cod for the 1986 season. Our experience has shown that there is a direct relationship between foreign access to cod and market price - mainly the headed and gutted cod market. The elimination of the cod TALF will give encouragement to the American longline fleet, especially the newer vessels that have freezing capabilities aboard.

Concerning turbots, we project aggressive growth in the DAP for 1986. In as much as "turbot remains in poor condition", elimination of TALF is justified. Trident Seafoods alone, is projecting sales of turbot in excess of 1400 metric tons in the domestic market. Most of our black cod longline fleet has shown strong interest in fishing for turbot both during and after the black cod quota is reached. A zero TALF would eliminate the impact of foreign fishing on the C.P.U.E. of turbot, which is already low because of the "poor condition". Over time the zero TALF will create a market void which

can easily be filled by the existing American fleet and processors. Enclosed is an inquiry from a domestic sales group about turbots.

Your consideration of our views is appreciated.

Very truly yours,

Charles H. Bundrant

Charles H. Bundrant
President
Trident Seafoods Corporation

CHB/fb
Enclosure

FINANCE COMMITTEE MINUTES
January 16, 1986
Sitka, Alaska

The Finance Committee met on January 16, 1986 with the following in attendance:

Donald Bevan
Jim Branson
Larry Cotter
Fred Gaffney
John Harville
Robert Mace
Robert McVey
Clarence Pautzke
Donald Rosenberg
Judy Willoughby
John Winther, Chairman
Tom Casey

Due to the recently passed Gramm-Rudman law, which requires the mandatory balanced budget by 1991, the Council's proposed FY86 administrative budget must be revised to the level funding of 1984, or $982,200, for administrative functions. Our original proposal was $1,179,125.

Some of the proposals accepted included reduction of staff salaries and benefits as there will be no Federal cost-of-living raise (we budgeted 4%), reduction of Council salaries for operational meetings to FY85 actual costs, elimination of $40,000 for the re-write of the Gulf of Alaska FMP (this will be done by the Plan Teams) and reduction of the Miscellaneous Travel which covers Plan Team members and consultants.

John Harville moved to accept the new budget with a second by Don Bevan. After discussion the motion passed with no objection.

It was then noted there may be up to $200,000 remaining in the funding for all Councils. The staff was directed to write a proposal for $75,000 to start the studies on the sablefish moratorium and submit this to NMFS as soon as possible.