MEMORANDUM

TO: Council, AP and SSC Members

FROM: Clarence G. Pautzke
Executive Director

DATE: September 20, 1991

SUBJECT: Proposed Changes to Recordkeeping and Reporting Requirements for 1992

ACTION REQUIRED

Review and adopt proposed NMFS changes for the 1992 recordkeeping and reporting program.

BACKGROUND

Annual changes to NMFS's recordkeeping and reporting program are presented to the Council for its review. The Council is scheduled to review these revisions at the September meeting. Attached as item D-2(b)(1) is an outline of the proposed changes to the 1992 program. Pending Council adoption of the proposed changes, NMFS will submit a regulatory amendment for Secretarial review and approval.

UNITED STATES DEPARTMENT
National Oceanic and Atmospheri
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

September 19, 1991

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

Dear Clarence,

Attached is an outline of proposed changes to the 1992 recordkeeping and reporting program. These revisions have been recommended by NMFS staff and industry members. Prototypes of revised forms will be provided to you early next week.

The Council is scheduled to review these revisions at the September meeting. Pending Council adoption of the proposed changes, we will submit a regulatory amendment for Secretarial review and approval. Secretarial action on the proposed rule would be scheduled as soon as possible after the beginning of the 1992 fishing year.

Sincerely,

for Dale Evans
Chief, Fisheries Management

Attachment

National Marine Fisheries Service
Fisheries Management Division
September 19, 1991

PROPOSED CHANGES TO THE 1992 RECORDKEEPING AND REPORTING PROGRAM

I. **Logbooks.**
   A. Require shoreside processors to record landed weight of retained groundfish.
      1. Landed weights of retained groundfish (whole, bled, or headed and gutted fish) and catcher vessel and processor discard amounts will be used to monitor groundfish quotas.
      2. Existing requirements to record species product weights would be maintained for enforcement and other purposes.
   B. Delete shoreside processor requirement to record employee information in daily logs.
   C. Revise instructions and incorporate minor format changes to facilitate accurate recordkeeping.

II. **Weekly Production Report**
   A. Require shoreside processors to report landed retained product type and weight (round weight in most fisheries), catcher vessel and processor discard amounts, and finished product weights.
      1. Standard product recovery rates will be applied against landed product weights reported by shoreside processors and finished product weights reported by at-sea processors for purposes of quota monitoring.
   B. Require processors to indicate intended target species for the upcoming week.
      1. Indication of intended target operations will enhance inseason fishery effort and closure projections.
   C. Revise instructions and incorporate minor format changes to facilitate accurate recordkeeping.

III. **Daily Production Report**
   A. Require shoreside processors to report landed retained product type and weight (round weight in most fisheries), catcher vessel and processor discard amounts, and finished product weights for species for which daily reports are required.
   B. Revise instructions and incorporate minor format changes to facilitate accurate recordkeeping.

IV. **Permit applications**
   A. Require vessel owners to report vessel ADF&G registration number, telephone, fax, telex and COMSAT

ship numbers, owner's telex number, and name of responsible person if the vessel owner is registered as a company.

B. Revise instructions and incorporate minor format changes to facilitate accurate recordkeeping.

V. **Check in/out Reports**

A. Require processor vessels to specify intended target species on their check-in report.

1. Indication of intended target operations will enhance inseason projections of fishing effort and closures.

VI. **Groundfish Utilization Surveys**

NMFS proposes to delete this semi-annual survey because it no longer serves a useful purpose. The original justification for these surveys was to collect information on anticipated production capacity of domestic groundfish processors that would be used by the Council when it recommended TAC apportionments among DAP and JVP operations. The original intent for the survey no longer exists and information now collected under these surveys provides little useful guidance for annual projections of DAP harvest and production activity

VII. **New Reports**

A. Alaska Commercial Operator's Annual Report (ACOAR).

1. This report would replace the Monthly Product Value Report that was repealed last year. Alaska State regulations require processors under its jurisdiction to submit this report on an annual basis. The proposed action would extend the collection of this information to at-sea processing operations, many of which already voluntarily comply with the State's collection.

B. Product check-in Report

1. This report would be required of all domestic vessels that have onboard fish or fish products obtained from groundfish harvested outside the EEZ (excluding Alaska State waters). The report would be submitted by vessel operators prior to a vessel entering the EEZ and would provide information on vessel identification, groundfish and prohibited species product onboard, and intended U.S. port of landing. Without this report, all fish or fish product onboard a vessel when it enters the Alaska EEZ will be assumed to have been harvested in U.S. waters and the vessel will be held accountable for any prohibited species or groundfish retained onboard in amounts that are inconsistent with Federal regulations.

2. Vessels that have engaged in joint venture operations in Soviet waters are required to comply with Soviet permit and logbook regulations. As such, these vessels will be required to submit copies of Soviet vessel permits and logbooks to NMFS Enforcement prior to entering U.S. EEZ waters.

VIII. **Miscellaneous changes**

A. Redesignate GOA reporting areas as 3-digit reporting areas.

B. Specify geographic coordinates for demarcation between BSA and GOA reporting areas.

C. Designate new statistical areas for:
- areas in Shelikof Strait west and east of 154° W. longitude
- internal waters of the State of Alaska
- international waters in the Bering Sea between the USSR and the USA (Donut hole)
- other EEZ waters not off Alaska (e.g., Oregon, Washington, Hawaii,).
- Areas of the U.S. EEZ north of area 522 (includes Chukchi Sea, Norton Sound, and Beaufort Sea).
- Areas of the North Pacific Ocean and Bering Sea outside the US EEZ, including the seamounts in the Gulf of Alaska and Soviet waters

D. Redefine the term "processing, or to process" to include fresh fish product after first transfer of fish from a catcher vessel.

1. The intent of this change is to require processors to report all finished product, including fresh fish that is sold in retail outlets or flown out fresh. We do not intend to include catcher vessels operators who H&G or bleed fish under the definition of "processor."

MEMORANDUM

TO: Council, AP and SSC Members

FROM: Clarence G. Pautzke
Executive Director

DATE: September 19, 1991

SUBJECT: Alaska Board of Fisheries 1991 and 1992 Proposals

ACTION REQUIRED

Review Alaska Board of Fisheries proposals that pertain to federal groundfish management.

BACKGROUND

At its October 22 - November 4, 1991 meeting the Alaska Board of Fisheries will consider numerous proposals that affect groundfish management within state waters. Council staff has reviewed the packet of regulatory proposals that the Alaska Board of Fisheries will consider at its October 1991 through March 1992 meetings. Attached as item D-2(c)(1) are copies of six proposals that potentially affect federal groundfish management.

The Council may want to comment to the Alaska Board of Fisheries on those proposals that may have an effect on fisheries managed under Council jurisdiction.

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PROPOSAL 19 - 5 AAC 39.105 TYPES OF LEGAL GEAR.

Consider modifying the definition of pelagic trawls; the current state regulations define the various types of trawls as follows:

5 AAC 39.105 TYPES OF LEGAL GEAR.
(d) Unless otherwise provided in this title, the following are legal types of gear;
(10) a "trawl" is a bag-shaped net towed through the water to capture fish or shellfish;

(A) a "beam trawl" is a trawl with a fixed net opening utilizing a wood or metal beam;

(B) an "otter trawl" is a trawl with a net opening utilizing a wood or metal beam;

(C) a "pelagic trawl" is a trawl where the net, or the trawl doors or other trawl-spreading device, do not operate in contact with the seabed, and which does not have attached o it any protective device, such as chafing gear, rollers, or bobbins, that would make it suitable for fishing in contact with the seabed;

PROBLEM: Pelagic trawls are used to harvest pelagic species in fisheries which occur simultaneously in federal and state waters. Trawlers may cross between state and federal and state waters during the course of individual tows. A pelagic trawl is defined differently by state and federal regulations. This may cause enforcement problems. The board needs to evaluate the merits of maintaining a different definition of pelagic trawls for state waters than in federal waters.

WHAT WILL HAPPEN IF NOTHING IS DONE? A pelagic trawl legal for sue in federal waters may not be legal for use in state waters.

WHO IS LIKELY TO BENEFIT? Fishermen would benefit from being able to fish the same trawls in both state and federal waters.

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Board of Fisheries (HQ-91-F-251)

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PROPOSAL 34 - 5 AAC 39.145. ESCAPE MECHANISM FOR SHELLFISH AND BOTTOMFISH POTS.

I would like the Board to allow the use of galvanic timed releases as a termination device in bottomfish pots. The use of these devices would be an option to the cotton thread method. Since there are a couple of methods in which galvanic timed releases (GTR's) could be used in bottomfish and shellfish pots, I believe that ADF&G, in conjunction with industry, should come up with wording in the regulation to make sure the resulting escape mechanisms are reliable in design and function.

PROBLEM: The use #30 cotton thread as a termination device has been a problem for some fishermen due to its unpredictability. The premature breaking of the thread causes lost catches for fishermen. A more "time certain" method of activating an escape mechanism should be allowed, as an option, to #30 cotton thread.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishermen will lose catches due to the early breaking of the #30 cotton thread. This is not such a problem for fisheries with short seasons, but it is a problem for longer duration fisheries such as the pot fishery for Pacific cod. By not allowing options to the #30 thread, the amount of noncompliance with the regulation will probably increase due to fishermen's frustration with the unpredictable nature of the #30 cotton thread.

WHO IS LIKELY TO BENEFIT? The fishermen will benefit due to reduced loss of catches that would occur if this more certain method was allowed to be used. The State would benefit by allowing a workable option to a necessary, but unpopular, regulation. Incidents of using illegal cotton thread sizes would be diminished. The resource would also benefit through this time certain method of reducing ghost fishing by lost pots. Dealers of commercial fishing gear would benefit due to sales of these devices.

WHO IS LIKELY TO SUFFER? No one would suffer if these were allowed to be used.

OTHER SOLUTIONS CONSIDERED? No other solutions provide the needed protection in a reliable manner.

PROPOSED BY: Ed Wyman (HQ-91-F-85)

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PROPOSAL 35 - 5 AAC 39.164 NON-PELAGIC TRAWL GEAR RESTRICTIONS.

Open inshore waters to bottom trawling between February 1 and May 1 in the area enclosed by 159° W. long., and 169° 10′ W. long., and south of 55° 07′ N. lat., to a line at 160° W. long. At all other times of the year the inshore areas will revert to management under 5 AAC 39.164.

PROBLEM: The unnecessary closure of certain inshore waters to bottom trawling in certain areas of Western Gulf Management Area.

WHAT WILL HAPPEN IF NOTHING IS DONE? Smaller shore-based catcher vessels will be at a competitive and economic disadvantage when competing with larger trawlers and factory vessels for Western Gulf quotas. The latter are capable of working in adverse weather offshore and can explore other quota areas. Smaller local vessels are impacted by weather and are not mobile enough to explore other quota areas.

WHO IS LIKELY TO BENEFIT? The smaller local shore-based catcher vessels and regional communities.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Open all inshore waters to bottom trawling. Rejected because of crab resource in other areas not present in area defined above.

PROPOSED BY: Sand Point Advisory Committee (HQ-91-F-103)

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PROPOSAL 37 - 5 AAC 39.165. TRAWL GEAR UNLAWFUL.

In the event that a chinook terminal stream in any of the four Western Alaska watersheds is predicted pre-season to have a run strength less than that needed to assure escapement, and legitimate subsistence and catch and release opportunities as determined by the Department, the Department will be directed to close all fishing in state waters within the known migration range of chinook salmon from these area, and processing and re-supply opportunities within state waters from fishers taking chinooks as bycatch beyond state waters.

PROBLEM: Sharing of conservation burden for interception of Western Alaskan chinook (king) salmon from terminal streams in the Bristol Bay, Yukon-Kuskokwim Rivers, Norton Sound, and Kotzebue Sound watersheds by intercept fisheries both within and beyond State waters.

WHAT WILL HAPPEN IF NOTHING IS DONE? Terminal streams throughout Western Alaska will continue to suffer conservation problems, a threat to sustained yield, and users within discrete stock watersheds will be singled out to bear the conservation burden alone.

WHO IS LIKELY TO BENEFIT? Conservation of discrete stocks of chinooks in the four Western Alaska watersheds.

WHO IS LIKELY TO SUFFER? Intercept fisheries both within and beyond state waters that continue to fish even when terminal stock minimum run strength is not expected to be achieved pre-season.

OTHER SOLUTIONS CONSIDERED? Proposals to limit fishing opportunities by different gear groups in individual areas within the known range of Western Alaskan chinook salmon migration that intercept chinook in advance of discrete stocks returning to terminal streams because of a lack of absolute data limits cause and effect relationships being known in-season by ADFG managers to fulfill Board's current policy to close fisheries for conservation purposes along by emergency order.

PROPOSED BY: Yukon-Kuskokwim Fisheries Task Force (W-91-F-11)

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PROPOSAL 41 - 5 AAC 28.030. LOGBOOKS.

Add a new section to the groundfish regulations which requires that all groundfish vessels fishing for species managed under a federal total allowable catch (TAC) limit must maintain a logbook as follows:

5 AAC 28.030. LOGBOOKS. (a) The operator of any vessel fishing in state waters of Alaska which is used to take any groundfish species managed under a federal fisheries management plan with an established total allowable catch limit must maintain and submit logbook records as required by federal regulations.

PROBLEM: Federal law requires that the operators of all vessels which fish for any groundfish species managed by a fisheries management plan (FMP) for the federal-managed Exclusive Economic Zone (EEZ) off Alaska must maintain a logbook and report all fishing activity on a set-by-set basis for each day fished. Once a vessel operator obtains a federal fishing permit, the logbook must be maintained for all groundfish fishing activity in both state and federal waters for the remainder of the year. There is, however, a loophole whereby a vessel operator can surrender the federal permit and thus be exempted from the reporting requirement while fishing within the territorial waters of the state (within three miles of shore). In addition, if a vessel does not venture beyond three miles and the vessel operator has not obtained a federal groundfish permit for that year, no logbook is required whether or not the vessel is fishing for a species managed under a federal FMP.

With the exception of the Prince William Sound sablefish fishery, the southeast inside area sablefish fisheries, and the southeast district lingcod and rockfish fisheries, all groundfish fisheries in Alaskan waters are currently managed under federal FMPs with TAC limits set by the North Pacific Fisheries Management Council and administered by the National Marine Fisheries Service (NMFS). Since the TACs apply to groundfish in both state and federal waters, it is imperative that complete logbook data be obtained for fisheries in all Alaskan waters. The federal government does not have the authority to require logbook reporting for vessels fishing exclusively in state waters without federal permits. Therefore, in order to maintain consistency, the state must establish parallel regulations if a complete data set is to be obtained.

Several of the state-managed groundfish fisheries currently require a separate state logbook or require reporting of data not presently demanded in the federal program. Consolidation of the two programs under consistent regulations will allow for the development of a joint state/federal logbook.

A recommendation for a joint state/federal logbook format has been submitted to NMFS for review. The success of this proposal in solving the dual logbook reporting requirement portion of the problem is contingent upon acceptance of a common logbook format by both agencies.

Proposal 41 (Cont)

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishermen will fish for some species which are managed under a federal FMP without complying with federal reporting requirements for those fisheries. As a result, state and federal fisheries managers will continue to function with incomplete catch and effort data from the Alaskan groundfish fisheries.

WHO IS LIKELY TO BENEFIT? Managers will benefit from a more complete and comprehensive catch and effort database. This should result in better fisheries management which will work toward the long-term benefit of the fishing industry. If a single state/federal logbook system is established, then fishermen who are currently required to complete more than one logbook or those who are confused by the existing regulations will also benefit.

WHO IS LIKELY TO SUFFER? Those fishermen who are circumventing the current requirements by staying within three miles or by relinquishing their federal permits to avoid logbook reporting will have to put in the effort necessary to comply with the regulation.

OTHER SOLUTIONS CONSIDERED? A regulation requiring a separate state logbook for all groundfish fisheries in territorial waters of the state was rejected because it represents a duplication of effort, would be costly to implement and administer, and would be unduly penalize those fishermen who are currently complying with the federal logbook requirements in both state and federal waters.

PROPOSED BY: Alaska Department of Fish and Game (HQ-91-F-148)

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PROPOSAL 43 - 5 AAC 28.050 GEAR FOR GROUNDFISH.

I would like to see the Board instruct ADF&G, in conjunction with industry and NMFS, to come up with a definition of a groundfish pot. This definition should be made to maximize the catching ability of existing gear styles as well as leave some flexibility in dealing with future pot modifications.

PROBLEM: There currently is no definition of a ground fish pot. There are regulations stating what it cannot be, i.e., a king or tanner crab pot, but no definition as to what it can be. The rapidly developing pot fishery for Pacific cod using modified king and tanner crab pots needs some guidelines in developing gear that will be legal in the future. The Board should seek to make the groundfish pot definition in conjunction with NMFS since a lot of the fishing is done in waters outside of the State.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be confusion amongst fishermen as to the legal definition of their gear in State and federal waters. Less than optimal use of the tunnel opening will restrict catches due to the existing regulations restricting the tunnel opening to a 30" perimeter.

WHO IS LIKELY TO BENEFIT? Fishermen, State fisheries managers, enforcement personnel, and industry would all benefit by having an actual definition of a groundfish pot to work with.

WHO IS LIKELY TO SUFFER? No one would suffer if a gear definition for groundfish pots is adopted.

OTHER SOLUTIONS CONSIDERED? The other solution is the status quo which is unacceptable now that there is full fledged pot fishery for Pacific cod.

PROPOSED BY: Ed Wyman (HQ-91-F-87)

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

AGENDA D-2(c)
Supplemental
September 1991

September 18, 1991

Clarence G. Pautzke
Executive Director
P.O. Box 103136
Anchorage, Alaska 99510

Dear Clarence,

With respect to the draft agenda for the North Pacific Fishery Management Council's September 23-27, 1991, meeting, we note that agenda item D-2(c) addresses review of Alaska Board of Fisheries proposals. We understand that the Board of Fisheries will not review rockfish management in Southeast Alaska until 1993. Nonetheless, we request that the Council bring to the Board of Fisheries's attention a proposal we deem necessary.

The Council has delegated partial management of the demersal shelf rockfish fishery to the State of Alaska. One of the applicable State regulations addresses the allowable bycatch rate of DSR in other fisheries. This regulation (5 AAC 28.170(c) allows a bycatch of 10 percent or less of DSR measured against other fish on board a vessel. We recommend that the State consider amending this bycatch rate such that the amount of DSR measured against slope rockfish, deepwater flatfish, and thornyhead rockfish be less than 1 percent. The bycatch rate of DSR measured against fish other than these three species categories could be up to 10 percent.

This change would be consistent with bycatch rates (directed fishing standards) that we are implementing in 1991 by emergency rule to allow vessels using trawl gear to harvest deep water species. The emergency rule is based on data that shows an expected by bycatch rate of DSR in slope rockfish fisheries that is less than 1 percent.

Sincerely,

Steve

Steven Pennoyer
Director, Alaska Region

MEMORANDUM

TO: Council, AP and SSC Members

FROM: Clarence G. Pautzke
Executive Director

DATE: September 20, 1991

SUBJECT: Groundfish Management

ACTION REQUIRED

Consider an Emergency Rule to authorize the Regional Director to require pre-registration in certain fisheries, if appropriate.

BACKGROUND

Included in your notebook as item D-2(d)(1) is a request from Council member Oscar Dyson for Council consideration, at this meeting, of an emergency rule to allow the Regional Director to require pre-registration for certain fisheries. Such a rule is proposed to provide the NMFS better information on anticipated effort in these fisheries and to be in a better position to manage the fisheries to prevent possible overharvest. Such a proposal has been submitted in the package of proposals for the 1992 amendment cycle which the Council will be considering under agenda item D-3. The item is on the agenda here to provide the Council the opportunity to consider whether they would like pre-registration implemented by emergency rule for 1992.

Item D-2(d)(2) is a letter from NMFS indicating they have considered this item in the context of proposed changes to recordkeeping and reporting requirements but have not had the time to adequately analyze the feasibility of such a proposal. They recommend therefore that the Council delay consideration of an emergency rule for 1992 and consider the issue in the context of the plan amendment proposals. If staff is assigned to undertake this analysis, it would be implemented by regulatory amendment which could be preceded, if necessary, by an emergency rule.

SEPTEMBER 5, 1991

TO: CLARENCE PAUTZKE, EXECUTIVE DIRECTOR
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

RE: ADDITION TO THE SEPTEMBER MEETING AGENDA

SENT BY FAX:

Dear Clarence:

In reviewing the draft council agenda I see that under d-2(f) we will be discussing season delays for the groundfish fisheries for 1992.

I would like to add to d-2(f) "including synchronizing the 1992 opening of the Bering Sea and Gulf of Alaska pollock and Pacific cod fisheries and the opening of the 2nd Quarter Gulf of Alaska pollock fishery and Bering Sea non-roe pollock season."

It's pretty important that the Gulf and Bering Sea pollock seasons open at the same time. I sure would appreciate having this added to the *agenda* so we don't get so busy with the Bering Sea that we forget to include the Gulf in the same emergency rule package.

One more thing I would like to add to the agenda:
A new item D-2(h): Consider an emergency rule to allow the regional director to require pre-registration 15 days prior to the opening of any fishery where there is a potential for the quota to be taken in less than 10 days, either due to the smallness of the quota and/or the potential for intense effort

If we'd had this rule in place this year, we could have avoided the overharvest of 3rd quarter pollock in the Gulf's Western subarea. A plan amendment proposal for pre-registration has been submitted, so adding this item to the agenda just allows the council the opportunity to consider whether they would like pre-registration implemented by emergency rule for 1992.

Sincerely,

Oscar

Oscar Dyson

UNITED STATES DEPARTMENT OF
National Oceanic and Atmospheric
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

AGENDA D-2(d)(2)
SEPTEMBER 1991

September 17, 1991

Clarence G. Pautzke
Executive Director
P.O. Box 103136
Anchorage, Alaska 99510

Dear Clarence,

I wanted to update you on the status of sea lion/fishery actions, and Sue Salveson has just told me staff have already discussed merging two agenda items for the Council's September 23-27, 1991, meeting.

We agree that rather than have two agenda items addressing measures for sea lion protection and GOA pollock management, a single agenda item, under C-1(c), would be more appropriate.

As we discussed earlier, the Council must take final action on these items (Amendments 20 and 25) at its September meeting. We intend to provide the Council drafts of an environmental assessment/initial regulatory flexibility analysis, regulations, and amendment text. We plan to provide copies of the environmental documents to the SSC this week.

With advance notice of this agenda item, and opportunity for public comment at the Council meeting, thus meeting the intent of our Operational Guidelines, the following schedule appears possible. (General Council - Alaska Region, has informed us that justification does not exist for separate ER implementation of these amendments).

September 27, 1991	Council adoption of Amendments 20 and 25.
October 18, 1991	Submission to the Secretary
October 23, 1991	Receipt Date (Day 0), the 5th day after the day on which the Council transmits the amendment to the Secretary.
November 7, 1991	Publish proposed regulations in the Federal Register for a 45-day comment period,
December 23, 1991	Comment period ends.
Early January, 1992	Approve the amendments and publish final and regulations in the Federal Register

Approval of the amendments may occur at any time subsequent to the 60th day after the receipt date and before the 95th day from the receipt date. Early January, however, is about the soonest date that we could make regulations effective, and even then the

30-day cooling off period would have to be waived. This scenario depends upon the Council adopting a 1992 season delay.

We also note that agenda item D-2-(~~f~~ d) addresses Council consideration of an emergency rule to authorize the Regional Director to require preregistration in certain fisheries if appropriate. Although this agenda item is listed under groundfish management measures for 1992, the Region has been requested to consider similar action to enhance the inseason management of the 1991 fourth quarter pollock fishery in the Gulf of Alaska. We do not believe, however, that an emergency rule to require vessel registration could be implemented before the opening of the fourth quarter fishery because of lengthy review and approval requirements triggered by regulations that authorize new reporting requirements.

The Region is preparing rulemaking to implement changes to the existing recordkeeping and reporting program for 1992 (see agenda item D-2). The proposed changes do not include the implementation of a vessel registration program for 1992, although NMFS staff believes that, conceptually, such a program would enhance our ability to specify preannounced fishery closures based on anticipated levels of fishing effort. At this time, however, staff has been unable to devote the time necessary to analyze the feasibility of such a program, including technological and enforcement requirements necessary to implement an effective program. We recommend, therefore, that the Council delay consideration of an emergency rule to implement a vessel registration program in 1992 until it has been afforded the opportunity to consider problems associated with the development and implementation of such a program. If staff priority is given to the development of a vessel registration program, the program would be implemented under a regulatory amendment, that could be preceded, if necessary, by an emergency rule.

Sincerely,

Dale

Dale R. Evans
Chief, Fishery Management Division

MEMORANDUM

TO: Council, AP and SSC Members

FROM: Clarence G. Pautzke
Executive Director

DATE: September 19, 1991

SUBJECT: Bycatch Rate Standards for the Vessel Incentive Program

ACTION REQUIRED

a. Recommend halibut and red king crab bycatch rate standards for the 1992 vessel incentive program.

b. Review potential effects of the 1991 Bycatch Amendment to the Vessel Incentive Program.

BACKGROUND

a. Bycatch Rate Standards

Last November the Council approved a revised vessel incentive program which holds operators of individual trawl vessels accountable for their bycatch of halibut and red king crab. This program currently applies to the following specified groundfish fisheries:

Halibut	BSAI and GOA Pacific cod trawl fisheries BSAI flatfish fisheries (yellowfin sole, rock sole and "other flatfish") GOA bottom rockfish trawl fisheries
Red king crab	BSAI flatfish fisheries in Zone 1.

At its September 1991 meeting, the Council must recommend halibut and red king crab bycatch rate standards for the 1992 vessel incentive program. These recommendations will be published for public review and comment in the Federal Register notice of proposed 1992 initial specifications.

Attached as Item d-2(e)(1) is a table listing the 1991 bycatch rate standards the Council recommended at its December and April meetings. Item d-2(e)(1) also provides the average observed bycatch rates exhibited by vessels in each of the incentive program fisheries during 1990 and 1991.

Regulations require that bycatch rate standards be based on the following information and considerations:

1. Previous years' average observed bycatch rates for the fishery;

2. Immediately preceding season's average observed bycatch rates for the fishery;

3. The bycatch allowances and associated fishery closures specified under 675.21;

4. Anticipated groundfish harvests for the fishery;

5. Anticipated seasonal distribution of fishing effort for groundfish; and

6. Other information and criteria deemed relevant by the Regional Director.

b. Effects of the 1991 Bycatch Amendment (19/24) to the Incentive Program

The Council initiated a bycatch amendment at its July 3, 1991 teleconference. The amendment is scheduled for initial review at this meeting (see agenda item D-2(a)). One provision would, if adopted, change the vessel incentive program to include additional fisheries and establish a bycatch rate standard for salmon. The following table compares the current and proposed 1991 bycatch amendment programs.

Current Program		Proposed Program
	BSAI	
1. Pacific Cod (halibut)		1. Pacific Cod (halibut)
2. Flatfish (halibut, king crab)		2. Flatfish (halibut, king crab)
		3. Pollock when the bottom trawl fishery is closed (halibut)
		4. All other trawl fisheries (halibut)
		5. All trawl fisheries (salmon)
	GOA	
1. Pacific Cod (halibut)		1. Pacific Cod (halibut)
2. Rockfish (halibut)		2. Rockfish (halibut)
		3. Pollock when the bottom trawl fishery is closed (halibut)
		4. All other trawl fisheries (halibut)
		5. All trawl fisheries (salmon)

Though a final decision on the proposed amendment is not scheduled until December, the Council may want to review initial bycatch rate standards for the proposed fisheries. This will be helpful for establishing final bycatch rate standards at the December meeting. Analysis of bycatch rate standards for proposed vessel incentive fisheries is included in the 1991 bycatch amendment and will be presented to you.

1991 bycatch rate standards and average bycatch rates in 1990 and 1991, by quarter, of halibut and red king crab in the fisheries included in the 1991 incentive program.

Halibut Bycatch as a Percentage of Allocated Groundfish Catch

Fishery and quarter	1991 Bycatch Rate Standard	Average Bycatch Rates 1990	1991
BSAI Pacific Cod			
QT 1	1.35	1.35	2.26
QT 2	1.85	1.85	1.43
QT 3	2.25	-	9.08
QT 4	2.25	-	-
BSAI Flatfish			
QT 1	1.31	1.31	1.56
QT 2	0.30	-	0.58
QT 3	0.50	0.17	0.96
QT 4	0.30	0.19	-
GOA Rockfish			
QT 1	4.00	2.91	8.13
QT 2	4.00	3.31	7.44
QT 3	4.00	1.96	1.06
QT 4	4.00	0.54	-
GOA Pacific Cod (Central GOA rates)			
QT 1	3.31	7.55	1.69
QT 2	4.13	11.11	2.56
QT 3	3.29	3.29	0.00
QT 4	5.15	5.15	-

Zone 1 Red King Crab Bycatch Rates
(number of crab/mt of allocated groundfish)

BSAI Flatfish			
QT 1	2.88	2.74	1.09
QT 2	1.50	-	1.45
QT 3	1.50	0.46	0.00
QT 4	1.50	0.01	-

AGENDA D-2(b)
SEPTEMBER 1991
SUPPLEMENTAL

PACIFIC FRONTIER ENTERPRISES, INC.
11049 8TH AVENUE N.E.
SEATTLE, WASHINGTON 98125
PHONE (206) 367-4599
FAX (206) 367-4668

September 11, 1991

/2

Mr. Richard B. Lauber
North Pacific Fishery Management Council
605 West 4th Avenue
Anchorage, Alaska 99501

Re: Emergency rule to delay groundfish seasons

Dear Mr. Lauber:

This letter is in regards to the proposed fishery management plan to "consider emergency rule to delay groundfish seasons and synchronize Bering Sea and Gulf of Alaska cod and pollack fisheries." Item D-2 (b) on the draft agenda.

Pacific Frontier Enterprises owns and operates a 170' longline catcher/processor (F/V Alaskan Venture) and we are opposed to a change of date for the season opening of the Bering Sea and Gulf of Alaska cod fisheries.

The reasons for the proposed change are due to trawl bycatch of herring, salmon and halibut. The longline observer statistics for 1991 indicate a January 1st opening does not pose these problems for the hook and line industry.

The argument to change the date to maximize roe pollack is hardly a rational one to change the season opening date for hook and line operations.

We would greatly appreciate your serious consideration to this matter.

Sincerely,

Kelly Barber

Kelly Barber
Operations Manager

AGENDA D-2
Supplemental
September 1991

9-18-91

Dear N.P.F.M.C. Members:

I'am writing in support of the pollack fishery starting date be changed from June 1st to September 1st so the factory trawlers could be free in processing salmon in Bristol Bay next year.

That is if the factory Trawler Companies want this and support it.

Thank you for your time.

Sincerely,

Jerry Hatton

Jerry Hatton
HCR 76 Box 663
Aberdeen,WA. 98520
(206) 648-2215

AGENDA D-2
SUPPLEMENTAL

CORDOVA DISTRICT FISHERMEN UNITED

P.O. Box 939

Cordova, Alaska 99574

(907) 424-3447

September 25, 1991

Mr. Richard B. Lauber, Chairman
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Dear Mr. Lauber:

We strongly urge you and the members of the NPFMC to move the starting date for the second pollock opening to mid-September. This would allow factory trawlers to participate in the salmon fisheries. We here in Prince William Sound are experiencing a very soft market for our fish. Over forty seiners don't have adequate markets and virtually all the seiners were put on limits this past summer.

Due to the record number of pink salmon harvested during the last three seasons, the shore-based processors are having a difficult time marketing the volumes of pink salmon that are presently being produced in Prince William Sound and statewide.

Delaying the second pollock opening should improve the market opportunities for the seiners in Prince William Sound and provide more processing work for the factory trawlers. It will also help tp alleviate the pressure on the canned salmon market by putting a substantial amount of pink salmon into the surimi market.

The lack of market opportunities is causing a terrible hardship for a large number of seiners in Prince William Sound and we desperately need the opportunity afforded by delaying the second groundfish opening in the Bering Sea.

Sincerely,

Chris Nerison

Chris Nerison, Chairman
Seine Division, CDFU

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To Rick Lauber	From Chris Nerison
Co. NPFMC	Co. CDFU
Dept.	Phone # 424-3447
Fax # 271-2817	Fax # 424-3430

AGENDA D-2
Supplemental
September 1991

William H. Erwin
138 Elmwood
Helena, Montana 59601
September 19, 1991

North Pacific Fisheries Management Council
Box 103136
Anchorage, Alaska 99510

Dear Council Members,

As a Bristol Bay Setnet Permit holder and Alaska Domestic Salmon Marketing Associate, I request your consideration in changing the pollack fishery starting date from June 1st to September 1, 1992.

This date change will allow the factory trawler fleet to participate in the Bristol Bay Salmon harvest. If we are ever going to receive a fair price for Alaska Salmon, it is going to take domestic marketing and a processing fleet to handle the product.

Thank you.

Sincerely,

William H. Erwin

Prince William Sound Aquaculture Corporation

P.O. Box 1110 Cordova, Alaska 99574-1110 Phone (907) 424-7511 FAX (907) 424-7514
821 N St. #101B Anchorage, Alaska 99501-3285 Phone (907) 274-6066 FAX (907) 274-1959

September 24, 1991

North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99501

Chairman Lauber and Council members:

Prince William Sound Aquaculture Corporation had a return of approximately 28 million pink salmon in 1991. Of those, about 20 million pinks contributed to the commercial fishery in the Sound. About 30% of the pinks returning to the hatcheries are reserved as the primary source of revenue for the aquaculture corporation.

During the last two years, 1990 and 1991, PWSAC has not achieved its revenue goals from the sale of the returning hatchery pinks. In both years, a lack of local processing capacity caused shore-based processors to cease buying PWSAC hatchery fish during the peak of the season.

In 1990, the revenue shortfall was $1.2 million. However, in 1991, the revenue goal from pink salmon sales was $6 million, and only $1 million worth of sales was achieved. Shore-based processors ceased buying PWSAC fish on the day the commercial fishery opened. Corporate contingency funds will see us through one fiscal year, but a more permanent solution must be found for the fish sales problem.

The outlook for 1992 is no better. Canned and frozen pink salmon inventories remain high, with the probability that large numbers of salmon will return to Alaska in 1992. We expect that shore-based processors will again not be able to buy PWSAC hatchery pink salmon next season.

As it is essential that PWSAC realize revenue from fish sales in 1992, we intend to pre-sell next summer's pinks as soon as possible. We have a marketing strategy in place, with consideration being given to both single-year and multi-year contracts.

One of our marketing targets is the factory trawler fleet, floating processors working in the Sound during the pink salmon return in July and August. In

1991, a factory trawler purchased and processed pink salmon at two PWSAC hatcheries -- and was pleased with the arrangement. This nominal beginning might flourish into long-term relationships involving about 25 million pounds of pink salmon per year, in addition to the other species which are coming on line at PWSAC hatcheries.

Another marketing goal is to facilitate the development of new pink salmon products and markets which will benefit the entire Sound fishery. The ex-vessel price of pink salmon must rise to support the fishing fleets in the Sound and state-wide.

The NPFMC is now considering a regulatory change in Bering Sea groundfish seasons which would enable factory trawlers and their processing capabilities to enter Alaska's salmon fisheries. PWSAC has been asked by the Alaska Factory Trawlers Association to support these changes. We believe it is in the best interests of the salmon fishery in the Sound to back this effort.

On an unrelated issue also before the NPFMC, that of individual fishing quotas, PWSAC supports the Alaskan position.

Although it can be argued that local jobs are created by an industry that remains on shore, we believe that the shore-based processors in Prince William Sound can not presently handle the numbers of pink salmon which annually return to the Sound. That shortfall in processing capacity has already had serious consequences, both for the commercial salmon fishing fleet and for PWSAC.

Prince William Sound Aquaculture Corporation therefore supports a change in groundfish seasons which would create the opportunity for factory trawlers to participate in the Alaskan salmon fisheries. Thank you for your consideration.

Sincerely,

John McMullen

John McMullen, President
Prince William Sound Aquaculture Corporation

To the NPFMC / record
Fr Douglas B Gordon, Executive Director
American High Seas Fisheries Association
Sept 27, 1991

In lieu of public testimony on C6, D2(a), C1(c)

C6. Moratorium AHSFA has supported since 1988, ~~and continues~~ as a condition to inshore-offshore, and continues to request you proceed with the Moratorium. The "landings-by" date needs to be adjusted if seasons are delayed in D2(a)

D2(a) AHSFA has written the Council requesting that all fisheries by all gears in all areas, be delayed until Feb1. Whatever the Council does it must resist discriminating against longline, trawlers, and allow fixed gear to start JAN 1.

C-1 (c) Protective Measures for Marine Mammals

The 10-mile zones are based on an untested hypothesis which says trawlers remove herring and pre-recruit pollock which are critical to weaning sealions. (year round). Hence the zones applying to TRAWL ONLY.
Regardless of what you do, these are some concerns for your record.

The hypothesis, as such, for 10 mile zones on trawlers, is untested and based on nothing scientific. If the Council goes further and applies the 10 mile zones to pollock only, one trawl sector will have been, most unfairly and without grounds based on scientific reason, discriminated against.

Shorebased catcher vessels by-in-large do not catch prerecruit (< 3yr) pollock in these zones or outside them. Contrast that fact against the high grading of small pollock SE + NW of the Pribilofs by Factory Trawlers. Shorebased catchers have voluntarily excluded themselves from vast areas to allow the herring migration at specific times and to ensure we dont close ourselves down by exceeding the herring cap. This was illustrated to the Council in testimony in June with the use of charts ~~&~~ during Inshore-Offshore item.

Further, with regards the proposed zones around Atka and Akutan AHSFA members report to me there have been no interactions between trawlers

and Sealions in these areas in recent times. The proposal would institute closures year round. Surely the needs of weaning sealions are not year round. If the measure covers all trawl it would impact the winter cod fishery (limit seiners included from Sandpoint) and reportedly may reduce the shoreside production including pollock by up to 30%, impacting a minimum of 35 trawlers and up to 60 trawlers at various times of the year. I am led to believe that the pollock, in terms of food value, equates to junk food for ~~pollock~~ sealions. And further that during pollock spawning when the food value is higher, the fish are out of the diving range of sealions. Reportedly the populations of at least these two rookeries maybe increasing.

These concerns lead us to conclude that the 10 mile zones, applicable to trawlers only, or worse, pollock trawlers only, have no rational or scientific basis, and amount to an emotional reaction to

a percieved situation that intends to use the (less mobile shore based delivery pollock trawlers) pollock trawlers as the scapegoat.

Thank you for your consideration
Sandra

D-2
Supplement

9-22-91

To: Chairman and Members, NPFMC

Re: Pollock Season

Dear Council members;

Last week, I read of a proposal to delay the summer Pollock season to September 1, in order to allow participation of the processing fleet in the salmon fishery. I would like to voice my support of this action and encourage the adoption of this as an emergency action. The events of the past year underscore a crisis in the industry with many fishermen having to dump fish due to lack of markets and inadequate processing facilities. It is of the upmost importance that this scene is not repeated for the 1992 season. It is in the interest of our country that the opportunity to diversify our capabilities is afforded to our domestic operations. Such an action stands to benifit not only our processing ships but our shore side plants as well, as after the salmon season, their facilities would be able to process bottemfish catches, thus expanding markets and employment.

I would encourage your immediate and serious attention to this matter.

Sincerly,

Kevin Hogan
4510 Thomas Ct.
Homer Ak.
Cook Inlet Salmon Fisherman