

MEMORANDUM

TO: Council, AP and SSC Members
FROM: Jim Branson *JB*
Executive Director
DATE: May 5, 1982
SUBJECT: Salmon FMP

ACTION REQUIRED

*Information only: Litigation
Coastwide Management Programs
U.S./Canada Interception Talks
Scarred Salmon [D-1(a)]*

BACKGROUND

In March the Council and Board of Fisheries made their final decisions on 1982 salmon management. The chinook OY range was retained and the Council directed the Regional Director of NMFS to manage for 255,500 fish, the same harvest guideline set by the Board. No FMP amendment was required; however, NMFS felt the authority of the Regional Director to manage the troll fishery to achieve harvest within the OY range, not just at the upper end, needed to be clarified. The proposed rule modification should be published in the Federal Register by May 14.

Litigation

In August 1981 the Confederated Tribes of the Yakima Indian Nation filed suit against the Secretary of Commerce to get more fish back to Tribal fishing grounds in the Columbia River. The Tribes have now filed a motion with Judge Craig to include the State of Alaska, ADF&G, and Board of Fisheries in the lawsuit. NMFS or General Counsel should be able to provide an update on the litigation.

Also in 1981 the Alaska Troller's Association (ATA) filed suit challenging the Regional Director's authority to close the FCZ to trolling in-season in order to slow the harvest rate. This is the problem addressed in the proposed rule mentioned above. Recently ATA has filed suit against the Board of Fisheries regarding the ban on treble hooks, contending that the evidence does not support any conservation problem associated with treble hooks.

1982 Coastwide Management Programs

NPFMC

The Southeast Alaska troll fishery will be managed to achieve a chinook harvest of 255,500. The predicted 1982 season is 10 days shorter than in 1981, as follows:

April 15 - May 15	--	closed, all species, all areas
May 15 - June 6	--	open, all species, all areas
June 7-16	--	closed, all species, all areas
June 17-26	--	open, all species, all areas
June 27 - July 4	--	closed if necessary to slow harvest rate
July 5 - Aug 10	--	open, all species, all areas
Aug 20 - Sept 21	--	open, all species, state waters only

PFMC

The Pacific Council's management regime is expected to reduce the ocean harvest pressure on chinooks off the Washington coast to below levels of previous years. This results from the management of Washington coastal coho rather than specific chinook measures. Reduced pressure will affect primarily lower Columbia River stocks, Bonneville hatchery stocks, and upriver brights.

Commercial harvest of Oregon coastal stocks is expected to reach 164,000, a 2% increase over 1981. The recreational catch off Oregon is expected to increase 19% to 34,000 chinooks.

1982 PFMC Management North of Cape Falcon

North of Leadbetter Point (Washington coast) to British Columbia border

May 1-31	--	open, all species except coho
June 1 - July 15	--	closed, all species
July 16 - Nov 15	--	open to all species until coho quota reached or November 15, whichever occurs first

Cape Falcon to Leadbetter Point

May 1-31	--	open, all species except coho
June 1-30	--	closed, all species
July 1 - Nov 15	--	open to all species until coho quota reached or November 15, whichever occurs first

Canada

Canadian chinook salmon management will also be more restrictive in 1982. The two-week June closure of northern British Columbia was announced on April 23. There will also be a curtailment of seining activities in Areas 1, 2 and 7. The sport fishery will be reduced through a seasonal bag limit (30 chinooks) and increased minimum size limit (from 12" to 18" minimum).

1982 British Columbia Management

Troll Fleet

June 10-23*	Areas 1-11, 30	closed all species
June 24	Areas 1-8	open chinook and coho
	Areas 9, 10, 11	open chinook, closed coho
July 1	Areas 9 & up	open all species
	Barclay Sound	season opened April 1 (formerly Feb 1)

Net Fisheries

Area 2	effort will be reduced 50%
Areas 1 & 7	will be monitored for incidence of chinooks and restricted as necessary
Barclay Sound	moved inside

Sport Fishery

Hecate Pass, River's Inlet	2 fish daily limit, 4 possession (was 4 and 8)
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*may be shifted slightly due to conflict with halibut fishery

U.S./Canada Salmon Interception Talks

The latest round of bilateral salmon negotiations was held April 19-23 in Vancouver, B.C. A summary of the discussions and agreements will be provided by one of the participants.

Scarred Salmon

We have distributed a memo regarding scarred salmon to various U.S. and Canadian resource agencies and user groups. The intent of the memo is to generate an awareness of the problem in Southeast Alaska and determine if the problem exists elsewhere. We are requesting information and ideas about the incidence of marked salmon and possible sources of the marks. The responses are being compiled by Council staff, and a summary should be available for the July Council meeting. A copy of the memo is included here as Agenda Item D-1(a).

North Pacific Fishery Management Council

Clement V. Tillion, Chairman
Jim H. Branson, Executive Director

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Post Office Mall Building



Telephone: (907) 274-4563
FTS 271-4064

MEMORANDUM

TO: Individuals knowledgeable of high seas salmon distribution, trawl operations, high seas gillnet operations and salmon predators.

FROM: Jim H. Branson
Executive Director

DATE: April 15, 1982

SUBJECT: Net marks and scars on troll-caught salmon in Southeast Alaska

BACKGROUND

For several years we have been receiving reports and photographs of scarred salmon from salmon trollers in Southeast Alaska. The abundance of these marred fish is more than just an economic and political problem--it may be indicative of a major source of fishing-related mortality. The industry has repeatedly expressed concern but the agencies have not been able to determine the origin of the injuries and can only guess the magnitude of the problem. In 1981 the Alaska Department of Fish and Game began to monitor scarred salmon in their port sampling program and, although the data are not substantial, they feel that the incidence was about 1% overall for chinook salmon and 3% for coho.

There are many unknowns in this problem: Are other areas (British Columbia and Washington) experiencing similar marks? Are only specific stocks involved? In what areas are salmon likely to be impacted if fishing gear is present? What non-salmon fisheries are currently operating in areas where salmon may be impacted? What are the survival rates of salmon encountering fishing gear?... The list could go on and on.

What we would like to do is poll any and all individuals who might have ideas, knowledge or feelings about the source(s) of these marks. This is partly an opinion poll, but I am confident that there is considerable information and experience that can be tapped among fisheries scientists and managers along the coast. We sent out a letter requesting assistance in January, 1982, but it appears many of you may not have received it so I am redistributing a list of possible sources of marks and again asking for help. If we are going to address this problem in a meaningful way we should focus on the most probable causes. The comments and suggestions from you and any other individuals you would like to contact will be much appreciated. Thanks.

enclosures

The Problem: Marks, scars and abrasions in troll-caught salmon in Southeast Alaska, especially in outside districts.

Description: Relatively few marks look like gillnet or other monofilament marks. Most are scrapes, chafes and scars of various stages of healing. Some are on one side of the fish, others on both sides.

Marred salmon, chinook and coho, were observed sporadically throughout the season. ADF&G has cursory data from May-July 1981 including photographs. Many fish had been on ice 3-5 days, however, and insufficient data are available to determine time and area of highest incidence.

Request: Please make additions and comment on feasibility of each by May 15.

Possible Sources:

Obvious gillnet/monofilament marks

- Japanese mothership salmon gillnet fisheries
- Japanese land-based salmon gillnet fisheries
- Japanese squid gillnet fisheries
- Japanese albacore gillnet fisheries
- U.S. Copper River salmon gillnet fisheries
 - Yakutat salmon gillnet fisheries
 - Southeast salmon gillnet fisheries
 - Cook Inlet salmon gillnet fisheries
- derelict nets
- troll gear

Other marks (scrapes, chafes, etc.)

- foreign bottom trawls
- domestic bottom trawls
- pelagic trawls
- sharks, whales, etc.
- sealions, seals, etc.
- troll gear
- U.S. seine gear
- Canadian seine gear
- gillnets

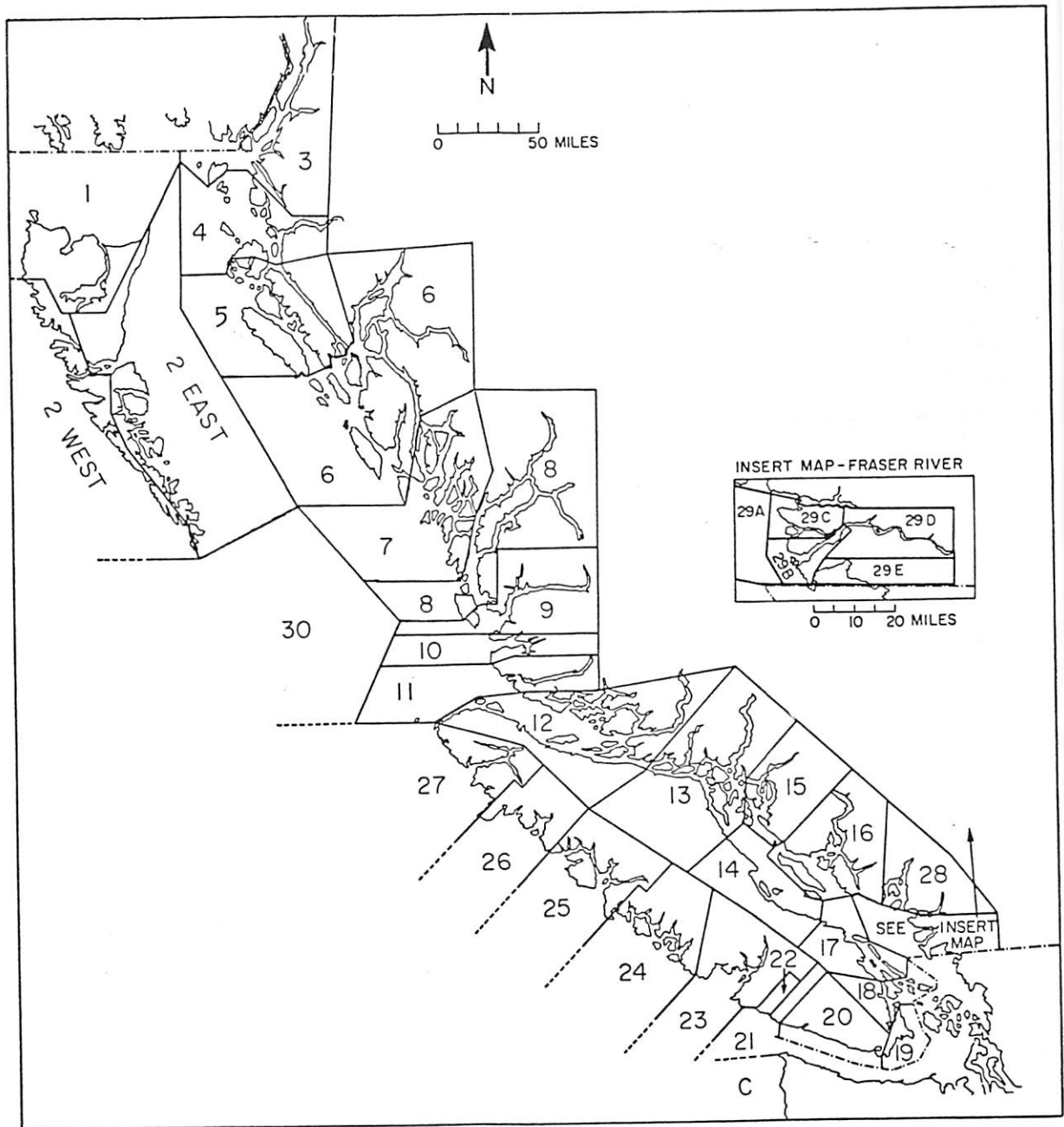


FIG. 1. Statistical areas used in reporting of British Columbia salmon catch statistics, 1978.

was 599,500. No accurate information on the sport fisheries catch of salmon in British Columbia is available.

Japan

Statistical areal divisions in 1978 for Japanese commercial salmon fishing in the North Pacific are shown in Figs. 2 and 3. The statistical areas north of 46°N shown in Fig. 2 were fished by the mothership driftnet fishery, and the landbased driftnet vessels operat-

ed in waters south of 46°N shown in Fig. 3.

The total number of salmon caught in 1978 by the mothership fishery, the Pacific landbased driftnet fishery, the Japan Sea fishery, and the coastal fishery was 47.7 million fish (Table 10).

Table 11 shows the 1978 Japanese salmon landings in metric tons. The total landings (103,297 t) included 15,399 t by the mothership fishery, 21,998 t by the Pacific landbased driftnet fishery, 4,120 t by fisheries in the Japan Sea, 57,732 t by the coastal fisheries

Original sponsors: Ziegler, Ray
and Flinson

Offered: 4/20/82
Referred: Rules

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE JOINT RESOLUTION NO. 70 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - SECOND SESSION

5 Relating to commercial fishing of
6 North Pacific chinook salmon.

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

8 WHEREAS the Alaska commercial fishing industry provides the highest
9 employment of any industry in the state; and

10 WHEREAS Alaska commercial fishermen, especially trollers, depend for
11 their livelihood on the North Pacific chinook (king) salmon; and

12 WHEREAS, since 1977, the fishery management plan and amendments imple-
13 mented by the Secretary of Commerce under the Fishery Conservation and Manage-
14 ment Act of 1976 have resulted in substantial reductions in the harvest of
15 chinook salmon in the fishery conservation zone off the coast of Southeast
16 Alaska; and

17 WHEREAS, in 1981, Alaska commercial fishermen suffered more than a 15
18 percent reduction from the 1980 allowable harvest of chinook salmon; and

19 WHEREAS the North Pacific Fishery Management Council and the Alaska
20 Board of Fisheries, in joint session, voted to direct the National Marine
21 Fisheries Service, Alaska Region, and the Alaska Department of Fish and Game
22 to manage the Yakutat-Southeast Alaska chinook salmon fishery toward the
23 lower end of the 1981 optimum yield range with a target of 255,500 chinook
24 salmon, which would be a 20 percent reduction in yield since 1980; and

25 WHEREAS Alaska has established a plan for the rebuilding of depressed
26 Canadian and Southeastern Alaska natural chinook stocks and has managed its
27 fishery in accordance with this plan; and

28 WHEREAS chinook escapements in British Columbia are only one-third of
29 the optimum, due primarily to chronic overharvest by Canadian fisheries; and

1 WHEREAS Canada has not established a plan for the rebuilding of its
2 severely depressed chinook salmon stocks; and

3 WHEREAS Canadian troll, net, recreational and Indian fisheries are the
4 major North Pacific coast harvesters of chinook salmon, averaging some 1.8
5 million fish per year; and

6 WHEREAS Canadian commercial and recreational fishermen throughout British
7 Columbia have not experienced a regulatory reduction comparable to that
8 experienced by Alaskan fishermen; and

9 WHEREAS Canadian commercial fishermen continue to harvest chinook salmon
10 in great quantities, despite reductions imposed on Alaskan and other American
11 commercial fishermen for the benefit of all who participate in the fishery;
12 and

13 WHEREAS the less stringently regulated Canadian harvest and interception
14 of chinook salmon poses a severe economic threat to commercial fishermen in
15 Alaska and other Pacific coast states; and

16 WHEREAS salmon interception treaty negotiations between the United
17 States and Canada have continued for several years without resolving the
18 international dispute over the harvest of chinook salmon; and

19 WHEREAS the Columbia River chinook salmon stocks have been seriously
20 depleted by habitat degradation caused by hydroelectric development on the
21 Columbia River; and

22 WHEREAS the management authorities on the Columbia River have not been
23 successful in explaining or rectifying adult and juvenile salmon losses in
24 the river due to habitat degradation and illegal fishing problems; and

25 WHEREAS a major barrier to achieving a United States-Canada salmon
26 agreement which would address North Pacific coast conservation problems is
27 the allowable level of United States interception of Fraser River salmon in
28 Puget Sound;

29 BE IT RESOLVED that the Alaska State Legislature respectfully requests

1 the North Pacific Fishery Management Council and the Alaska Board of Fisher-
2 ies to direct the National Marine Fisheries Service, Alaska Region, and the
3 Alaska Department of Fish and Game to manage the Yakutat-Southeast Alaska
4 chinook salmon fishery at the 1980 optimum yield range; and be it

5 FURTHER RESOLVED that the President of the United States is respectfully
6 requested to direct the Secretary of Commerce to disapprove any amendments or
7 modifications to the fishery management plan submitted by the North Pacific
8 Fishery Management Council if the amendments would reduce the harvest of
9 chinook salmon in the Yakutat-Southeast Alaska Region below the 1981 level;
10 and be it

11 FURTHER RESOLVED that the chairman of the Alaska Board of Fisheries is
12 respectfully requested to reconvene the Alaska Board of Fisheries to reinsti-
13 tute the optimum yield of chinook salmon in the Yakutat-Southeast Alaska
14 region at the 1980 level; and be it

15 FURTHER RESOLVED that the Alaska State Legislature respectfully requests
16 the Department of State to move toward a speedy resolution of the United
17 States-Canada salmon interception issues; and be it

18 FURTHER RESOLVED that the Alaska Congressional delegation work with the
19 Congressional delegations of the State of Washington and the State of Oregon
20 to ensure that a successful plan is implemented to reverse the unexplained
21 mortalities of adult chinook salmon in the Columbia River.

22 COPIES of this resolution shall be sent to the Honorable Ronald Reagan,
23 President of the United States; to the Honorable Malcolm Baldrige, Secretary
24 of Commerce; to Mr. Clem Tillion, Chairman, North Pacific Fishery Management
25 Council; to Mr. Nick Szabo, Chairman of the Alaska Board of Fisheries; to
26 Mr. Ronald Skoog, Commissioner of Fish and Game; and to the Honorable Ted
27 Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable
28 Don Young, U.S. Representative, members of the Alaska delegation in Congress.
29

5. **Number of Copies.** In accordance with the provisions of § 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. **Public Inspection of Filings.** All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

(FR Doc. 82-13112 Filed 5-13-82 8:45 am)

BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 674

High Seas Salmon Fishery off Alaska; Harvest Limit and Proposed Closure

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of salmon harvest limit and proposed closure.

SUMMARY: The Secretary of Commerce proposes to close the Southeast Alaska salmon fishery in the fishery conservation zone for ten days, beginning at 12:01 A.M., June 7 local time and continuing through 11:59 P.M., June 16, 1982. The proposed closure is necessary to conserve chinook salmon stocks that contribute to the Alaska, Oregon, and Washington salmon fisheries, and to coordinate with a similar closure in the Canadian fishery zone. The 1982 Southeast Alaska chinook salmon harvest guideline is 255,500 chinook salmon.

DATE: Comments on the proposed closure must be submitted on or before May 21, 1982.

ADDRESS: Comments should be addressed to Robert W. McVey, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 1668, Juneau, Alaska 99802.

FOR FURTHER INFORMATION CONTACT: Robert W. McVey, 907-586-7221.

SUPPLEMENTARY INFORMATION: Salmon fishing in the FCZ off Alaska is managed under the Fishery Management Plan for the High Seas Salmon Fishery (FMP), which was developed by the North Pacific Fishery Management Council (Council) and implemented by NOAA through regulations appearing at 50 CFR Part 674 (46 FR 57299, November 23, 1981). Section 674.23 describes procedures to adjust seasons and areas through field orders. The Council, the State of Alaska Board of Fisheries

(Board), NOAA, and the Alaska Department of Fish and Game (ADF&G) attempt to manage the southeast Alaska commercial ocean salmon fishery as a single unit throughout the State's territorial waters and the FCZ.

Serious conservation action to protect chinook salmon began in southeast Alaska in the mid-1970s. Directed net fisheries for chinook were eliminated in 1976. A 28-inch minimum size limit for chinook salmon was imposed in the Alaskan troll fishery in 1978, matching the size limits in Oregon and Washington. The southeast Alaskan chinook salmon catch was brought under a quota which has been steadily reduced each year since 1980. The 1980 quota was 320,000 chinook, representing an 18 and 13 percent reduction from the 1978 and 1979 harvests of 392,000 and 366,000 chinook, respectively. The 1981 harvest was reduced to 268,000 chinook, a 16 percent reduction from the 1980 quota and a 32 percent reduction from the 1978 harvest. The recommended 1982 harvest guideline of 255,500 chinook is a five percent reduction from the 1981 harvest, a 20 percent reduction from the original 1980 quota and a 35 percent reduction from the 1978 harvest.

Despite these significant conservation actions already taken in the Alaskan fisheries, chinook salmon spawning escapements into Canadian rivers and the Columbia River have not improved, and in some cases have continued to decline.

The Council and Board recognized the need for further conservation actions in the Alaskan fishery at this time, but were concerned about the impacts of such actions on Alaskan salmon fishermen. Many Alaskan salmon fishermen who reside in rural communities in southeastern Alaska are heavily dependent on the troll fishery for their economic well being; they lack alternative sources of income. Past, present, and immediate future sacrifices by these fishermen may be justified if their sacrifices result in higher escapements of major stocks that later contribute to the Alaskan fisheries. Their sacrifices cannot be justified if chinook salmon saved in Alaska are transferred to fisheries outside the United States or to unexplained interdam losses.

Before recommending the 1982 chinook salmon harvest level, the Council and Board reviewed extensive reports on the coastwide status of chinook salmon stocks and the fisheries that harvest these stocks. Public testimony from fishing groups, processors, and individuals was received by the Council and Board at their January and March joint meetings.

A draft supplemental environmental impact statement (DSEIS), describing and analyzing various alternative 1982 management strategies for the southeast Alaska salmon fisheries, was adopted by the Council at the January meeting and was published on February 19, 1982; comments were received through March 22, 1982.

The Council and the Board met March 23-24, 1982, and jointly recommended that (1) the chinook salmon optimum yield (OY) range for 1982 should remain at 243,000-272,000 fish for the Alaskan commercial salmon fisheries east of Cape Suckling; (2) the 1982 southeast Alaska salmon fisheries should be managed for a harvest of 255,500 chinook salmon; (3) inseason closures necessary to achieve the 255,500 fish harvest guideline should be coordinated with an expected closure in the Canadian fishery zone to maximize the transfer of chinook to Canadian spawning streams and to Pacific northwest streams, including the Columbia River; and (4) the chinook salmon harvest guideline for the 1983 southeast Alaska commercial fisheries will be further reduced to the lower end of the OY range, or 243,000 fish, (a) if significant actions are taken by the Canadian Government to conserve chinook in Canadian fisheries and to pass southward the Alaskan savings of chinook, and (b) if Columbia River resource agencies demonstrate satisfactory progress to identify and to correct the unacceptably high inter-dam losses of adult "bright" fall chinook that occurred in 1980 and 1981.

The Assistant Administrator for Fisheries, NOAA (Assistant Administrator) concurs with the recommendation of the Council and Board and intends to manage the 1982 southeast Alaska salmon fishery in the FCZ by means of inseason closures to achieve a total chinook salmon harvest of 255,500 fish. The Assistant Administrator intends to coordinate this inseason closure with the State of Alaska and Canada. To implement this policy, the Alaska Regional Director, National Marine Fisheries Service (Regional Director), in consultation with ADF&G, has determined on behalf of the Secretary that a 10-day closure of the southeast Alaska ocean salmon fishery (all species) in the FCZ from June 7 through June 16 is a necessary initial step to limit the total season harvest to 255,500 chinook salmon, to complement an inseason closure of State of Alaska waters during the same time period (June 7-June 16) and to coordinate with a two-week closure of the northern British Columbia salmon troll fishery.

(June 10-June 23). In making this determination, the Regional Director accepts the findings of the Council and Board that the condition of chinook salmon resource is worse than anticipated when the FMP was implemented, and that this condition requires this closure.

This closure will not be effective until publication of a final notice of closure, according to the procedure specified at 50 CFR 674.23. Public comments concerning the need for the proposed closure may be submitted to the Regional Director at the address stated above through May 21, 1982. For the reasons set forth above and because the dates of the Canadian closure were not announced until April 23, 1982, the Regional Director finds good cause to

waive part of the 30-day comment period specified at 50 CFR 674.23.

Because the 1982 harvest goal of 255,500 chinook salmon falls within the OY range of 243,000-272,000 chinook salmon stated in the current FMP, a 1982 amendment to the FMP is not necessary.

The DSEIS, published February 19, 1982 (47 FR 7488), analyzing various alternative 1982 management strategies, was prepared primarily in the event that the Council recommended a 1982 harvest guideline outside the OY range, which would have required an FMP amendment. Since the Council did not recommend a 1982 amendment, a Final Supplement Environmental Impact Statement (FSEIS) will not be prepared. An FSEIS for Amendment 2 to the FMP, which established the current OY range,

was filed with the environmental Protection Agency (EPA) on May 1, 1981

This action is taken under the authority of regulations specified at 50 CFR 674.23, and is taken in compliance with Executive Order 12291. It is covered by the Regulatory Flexibility Analysis prepared for the authorizing regulations.

(16 U.S.C. 1801 *et seq.*)

List of Subjects in 50 CFR Part 674

Fisheries.

Dated: May 10, 1982.

Robert K. Crowell,
Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 82-13245 Filed 5-13-82; 8:45 am]

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