

North Pacific Fishery Management Council

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ADVISORY PANEL MINUTES January 19-20, 1987 Anchorage, Alaska

The Advisory Panel for the North Pacific Fishery Management Council met in the Captain Cook Hotel on January 19-20, 1987. The following members were present:

Nancy Munro, Chairman	Lamar Cotten	Ron Peterson
Robert Alverson, Vice Chairman	Ron Hegge	Cameron Sharick
Rupe Andrews	Pete Isleib	Thorn Smith
Alvin Burch	Rick Lauber	Richard White
Joseph Chimegalrea	Dan O'Hara	John Woodruff

Minutes of the December 7-9, 1986 Advisory Panel meeting were approved as read.

B-1 EXECUTIVE DIRECTOR'S REPORT

Moved and seconded: The AP recommends the Council hold a public hearing on shellfish regulations in Seattle during the first week of March in conjunction with the Crab Plan Workgroup meeting. The motion carried unanimously.

C-1 ELECTION OF OFFICERS

The AP re-elected Nancy Munro as Chairman and Robert Alverson as Vice Chairman of the Advisory Panel for 1987.

C-2 HALIBUT MANAGEMENT

IPHC Staff Proposals. The AP declined comment on these proposals, deferring them to the IPHC meeting to be held the following week.

Atka Proposal (new regulatory area 4F around Atka Island to include 400,000 lbs. and exclusive registration).

Moved and seconded: The AP recommends that:

- (1) In keeping with past policy the Council continue to support fishery development in small coastal communities.
- (2) To aid the Atka community in achieving reasonable access to the halibut resource in area 4B the Council instruct the IPHC to manage area 4A and 4B stocks discretely to avoid a premature shut down as occurred in 1986.

- (3) The AP advises that with this accounting procedure, perhaps in tandem with regulations similar to those used around Pribilofs and Nelson Island, there is no need for an exclusive fishery area to be established.

The AP recognizes that these are groups with circumstances that have caused them to request particular remedies. We feel that the IPHC is particularly suited to make initial decisions on these cases. The AP recommends that the IPHC give full consideration to these requests. The motion carried 10 to 5.

Bristol Bay (new regulatory area 4G in sanctuary area for halibut fishery to include 500,000 lbs. and exclusive registration). The AP did not have information or testimony on the biological impact of fishing in the sanctuary. The AP voted to table this issue until that information was available, and in the interim to leave it up to the IPHC. The tabling motion carried 11 to 2.

Mandatory Hold Inspections.

Moved and seconded: The AP recommends the Council encourage the IPHC to explore all methods to minimize unlawful fishing including pre-season hold inspections. The motion carried unanimously.

D-1 GULF OF ALASKA GROUND FISH FMP

Proposal Recommendations (see Attachment 1 for summary)

- #1 Limited Entry for Sablefish. The AP recommends this proposal be included in the 1987 amendment cycle. The AP recognizes that the Council has authorized a management study which includes the question of limited entry and that public hearings will be held this spring. The AP also recognizes the question of the plan team's ability to adequately address the issue by March. Despite these objections the AP recommends this proposal as an important industry concern and priority. The motion carried 12 to 2.

Minority Report. Limited entry is perhaps the most controversial of fishery management issues...as the recent proposal to implement a moratorium on entry into the halibut fishery so dramatically demonstrated. Many fishermen fear that a limited entry program imposed in the sablefish fishery would serve as a precedent, and that other fisheries might fall like dominoes. An attempt to suddenly impose limited entry in one fishery--without thorough consideration of the impact on others--will likely prompt the same well-organized and effective opposition which met the halibut proposal.

We recommend that the proposal be assigned to a workgroup for careful evaluation, taking into account the interests of and impacts on all fisheries. Should the Council decide to go forward with limited entry, it would be best to develop a generic approach which would be applied to various fisheries, as future circumstances dictate. Predictability of this sort might go a long way in reducing the paranoia which surrounds this controversial issue. Signed by Thorn Smith, Al Burch, and Rich White.

- #2 Management of Groundfish Bycatch. The AP endorses the plan team and SSC recommendation to defer this item to the Council's Bycatch Workgroup. The motion carried unanimously.

- #3 Fixed Sablefish Quota System/Three Years. The AP endorses the plan team's recommendation not to implement this proposal. The motion carried 8 to 1.
- #4 Closure of Juvenile Halibut Habitat to Bottom Trawling. The AP recommends this issue be deferred to the Council's Bycatch Workgroup. The motion carried unanimously.
- #5-8 The AP endorses the plan team recommendations to analyze these proposals for consideration in this amendment cycle (see Attachment 1). The motions carried unanimously.
- #9 Sale of Survey Catches. The AP recommends that this issue does not require a plan amendment and should be deferred to NMFS. The motion carried unanimously.
- #10 Fishing Seasons Framework. The AP recommends this proposal be analyzed in this amendment cycle. The motion carried 12 to 1.
- #11 Bycatch Controls for Prohibited Species. The AP recommends this proposal be analyzed for amendment. The motion carried 10 to 4.
- #12 Overall FMP Rewrite. The AP recommends this item be analyzed for this amendment cycle. The AP considers this a low priority and recommends that it should not impede future revisions of the Bering Sea FMP. The motion carried unanimously.
- #13 Sablefish Size Limit. The AP recommends this proposal be analyzed for consideration in this amendment cycle. The motion carried unanimously.
- #14 Harvest Ceiling for Bottom Trawling in Eastern Gulf. (see Attachment 1).

D-2 BERING SEA/ALEUTIAN ISLANDS GROUND FISH FMP

Proposal Recommendations (see Attachment 2 for summary)

- #1 Priority DAP Access Around Dutch Harbor. The AP recommends this proposal be given the highest priority and that it be included in the 1987 amendment cycle. The motion carried 12 to 3.

The AP heard extensive public testimony and debate which centered around several themes:

- (a) Frustration over the basic issue of Americanization. "We're claiming our seats on the 50-yard line". This proposal is a concession from phase out, the stance of date-certain. This proposal is in the national interest and will help the balance of trade and investment climate.
- (b) This frustration was countered with the argument that the real problem is getting the fish to shore, which this proposal will not help. Joint venture boats cannot handle the fish safely. A

tendering plan is already being worked out by industry. The need onshore is minimal. Why are we encouraging the Council to become involved in a basic business problem?

- (c) The counter argument to (b) suggested that the proposal was not perfect, but has something to start with. The AP would like to see alternatives such as fees on joint ventures considered in the analysis. The AP recognizes there are alternatives other than exclusive zones and voted to begin the discussion.

See Attachment 3 for a minority report on this proposal.

- #2-8 The AP endorses the plan team recommendations (see Attachment 2). The motions carried unanimously.
- #9 Expand Economic Data. The AP recommends this proposal be analyzed for amendment. The motion carried 12 to 2.
- #10 Retention and Sale of Survey Catches. The AP recommends the Council not pursue this proposal as a plan amendment due to NOAA General Counsel's legal advice that an amendment is not necessary. The motion carried unanimously.
- #11 Sablefish Size Limit. The AP recommends the Council consider this proposal in the 1987 amendment cycle with the possible alternative that it apply to pot and longline vessels only. The motion carried unanimously.
- #12 Closure of Area 514 to Trawling May-July. The AP recommends the Council consider this proposal in the 1987 amendment cycle. The AP does not endorse this proposal per se; however, we feel that it contains similar concepts as the Dutch Harbor priority access proposal. We feel these are important concepts to be addressed. Therefore, the AP recommends that this proposal be included in this amendment and that the analysis include alternatives to exclusive zones. The motion carried 11 to 3.
- #13 Roe Stripping. The AP recommends including this item in the 1987 amendment cycle with a high priority. The AP approved this motion because testimony indicated that although this could be addressed as a permit condition, it probably would not be because of potential controversy. This appears to be a battle between Japan and Korea and it seems unlikely a permit condition would pass muster with NMFS. The motion carried 9 to 4.
- #14 Net Mesh Size of 90 mm in Pollock Fishery. The AP acknowledges that this is an idea which deserves study but recommends it not be included in this amendment cycle. The motion carried 13 to 2.

GULF OF ALASKA GROUND FISH MANAGEMENT PROPOSALS FOR 1987

Management Proposal	AP Recommendation	Vote
1. Sablefish limited entry	Analyze amendment	12-2
2. Management of groundfish bycatch	Defer to Council's Bycatch Workgroup	Unanimous
3. Fixed sablefish quota system/three years	Do not implement	8-1
4. Closure of juvenile halibut habitat near Kodiak to bottom trawling	Defer to Council's Bycatch Workgroup	Unanimous
5. Reporting requirements* for at-sea transfers	Analyze amendment	Unanimous
6. Expand economic data*	Analyze amendment	Unanimous
7. Prohibited species* definition	Analyze amendment	Unanimous
8. Revise definition of ABC*	Analyze amendment	Unanimous
9. Retention and sale of* survey catches	Defer to NMFS	Unanimous
10. Fishing seasons framework	Analyze amendment	12-1
11. Bycatch controls for prohibited species	Analyze amendment	10-4
12. Overall FMP rewrite	Analyze amendment (low priority). Should not impede future revision of BSAI FMP.	Unanimous
13. Sablefish size limit* of 22 inches	Analyze amendment (as applies to longline and pot gear)	Unanimous
14. Harvest ceiling for bottom trawling in eastern GOA	Direct PT & NMFS to work w/ ALFA to outline problem and design solution which may include domestic observer coverage.	Unanimous

*Similar proposals for BSAI.

BERING SEA/ALEUTIAN ISLANDS GROUND FISH MANAGEMENT PROPOSALS FOR 1987

Management Proposal	AP Recommendation	Vote
1. Priority DAP access within 100 miles of Dutch Harbor	Analyze amendment (highest priority)	12-3
2. Comprehensive bycatch framework	Defer to Council's Bycatch Workgroup	Unanimous
3. Prohibit JV pollock fishing May-June	Defer to Council and Committee consideration	Unanimous
4. Implement single-species TAC for TALFF fisheries	Defer to NMFS	Unanimous
5. Raise OY range to 2.4 million mt	Analyze amendment (and any other reasonable alternatives)	Unanimous
6. Prohibited species* definition	Analyze amendment	Unanimous
7. Revise definition of ABC*	Analyze amendment	Unanimous
8. Reporting requirements* for at-sea transfers	Analyze amendment	Unanimous
9. Expand economic data*	Analyze amendment	12-2
10. Retention and sale of* survey catches	Defer to NMFS	Unanimous
11. Sablefish size limit* of 22 inches	Analyze amendment (as applies to longline and pot gear)	Unanimous
12. Closure of Statistical Area 514 to trawling May-July	Analyze amendment (and alternatives other than drawing circles be analyzed)	11-3
13. Roe Stripping	Analyze amendment (high priority)	9-4
14. Pollock Net Mesh Size Minimum	Defer	13-2

*Similar proposals for GOA.

A.P. MINORITY REPORT-PROPOSED DUTCH HARBOR DAP PREFERENCE ZONE

Joint venture operators have made a positive and practical business offer to resolve the shoreside delivery problem—they will provide fish to DAP processors on the grounds, and on a priority basis, under contracts incorporating normal commercial terms and conditions. There are many incentives towards this co-operative approach:

U.S. JOINT VENTURE HARVESTERS NEED NEW MARKETS

JVP will diminish as the DAP factory trawl fleet grows, and factory trawlers are not buying fish at sea; JV seasons are growing shorter, and year round shoreside markets are attractive; the JV fleet has tremendous harvesting capacity (4 or 5% of its daily output will meet the demands of the Surimi Plants), but cannot process at sea.

U.S. SHORESIDE PROCESSORS NEED THE HARVESTING CAPACITY OF THE JV FLEET

No alternative harvesting fleet is available; there are few vessels now capable of shoreside delivery; factory trawlers do not deliver raw fish ashore; short of new trawler construction or conversion, there is nowhere else to go—there is great incentive to work together.

TRANSPORTATION IS THE MISSING LINK

Most of the JV harvesters are converted crabbers, borrowed from the crab fleet; the added weight of trawl gear above deck makes them unstable if their holds are filled; they do not have adequate hold capacity; most lack cooling systems to hold fish during long trips; they are worth \$3-4 million, and harvest very efficiently— but they are not designed for transportation and storage.

TENDERS ARE THE SOLUTION

They are used successfully in anchovy and men haden fisheries; they are relatively inexpensive

- oil mud boats are available for conversion at relatively low prices;
- salmon tenders may be refitted (Westward trawlers plans to supply the Alyeska seafood plant this way);
- Tampa ship plans to build tenders to supply its Surimi barges; processors, harvesters, or third parties are free to supply transportation, which is a normal cost of doing business.

THE PROPOSED CLOSURE WON'T WORK

It will not force U.S. fishermen now engaged in joint ventures to deliver to shoreside plants—it will drive harvesting capacity away, to large joint venture markets. The 8,000 square mile proposed closure is excessively burdensome— it would cause substantial economic harm to U.S. fishermen, without a corresponding benefit to processors.

THERE IS A STRAIGHTFORWARD SOLUTION TO A BUSINESS PROBLEM (OR OPPORTUNITY)-
FEDERAL REGULATION IS NOT NEEDED

The current demands for shoreside delivery can be met by transporting a small portion of JV output to the plants. Businessmen are now taking the initiative, planting the seed—the council should let it grow. Adoption of a closure would send the wrong signal to industry—that it should come to the council and seek artificial

constraints on competition, rather than develop practical solutions to business problems... a dangerous precedent.

CONCLUSION

It is our hope that the council will turn down this proposal, and encourage the U.S. industry to take the next step towards full development co-operatively- the elements of a prompt resolution are at hand.

THORN SMITH
CAMERON SHARICK
AL BURCH