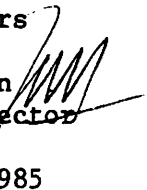


MEMORANDUM

TO: Council Members

FROM: Jim H. Branson 
Executive Director

DATE: January 29, 1985

SUBJECT: Gulf of Alaska Groundfish Fishery Management Plan

ACTION REQUIRED

Consider emergency rule to make directed sablefish fisheries longline only in the Eastern Regulatory Area.

BACKGROUND

On December 13, 1984 we received a letter from the Alaska Longline Fishermen's Association (ALFA) requesting that the Council consider an emergency rule designating the Eastern Gulf of Alaska sablefish fishery as "longline only." A copy of the letter is enclosed as item D-2(c)(1).

Following Council policy, an Interim Action Committee meeting was held, by teleconference, on January 10 to review ALFA's request. The Committee had no information that would qualify the proposal as an emergency, but they did recommend that it be placed on the February agenda as an action item. In accordance with Council procedure, the Committee requested ALFA to provide the necessary supporting documentation for the emergency rule. Their submission was sent to you in the January 8, 1985 Council mailing. A copy of ALFA's summary document is provided as item D-2(c)(2). ALFA will present additional information at this meeting.

The proposal would designate the Eastern Regulatory Area as a longline only area for the taking of sablefish. The Eastern Regulatory Area comprises the FCZ off Alaska lying between 132°40'W. longitude to 147°W. longitude. A chart illustrating the management area is attached as item D-2(c)(3).

There are six proposals submitted under the 1985 amendment cycle which address this issue. The scope of the proposals range from restricting the sablefish fishery to longline only in just the Eastern Regulatory Area, to applying the restriction to all federal waters off Alaska. A proposal adopted during the 1985 cycle would be in effect by the 1986 sablefish fishery. Adoption of an emergency rule would implement Council policy in the Eastern Gulf of Alaska in 1985.

As the Council reviews the sablefish fishery in light of ALFA's request and the submitted proposals, you may wish to ask yourself the following questions:

- (1) What are the Council's goals and objectives for the sablefish fishery?
- (2) How do they differ from those now in the plan, which says "manage Gulfwide to benefit the domestic fishery"?
- (3) How does restricting the gear used in the sablefish fishery meet a specified objective?
- (4) Does an "emergency" exist in this fishery? Gear conflicts, ground preemption, lost gear?



ALASKA LONGLINE FISHERMEN'S ASSOCIATION

P.O. Box 1229
 Sitka, Alaska 99835
 Telephone (907) 747-3400

ACTION	ROUTE TO	INITIAL

Jim Branson
 NPFMC
 Anchorage, Ak.

Dear Mr. Branson,

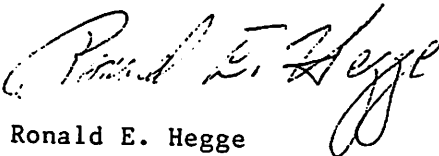
At the February meeting of the NPFMC in Sitka ALFA will ask the Council for an emergency amendment to the Groundfish Plan establishing the Eastern Gulf (east of 147 degrees) as hook and line only fishery for sablefish.

We feel that an emergency does exist and will present supportive testimony and evidence.

We request that council members be advised of this and that this information be included on the council agenda to provide adequate public notice.

Thank you for your assistance.

Respectfully,



Ronald E. Hegge
 Director

c.c.
 Gov. Sheffield

RECEIVED JAN 25 1985



ALASKA LONGLINE FISHERMEN'S ASSOCIATION

P.O. Box 1229
 Sitka, Alaska 99835
 Telephone (907) 747-3400

ACTION	ROUTE TO	INITIAL
	Exec. Dir.	J
	Deputy Dir.	
	Admin. Off.	
only to Sitka	Exec. Sec.	lea
	Staff Asst. 1	
	Staff Asst. 2	
	Staff Asst. 3	S
	Economist	
	Sec./Bkkr.	
	Sec./Typist	

January 23, 1985

Scientific and Statistical Committee
 North Pacific Fisheries Management Council
 Anchorage, Alaska

Dear Sirs:

ALFA is an organization comprised of fishermen from Alaska, Oregon and Washington engaged in commercial fishing, using longline gear, in the waters of, and contiguous to, the State of Alaska.

ALFA has proposed an emergency amendment to the NPFMC Groundfish Plan designating the waters of the Gulf of Alaska (East of 147°) to "hook and line only" for sablefish.

We feel that without this emergency action, harvest will not be made in the best interest of the nation, and that dependent shore-based communities will be adversely and likely irreversibly affected.

Following is a summary of justification for this action.

The entire OY is now being taken.

By taking action now, no other gear types would be seriously impacted.

Hook and line fishermen have operated without notable conflict within their own gear type.

The OY is already being taken in less time than is biologically desirable to avoid impacting certain segments of the stock.

Increased effort by addition of another gear type would only further shorten the fishing period.

Hook and line fishing is unquestionably the most successful in this geographical area. This can be shown both by the unsuccessful prior attempts by commercial pot fishermen and the very poor catch rate of the R/V "Cobb" while on pot surveys.

Hook and line caught fish are bringing the highest return for the product. The market analysis by J. R. Wilson of NMFS should be referred to, as well as current market price.

Current trawl price on the west coast is 37¢ for 7 pounds and larger, in the round, and 16¢ for small round with an attempt to raise to 40¢ and 20¢ respectively.

Page 2.

As of January 7th, a check of the price at Newport Shrimp Company in Newport, Oregon was 50¢ large round, which using Alaska State conversion formula amounts to 68.5¢ eastern cut, and small price of 20¢ equals 27.5¢ eastern cut.

Sitka price is 95¢ large, and 70¢ small for eastern cut.

There is indisputable evidence of lost pots and gear conflict. This has repeatedly been documented by personal testimony and letters. This will be repeated again in February. (Please Note: excerpts PFMC Groundfish Log - 1/5/80.)

The shelf in the area designated in this request is very narrow and rugged, with strong currents, making it virtually impossible for the two gear types to fish together.

Current regulations require pots to have an escape panel only as large as the tunnel opening, and of 120 thread cotton twine. This regulation is worthless. Fish are guided through the tunnel opening by the tunnel configuration. A escape panel the size of the tunnel opening on a side of the pot would have no meaning to a fish in a predator situation. Further, my crab pots have 120 thread panels which have been in the pots for over 18 months without being replaced, and all are intact.

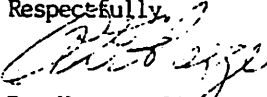
Given the documented predatory nature of sablefish, this would be an intolerable situation.

Although the traditional hook and line fishermen reside in many areas throughout the U. S., they generally deliver their product to the shore based plants. To pre-empt the traditional fishermen from the grounds and allow introduction of this gear type would have a devastating effect on the traditional fishermen and local economies. There currently is one vessel fishing off Southeast Alaska's coast using pots. He has already been involved in one documented gear conflict, resulting in the loss of 35 skates of longline gear.

This vessel has pre-empted the longline fleet from the area around Cape Ommaney, which is the prime fishing area.

We respectfully ask that the NPFMC take immediate action to manage this sablefish fishery.

Respectfully,


Ron Hegge - Director
ALASKA LONGLINE FISHERMEN'S ASSOCIATION

Enclosure

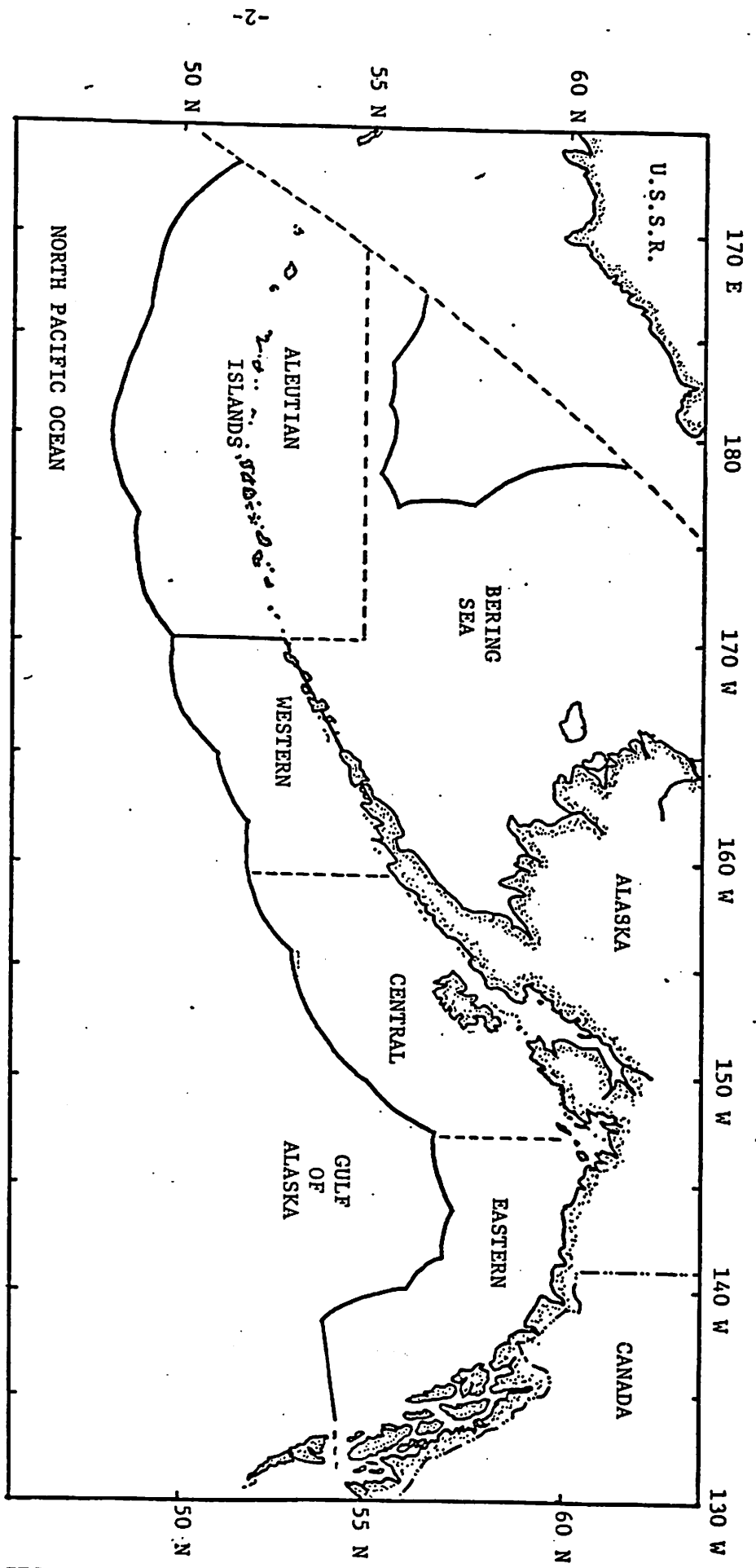


Fig. 1 Major regulatory areas of the Bering Sea and Aleutian Islands Groundfish and Gulf of Alaska Groundfish FMP's.

ACTION	DATE	BY	REMARKS

RECEIVED JAN 3 1 1985

Seward Chamber of Commerce
Seward, AK 99664

January 28, 1985


Mr. James Branson
Executive Director
North Pacific Fisheries Management Council
P.O. Box 103136
Anchorage, AK 99510

Dear Mr. Branson:

This letter is to affirm our support for a longline only fishery for sablefish in the entire Gulf of Alaska. We believe this gear type is vital to keeping the fishery in the hands of Alaskan fishermen and shoreside processing workers. We also urge you to severely limit any allocations of quota to other than domestic fishermen.

Your attention in this matter is greatly appreciated.

Sincerely,


April Tillotson
President,
Seward Chamber of Commerce



Universal Seafoods, Ltd.

15110 N.E. 90th St.
P.O. Box 1019
Redmond, WA 98073-1019
(206) 881-8181

RECEIVED
AGENDA D-2(c)
FEBRUARY 1985
SUPPLEMENTAL

January 29, 1985

Jim Branson
Executive Director
NPFMC
411 West 4th Ave.
Anchorage, AK 99504

Dear Jim:

A gear specific fishery proposal for the eastern Gulf of Alaska Sable Fishery will be presented to the Council during the February meeting in Sitka. The request will call for the prohibiting of all means of harvesting Sablefish other than long lining on an immediate basis in the area east of 147 W. We feel very strongly that no compelling nor justifiable reason exists to support positive action on this issue.

During 1984 the U.S. Black Cod fleet, for the first time since the implementation of the Magnuson Act, harvested its allocated share. As a result and pursuant to regulations set forth in the Act, the foreign allocation (TALFF) has been eliminated. Nothing in the Act describes the manner in which this resource is to be harvested, provided the fishing gear is conservationally acceptable. To reserve the resource for long lining only on either an emergency or a long term basis doesn't appear warranted to effectively manage the stock.

Pot fishing for Black Cod has gained popularity in Canada in recent years. This same method has been established by a number of boats in the U. S. fleet. Baranof Fisheries is currently engaged in this fishery using the pot method of harvesting with the catcher/processor Baranof. In this operation the fish are taken aboard, dressed immediately, and frozen. We have established both domestic and export markets for the product and our buyers have found it to be superior in all respects and it commands a premium price.

NPFMC - SSC Member
January 29, 1985
Page 2

We have found this gear type to be more specific in size control also. Because of the mesh size, smaller fish are allowed to escape while larger ones are retained...thus contributing to positive and conservative management techniques. Long line gear is less discriminating.

We also believe the pots to be more discretionary in species selectivity. The tunnel opening and arrangement assists in restricting the entrance of other species, particularly large halibut. Most fish come to the surface alive allowing anything other than Black Cod to be returned to the sea alive and undamaged, with the exception of incidental Sebastes.

Some of you will recall in the 1950's when the King Crab fishery was designated a "pot only fishery" which eliminated trawling and tangle nets. This was principally done as a measure to eliminate damage done to females and allow undersized crab to escape. These same basic principles of gentle handling apply to any pot fishery, including Black Cod.

A question of gear conflict has been voiced and may be valid. The issue is not unique to this fishery and is certainly preceded in others. Trawls conflict with crab pots. Crab pots conflict with crab pots. Long lines conflict with long lines and surely a conflict can arise between pots on a ground line and long line gear. However, the solution to the problem lies in communication, cooperation and understanding by the parties involved...not through restrictive measures favoring special interest groups.

On a broader note, there is a substantial number of vessels that have had extremely difficult financial problems because of the decline in the King Crab fishery. They are well suited to handle pot gear. Some of these vessels may wish to diversify, which in turn would relieve the pressure on the King Crab stocks and assist in the survival of this important segment of the Alaska fishing fleet. Two of our Company-associated vessels, namely the Baranof referred to previously and currently fishing, and the Courageous, which is in for repairs and will begin fishing in March, have converted to this fishery. Total investment in these vessels approaches \$10 million. We're talking financial survival of Americans, fishing American stocks in American waters.

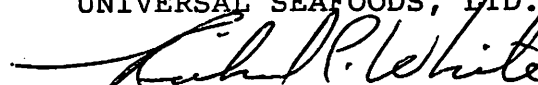
NPFMC - SSC Member
January 29, 1985
Page 3

If the Black Cod fishery were restricted to the long line method, a dramatic increase in the number of hooks through the use of automatic long line gear can be expected. Will the next request call for a limit on the number of hooks a boat can fish, or perhaps a vessel size limit? It appears as if this matter is becoming a small boat/large boat issue and to adopt the proposal is to create an unsolvable argument with no limitations. It would contribute nothing to effective management of the resource.

I plan to attend the Council meeting and look forward to an opportunity to further discuss the matter with you.

Sincerely,

UNIVERSAL SEAFOODS, LTD.



Richard C. White
Vice President

/pb



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 6, 1985

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

I have signed the following resolution and am transmitting the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION NO. 8 (Resources)
(Relating to the allocation of Gulf of Alaska sablefish
harvest by the North Pacific Fishery Management Council.)
Legislative Resolve No. 3.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

STATE OF ALASKA

THE LEGISLATURE

1985

Source

SCS CSHJR 8 (Res)

Legislative
Resolve No.

3



Relating to the allocation of Gulf of Alaska sablefish harvest by the North Pacific Fishery Management Council.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the North Pacific Fishery Management Council on December 8, 1984, voted to allocate 10 percent of the optimum yield of sablefish in the Gulf of Alaska groundfish fishery to incidental catch by joint venture fishermen; and

WHEREAS joint venture operations in the Gulf of Alaska have expanded dramatically in recent years; and

WHEREAS continued expansion of joint venture participation with foreign processors in the Gulf of Alaska should be accommodated by the North Pacific Fishery Management Council in such a manner as to enhance, and not restrict, development of the domestic fishery; and

WHEREAS use of longline gear in catching sablefish is ecologically sound; and

WHEREAS the use of pot gear also is a recognized method for United States fishermen to harvest sablefish; and

WHEREAS longline gear and pot gear are incompatible gear types; and

WHEREAS Alaska longline fishermen have the capacity to harvest, and United States processors have the capacity to process, the entire allowable catch of sablefish in the Gulf of Alaska; and

WHEREAS the Magnuson Fishery Conservation and Management Act establishes a priority for United States fishermen delivering to United States processors; and

WHEREAS the North Pacific Fishery Management Council, in allocating fishing privileges among fishermen and among gear types, is directed by management plan guidelines to consider such relevant factors as the economic and social consequences of the allocation scheme and the dependence on the fishery by present participants and coastal communities;

BE IT RESOLVED by the Alaska State Legislature that the North Pacific Fishery Management Council is respectfully requested to rescind its action recommending joint venture fishermen an incidental catch of sablefish equal to 10 percent of the optimum yield of sablefish in the Gulf of Alaska groundfish fishery, and set aside reserves in the Central and Western Regulatory Areas to allow incidental catch of sablefish based on actual needs rather than optimum yield; and be it

FURTHER RESOLVED that the North Pacific Fishery Management Council is respectfully requested to take action at its February 1985 meeting to grant longline fishermen exclusive fishing rights in the sablefish fishery in the Eastern Regulatory Area of the Gulf of Alaska, from Dixon Entrance to a west longitude determined by the North Pacific Fishery Management Council; and be it

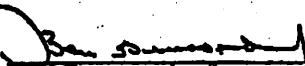
FURTHER RESOLVED that the North Pacific Fishery Management Council is respectfully requested to study the impact an exclusive longline fishery in the Eastern Regulatory Area would have on the longline fishery in the Central and Western Regulatory Areas and to consider appropriate management options, such as exclusive areas, to minimize or prevent gear conflicts between longliners and sablefish pot fishermen in the Central and Western Regulatory Areas.

COPIES of this resolution shall be sent to the Honorable Ronald Reagan, President of the United States; to the Honorable George Bush, Vice-President of the United States and President of the U.S. Senate; to the Honorable Thomas P. O'Neill, Jr., Speaker of the U.S. House of Representatives; to the Honorable John B. Breaux, chairman, Subcommittee on Fisheries and Wildlife Conservation and the Environment, House Committee on Merchant Marine and Fisheries; to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; to the Honorable Malcolm Baldrige, Secretary of Commerce; and Mr. James Campbell, chairman, North Pacific Fishery Management Council.


AUTHENTICATION

The following officers of the Legislature certify that the attached enrolled resolution, SENATE CS FOR CS. FOP. HOUSE JOINT RESOLUTION NO. 8 (Resources), was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

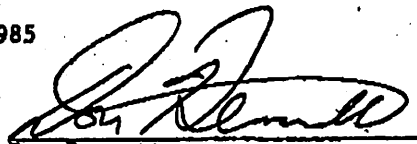
Passed by the House February 6, 1985


Ben Grussendorf
Speaker of the House

ATTEST:

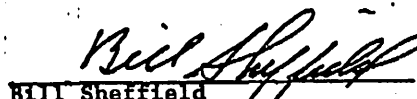

Irene Cashen
Chief Clerk of the House

Passed by the Senate February 5, 1985


Don Bennett
President of the Senate

ATTEST:


Peggy Mulligan
Secretary of the Senate


Bill Sheffield
Governor of Alaska

REPRESENTATIVE
BEN GRUSSENDORF

P.O. Box 921
SITKA, ALASKA 99831
(907) 747-8456

RULES COMMITTEE
LEGISLATIVE COUNCIL

DISTRICT 3
ELFIN COVE
PELICAN
PORT ALEXANDER
SITKA
TENAKEE

Alaska State Legislature



House of Representatives
SPEAKER OF THE HOUSE

WHILE IN JUNE ALI
POUCH V.
JUNE ALI, ALASKA 99811
(907) 465-3811
(907) 465-3722

February 6, 1985

Mr. James Campbell
Chairman
North Pacific Fisheries Management Council
P.O. Box 103136
Anchorage, AK 99510

Mr. Campbell:

Enclosed please find House Joint Resolution Number 8 which has passed the Alaska Legislature and been signed by the Governor.

As the Representative from District Three, I am in support of Alaska Longline Fisherman's Association's request for emergency regulations designating the Eastern Gulf as an exclusive longline fishing area for sablefish. Sitka has 50 black cod boats, and the processing of that fish creates 250 to 300 jobs. In Pelican, sablefish is responsible for the employment of 50 people year-round. This adds up to significant economic and social consequences for these two communities and the rest of Southeastern Alaska.

The Council should consider the effects on Alaska's coastal communities when looking at the conflicts between longline and pot gear. Lost pots not only preempt future longline fishing in that area, but those pots continue "fishing" for months, if not forever.

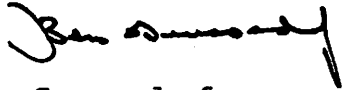
I also support A.L.F.A.'s position on by-catch of sablefish by joint venture operators. Some equitable provision for incidental catch must be made. It should be a method that will not reduce the American black cod fishermen's quota just at the point when they have proven they can harvest the entire optimum yield.

As the Speaker of the House of Representatives, I will point out that this resolution is co-sponsored by all the Representatives from Prince William Sound to Ketchikan. It passed the House on a 39 to 0 vote, and passed the Senate 17 to 1. You will notice that your copy bears the signatures of the President of the Senate, the Governor and my own. I

hope this will transmit a strong message to you and your fellow members of the Council: Alaska cares, the Legislature and the Governor cares, and I care about the allocation of Alaska's fishing resources.

Please act to make directed sablefishing longline only in the Eastern Regulatory Area.

Respectfully,

A handwritten signature in black ink, appearing to read "Ben Grussendorf". The signature is written in a cursive style with a long, sweeping underline.

Ben Grussendorf
Speaker of the House