

MEMORANDUM

TO: Council, SSC and AP Members
FROM: Clarence G. Pautzke
Executive Director
DATE: January 3, 1994
SUBJECT: Halibut Management

ESTIMATED TIME
2 HOURS

ACTION REQUIRED

Final review of the proposal establishing a trip limit/set-aside for Area 4B.

BACKGROUND

In June the Council reviewed annual amendment proposals for halibut management, including a report from the Halibut Regulatory Amendment Advisory Group (RAAG). The Council recommended that staff develop an analysis of a proposal submitted by the Atka Fishermen's Association and that it be available for review at this meeting. The proposal (see Item C-2(a)) requested implementation of a 5,000 pound trip limit for the 12-hour early season halibut openings in Area 4B for the 1994 halibut season, with a set-aside of 20 percent of the annual Area 4B catch limit (quota) for the early season openings. The RAAG recommended including another alternative to examine the effects of a 10 percent set-aside with a 5,000 pound trip limit.

In December, a draft analysis was reviewed by the Council and released for public review. This analysis examined three main alternatives:

Alternative 1: No Action. This would allow for two options:

- 1) A set-aside of 10 percent of the annual catch limit with no trip limits for a series of 12-hour periods prior to the general opening in August. The IPHC has implemented this management strategy for the past two seasons.
- 2) Termination of the 10 percent set-aside and early season 12-hour openings. The annual Area 4B catch limit would be taken in the general opening in August.

Alternative 2: Establish a 5,000 pound trip limit combined with a 20 percent set-aside for the 12-hour halibut periods prior to the general opening. This would reserve 20 percent of the Area 4B quota for harvest by vessels fishing under the 5,000 pound trip limit rule. In addition, the remainder of the 20 percent set-aside not harvested prior to the general opening shall be made available during that opening.

Alternative 3: Establish a 5,000 pound trip limit combined with a 10 percent set-aside for the 12-hour halibut periods prior to the general opening in August.

An Executive Summary of this analysis is provided under Item C-2(b). The Council can review the document for adequacy, receive public testimony, and decide whether to take final action on this regulatory amendment at this meeting. Proposed catch limits and opening dates for the 1994 halibut season for all regulatory areas are provided under Item C-2(c). If the season begins in May or June, NMFS will have approximately five to six months to initiate and complete rulemaking on the Council's January 1994 recommendation. The IPHC will meet January 24-27 in Bellevue, Washington.

GROUND FISH FISHERY MANAGEMENT PLAN AMENDMENT PROPOSAL
North Pacific Fishery Management Council

JANUARY 1994

Name of Proposer: Atka Fishermen's Association**Date:** August 16, 1993**Address:** P.O. Box 47007, Atka Alaska 99547**Telephone:** (907) 839-2249**Fishery Management Plan:** Halibut Management

Brief Statement of Proposal: Implement a 5,000 lb. trip limit on the 12 hour halibut openings in Area 4B for 1994 halibut season, and reserve 20% of the Area 4B quota for harvest by vessels fishing under the 5,000 lb. trip limit rule. Any portion of the 20% set aside that is not harvested prior to the August opening shall be made available for harvest during that opening.

Objectives of Proposal: (What is the problem?) The problem is that the larger vessels in the halibut fleet come to Area 4B during the 12 hour openings and take the 10% allocation from Area 4B prior to the August opening. The 10% allocation implemented by the IPHC has been insufficient to allow small, local vessels to adequately participate in the fishery.

Need and Justification for Council Action: (Why can't the problem be resolved through other channels?) The NPFMC originally approved a 20% allocation to assist local small boat fishermen in Area 4B. The Council subsequently withdrew its action, and the IPHC implemented a 10% set aside. The Council needs to take formal action to establish the small boat allocation and the trip limit rule since the IPHC does not have jurisdiction over allocation decisions. Additionally, the 12 hour openings don't seem to be working since the larger boats are still closing Area 4B.

Foreseeable Impacts of Proposal: (Who wins, who loses?) The local fishermen will benefit because the season will be longer, giving the local boats a better chance to harvest the resource.

Are there Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problems? Yes. Implement the halibut CDQ in Area 4B for 1994.

Supportive Data & Other Information: What data are available and where can they be found? IPHC, Council and MNFS.

Signature:

EXECUTIVE SUMMARY

Background. This analysis has been prepared in response to a proposal put forth by the Atka Fishermen's Association. Their proposal requests the Council initiate regulations to establish a 5,000 pound trip limit for the 12-hour early season halibut openings in Area 4B, and reserve ("set aside") 20 percent of the Area 4B catch limit for the early season openings. The Council in the past has considered a 20 percent set aside to local vessels, and the IPHC has implemented for the past two years a 10 percent set aside, without a trip limit, to be reserved for the 12-hour openings prior to the major opening in August. The 1982 Halibut Act allows the Council to recommend regulations that directly allocate the resource among users, while the IPHC is allowed to recommend regulations that address biological aspects of the fishery. The Atka Fisherman's Association proposal provides fishing opportunity to the local fleet. In addition, the IPHC is considering not continuing with the early season 12-hour openings and 10 percent set aside for the 1994 Area 4B halibut fishery.

Problems Addressed by the Proposal. The stated problem is that larger, non-local halibut vessels come to Area 4B during the current early season 12-hour openings period and take the early season set aside, which is intended for the local vessels. Local vessels are defined as catching and unloading their total annual halibut catch within Area 4B.

Management Objective. The objective of this proposal is to establish fishing opportunity for small local boats and a trip limit to provide the local vessels protection from the non-local halibut fleet capturing the majority of the set aside reserved for the 12-hour openings period. In other words, this proposal would give the local boats a better chance to harvest the local resource.

This measure, if adopted, would be in place for one year, and would be replaced with the soon to be adopted halibut IFQ program, which would assign a percentage of the quota to past participants and also establish a halibut CDQ program in which the local fishermen can participate, such as the Atka Fishermen's Association.

Alternatives Considered.

Alternative 1: No Action. This would allow for two options:

- 1) a set aside of 10 percent of the annual catch limit with no trip limits for a series of 12-hour periods prior to the general opening in August, or
- 2) termination of the 10 percent set aside and early season 12-hour openings. The annual Area 4B catch limit would be taken in the general opening in August.

Alternative 2: Establish a 5,000 pound trip limit combined with a 20 percent set aside for the 12-hour halibut periods prior to the general opening. This would reserve 20 percent of the Area 4B quota for harvest by vessels fishing under the 5,000 pound trip limit rule. In addition, the remainder of the 20 percent set aside not harvested prior to the general opening shall be made available during that opening.

Alternative 3: Establish a 5,000 pound trip limit combined with a 10 percent set aside for the 12-hour halibut periods prior to the general opening in August.

Summary of Impacts. Regarding environmental impacts of the alternatives, negative impacts of any of the alternatives are considered insignificant. The IPHC has the ability under any of the alternatives to effectively predict fleet size and effort prior to the start of the halibut openings. This information, in addition to in-season accounting, assists the IPHC in keeping the fleet from exceeding the annual catch limit for Area 4B. With or without a trip limit and a set aside, the IPHC can effectively manage this fishery.

Regarding economic impacts, Alternative 1 is estimated to result in the non-local vessels accounting for greater than 70 percent of the halibut caught during the series of 12-hour, early season openings and the local vessels catching less than 30 percent. Local vessels caught 2.7 percent of the total 1992 Area 4B catch limit during the early season 12-hour openings while non-local vessels accounted for 6.8 percent. In 1993, the local vessels accounted for 1.3 percent of the total catch limit during the early season openings, while the non-local vessels accounted for 9.3 percent. If the Commission discontinues the 10 percent set aside and early season 12-hour openings, vessels with greater catch capacity and effort will be more competitive during a general, "derby" style August opening.

Under Alternative 2 and 3, the principal economic impact is to redistribute the catch in favor of local fishermen. Precise estimates of the likely economic impact of these alternatives are difficult to derive. This is due to the fact that fishing effort in this fishery is highly variable, and may not be determined simply by the timing or length of the halibut openings. In addition, predicting the number of non-local vessels that previously fished during the 12-hour periods and that will not fish these openings in 1994 if a trip limit/set aside regulation is in place is difficult. However, some non-local fishermen may be dissuaded from participating in the Area 4B fishery due to the requirement to limit one's catch in a 12-hour period to 5,000 pounds.

If all non-local vessels that have previously fished in Area 4B in 1992 decide not to fish in 1994, then the local vessels can expect an increase of approximately 330,000 pounds during the early season openings under Alternative 2 (20 % set aside), or an increase of 158,000 pounds being reallocated under Alternative 3 (10% set aside). Note that these estimates represent the extreme impact of the proposal. If just the non-local vessels that historically caught over 5,000 pounds per 12-hour opening decide not to fish Area 4B in the early season openings, then a transfer of approximately 128,000 pounds will occur if the total Area 4B catch limit is equal to the 1992 and 1993 amount (2.3 million lbs.). Because we cannot estimate the number of non-local vessels that will decide not to fish in Area 4B if a 5,000 pound trip limit is adopted, we cannot estimate precisely what the transfer of catch will be to the local vessels.

The local fleet's average catch per trip during the 12-hour openings for 1992 and 1993 combined was approximately 2,200 pounds (all local vessels combined). If this fleet continues to catch at this effort level, then it will take over 100 trips to account for a 10 percent set aside (230,000 lbs.), or over 200 trips to account for a 20 percent set aside (460,000 lbs.), assuming no increase in effort and a total annual Area 4B catch limit of 2.3 million pounds. With the current 12-hours on, 36-hours off pace of the early season openings, there are not enough fishing days during June and July, prior to the general August opening, to allow for the total set aside to be caught by the local fleet given current catch rates.

The analysis indicates that allowing the local boats to fish through the August opening could increase the local boats' catch from about 50k lbs. to as much as 100k lbs., its estimated capacity. This is about 5% of the 4B quota. On the other hand, there is no assurance that non-local boats would not continue to fish in the early openings and close the fishery early, even with trip limits.

As in the case of IPHC Area 4C (Pribilof Islands), it is very difficult to design a set of regulations to achieve an allocation objective. It would be much simpler and much more effective to simply allocate a certain amount to local boats. Of course, after 1994 the CDQ program will do that.

AGENDA C-2(c)
JANUARY 1994

COMMISSIONERS:

RICHARD J. BEAMISH
NANAIMO, B.C.
RICHARD ELIASON
SIKA, AK
ALPH G. HOARD
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INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA
AND THE UNITED STATES OF AMERICA

PO BOX 55309
SEATTLE, WA 98145-2009

TELEPHONE
(206) 634-1638

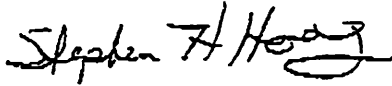
FAX:
(206) 632-2883

December 16, 1993

Dear Sir:

Enclosed is a summary of staff proposals for regulation of the 1994 Pacific halibut fishery. If you have any questions about the proposals, please let me know. There will be full opportunity for discussion on these and other proposals during the annual meeting.

Sincerely yours,



Stephen H. Hoag
Assistant Director

pjs
Encls.

STAFF REGULATORY PROPOSALS: 1994

by

IPHC STAFF

Catch Limits

The staff's recommendations for catch limits since 1987 have been based on a constant exploitation yield (CEY) which limits total removals including sport, bycatch, wastage, and personal use to a percentage of the estimated exploitable biomass in each area. The percentage or exploitation rate was 35% until last year when it was reduced to 30% to lower the risk of serious decline in spawning stocks.

The staff recommends that catch limits continue to be based on 30% CEY. This year's stock assessment provides a range of biomass estimates that reflect different assumptions regarding trends in catch per unit of effort in the commercial fishery. This range in biomass estimates also leads to a range in CEY estimates. The recommended catch limits for 1994 fall within the CEY range and represent the staff's best judgement on the maximum amount of halibut that can be safely harvested from the resource with a minimum of disruption to the fishing industry. Recommendations for 1994 along with 1993 catch limits and catch are provided below:

Regulatory Area	Catch Limits		1993 Catch
	1994	1993	
(millions of pounds)			
2A*	0.5	0.60	0.71
2B	9.5	10.50	10.56
2C	12.0	10.00	11.15
3A	26.0	20.70	22.85
3B	4.0	6.50	7.10
4A	1.8	2.02	2.51
4B	2.1	2.30	1.96
4C	0.7	0.80	0.83
4D	0.7	0.80	0.87
4E	0.1	0.12	0.06
Total	57.4	54.32	58.58

* Includes sport, tribal, and commercial fishery.

The staff recommends catch limits totaling 57.4 million pounds for 1994, up slightly from 1993

but below the actual catch in 1993. The staff would also like to alert the fishing industry that fishing time and fishing period limits will be set more conservatively in 1994 to avoid overruns in the catch limits that were prevalent in 1993.

Fishing Periods

The staff does not consider the dates of fishing periods to be of significant biological concern, but would like to alert the fishing industry that only a very few days will be available in each U.S. area based on the proposed catch limits and last year's daily catch rates. Care should be exercised in setting fishing dates to spread landings beyond May and June. Also, fishing effort and catch rates are so high in several areas that the catch limit may be exceeded in a single period. For these areas, several fishing periods with fishing period limits for each vessel are needed to ensure that the catch limit is taken but not exceeded. A possible set of seasons, put forward only as a starting point for discussion, is outlined on the attached table. A figure showing Seldovia high tides for April-October, 1994 along with weekends and holidays is also provided as a work sheet to assist in the development of 1994 seasons. Some comments specific to each regulatory area follow.

In Area 2A, last year's catch limit was exceeded in one 10-hour fishing period with fishing period limits. For 1994, the staff recommends a series of 10-hour periods, with the initial fishing period limits well below those used last year. A final decision on the size of the fishing period limit will be made when more information is available on fleet size.

In Area 2B, we recommend that the individual vessel quota fishery begin on March 1 and end on October 31. The winter closure will protect fish during spawning and reduce the interception of fish that move between regulatory areas during spawning migrations.

The entire catch limit in each of Areas 2C, 3A, and 3B may be taken in two 24-hour periods. Therefore, only one period should be scheduled for May or June to assure fishing later in the year. Four possible dates for this first period that take into account tides, holidays, and weekends are listed in the attached table. The staff suggests additional periods in late August and in September and October. Further, the staff suggests that September-October fishing periods be 48 hours when fishing period limits are required to reduce the effects of bad weather conditions which have plagued the fishery during previous September fishing periods. If fishing period limits are not required, the September and October fishing periods would remain 24 hours.

Areas 4A and 4D are similar to Area 2A in that fishing effort and catch rates are high enough that the catch limit can be exceeded in a single fishing period. The problem is less severe in Areas 4B, 4C, and 4E. To prevent an overrun in the catch limit and comply with the allocative decisions of the North Pacific Fishery Management Council, the staff recommends a series of fishing periods similar to those in 1993.

Area 2A Management

Recent court decisions, although preliminary, indicate that treaty Indian tribes will be awarded

50 percent of the harvestable biomass in their usual and accustomed fishing grounds which are located north of Grays Harbor, Washington; this area is referred to as Area 2A-1. Previously, treaty Tribes were allowed to harvest 25 percent of the entire Area 2A catch limit. The determination of the harvestable biomass for an area is a Commission responsibility, and therefore, the staff recommends dividing Area 2A into two separate regulatory areas, Area 2A-1 and Area 2A-2, with separate catch limits.

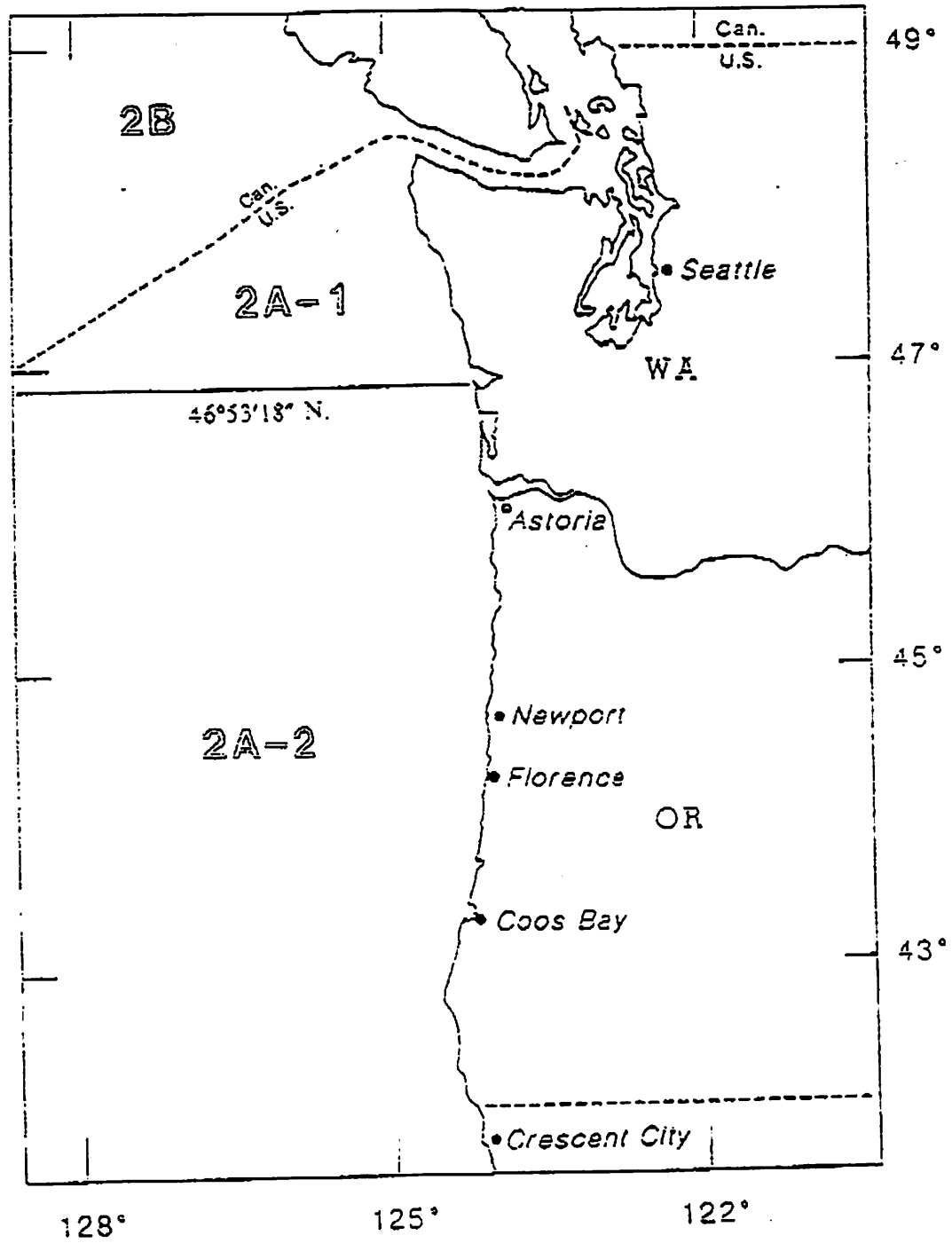
This recommendation is consistent with IPHC management in earlier years when the area was divided into two or three subareas, and is consistent with the general Commission policy of establishing new regulatory areas when special allocative regulations are adopted by the U.S. fishery management councils or when exploitation rates are not expected to be uniform among regions. The recommendation is also consistent with a recommendation from the Pacific Fishery Management Council for the Commission to calculate 50 percent of the harvestable surplus in Area 2A-1 and regulate the non-Indian commercial fishery so that the non-Indian share does not exceed 50 percent in Area 2A-1. The new regulatory areas are shown in Figure 1. The staff is examining the distribution of biomass in Area 2A and will recommend specific catch limits for each area at the IPHC Annual Meeting in January.

Fishing seasons and other regulations to achieve allocations for the recreational fishery will be approved by the U.S. government.

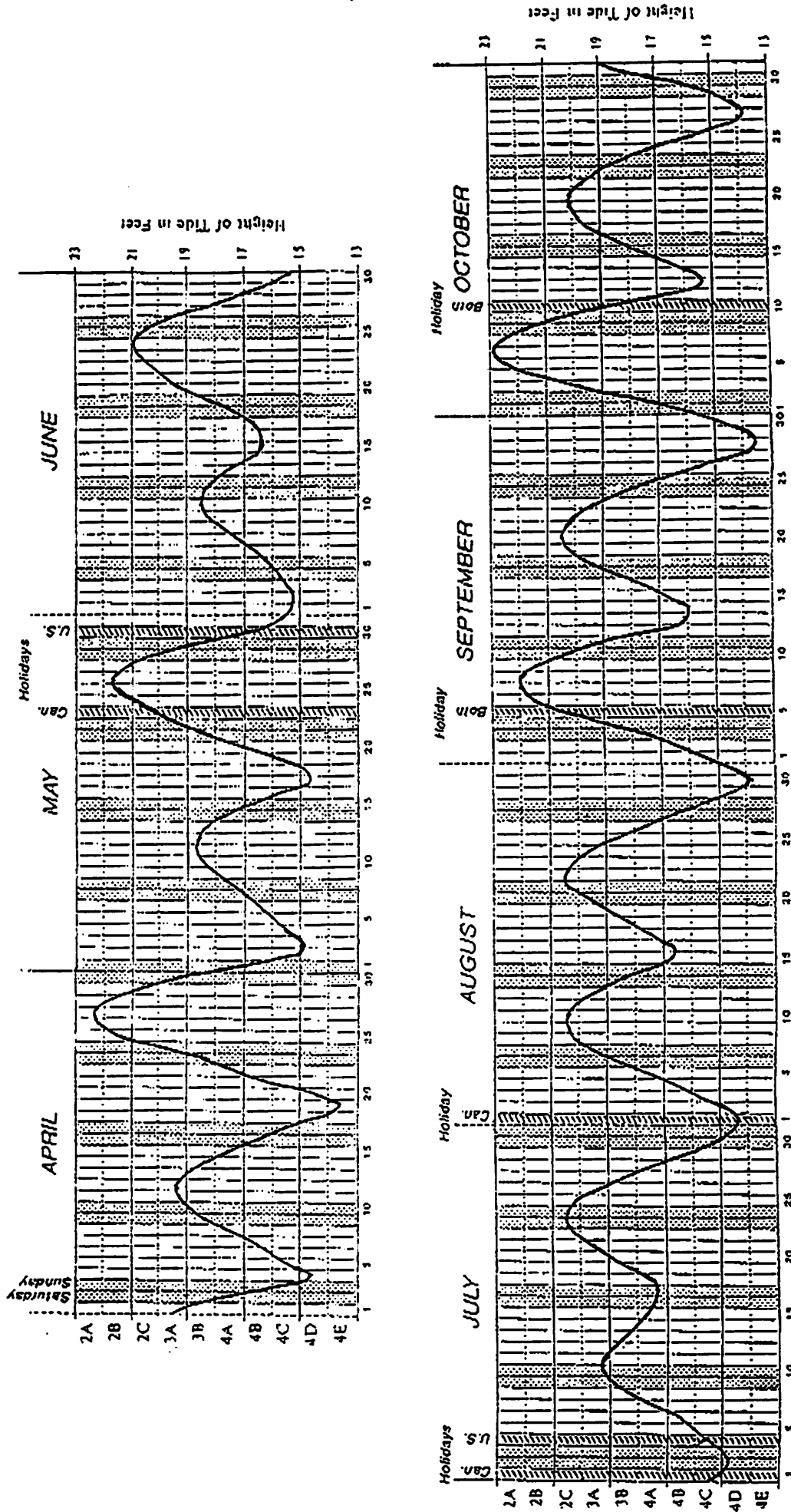
A SET OF POSSIBLE 1994 FISHING PERIODS

Area	Dates	Duration
2A	7/5 7/18 8/2 8/15*	10 hrs 10 hrs 10 hrs 10 hrs
2B	3/1 - 10/31	245 (IVQ fishery)
2C-3A-3B	5/1-2 or 5/16-17 or 5/30-31 or 6/13-14 8/29* 9/12* 9/26* 10/10*	1 day - choose only one fishing period
4A	5/1-2 or 5/16-17 or 5/30-31 or 6/13-14 8/1* 8/15* 8/29* 9/12* 9/26* 10/10*	1 day - choose only one fishing period
4B	5/1-2 or 5/16-17 or 5/30-31 or 6/13-14 8/1* 8/15* 8/29* 9/12* 9/26* 10/10*	1 day - choose only one fishing period
4C	6/1-10/30	1 day open/1 day closed
4D	5/1-2 or 5/16-17 or 5/30-31 or 6/13-14 8/1* 8/15* 8/29* 9/12* 9/26* 10/10*	1 day-choose only one fishing period
4E	5/31-9/18 9/19*	2 days open/1 day closed

* closing date to be determined



1994 Seldovia High Tides



WALRUS CAPITAL OF THE WORLD SAVOONGA, ALASKA

AGENDA C-2
JANUARY 1994
Supplemental

CITY OF SAVOONGA
P.O. BOX 87
SAVOONGA, ALASKA 99769
PHONE 984-6614

December 13, 1993

Dr. Donald McCaughran
International Pacific Halibut Commission
P.O. Box 95009
Seattle, Washington 98145-2009

RE: Proposal for St. Lawrence Island Halibut Fishery in Area 4D(N).

Dear Dr. McCaughran:

The Norton Sound Economic Development Corporation (NSEDC), the City of Savoonga and the IVISA Cooperative, a newly established fishermen coop on St. Lawrence Island, wish to request that the Halibut Commission consider our proposal to extend for one year the experimental halibut fishery around St. Lawrence Island.

Last year, the Halibut Commission started the experimental fishery with the intent of gathering information about halibut in the waters near St. Lawrence Island. NSEDC and the fishermen of St. Lawrence Island were interested in exploring the possibility of establishing a small commercial fishery. During the fishing season, really beginning in July and lasting until late August, the subsistence fishermen of St. Lawrence harvested about 15,000 lbs. of halibut. Unfortunately, this harvest information was determined by an informal polling of the fishermen in Savoonga after the end of the season. No official subsistence catch data was collected during the season. Another 10,500 lbs. of halibut was taken approximately six miles off Northeast Cape of St. Lawrence Island.

For 1994, we would like the regulations to include the following:

- Establish Area 4D(N) along the same lines as 1993;

WALRUS CAPITAL OF THE WORLD SAVOONGA, ALASKA



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- Set aside 50,000 lbs. to be allocated to Area 4D(N) for the term of the experimental fishery;
- Start the experimental fishery in Area 4D(N) on July 1, 1994 and discontinue on September 1, 1994;
- One day open, one day closed for the duration of this time period;
- 1,000 lb. trip limit for all vessels.

The regulatory changes we are proposing will give our small-boat fleet an opportunity to commercially harvest halibut in the nearshore waters of St. Lawrence Island. The harvest from this experimental fishery will help establish baseline information regarding populations of halibut in these far northern waters. Same as last year, any catch limit remaining unharvested by the end of this period will revert to Area 4D as a whole.

Thank-you for considering our proposal.

Sincerely,

Sam Mokiuyuk, Board Member
Norton Sound Economic Development Corporation

Sam Mokiuyuk

Jerry Wongittilin, Sr., Mayor
City Of Savoonga

Jerry Wongittilin

Warren Toolie, President

IVISA Cooperative

Warren Toolie