

M E M O R A N D U M

TO: Council, AP and SSC Members

FROM: Jim H. Branson *by JMB*
Executive Director

DATE: December 30, 1980

SUBJECT: Status of FMPs

ACTION REQUIRED

None, informational only.

BACKGROUND

The following is a brief description of the status of FMPs other than for Salmon.

1. Herring FMP

The FMP was approved to go to Secretary of Commerce review by the Council in December. The FMP is awaiting completion of the DEIS and DRA so that the whole package may be sent to Washington, D.C. in early January.

2. King Crab FMP

The Council was notified on December 11, 1980 that the DEIS had been rejected for Washington office review for lack of a preferred option in the FMP. The Council provisionally chose preferred options in December and will give final approval to the FMP in February. Shortly thereafter, the FMP and a new DEIS and DRA will be forwarded to Washington for Secretary of Commerce review.

3. Tanner Crab FMP

Amendment No. 7 for 1981 was approved by the Council in December to go to Secretary of Commerce review. The amendment package including the amendment proper, and Environmental Assessment and a determination that Amendment No. 7 did not require a Regulatory Analysis was forwarded to Leitzell on December 24, 1980. Also forwarded was a legal analysis of the amendment by Pat Travers.

Amendment No. 6, which provides for various minor technical changes in the FMP, was published as a notice of proposed rule-making in the Federal Register on December 8, 1980. The comment period will end January 18, 1981, and implementation is expected by late January.

4. Gulf of Alaska Groundfish FMP

Amendment No. 10 for 1981 was approved in December by the Council to go to public review. The amendment will be distributed about January 5, 1981. A public hearing will be held in Sitka on January 31st and the public review will end on February 15th. The Council will consider approving the amendment to go to Secretary of Commerce review in February.

Amendment No. 9, which replaces six small fixed-gear areas around Kodiak with a large area bounded by the Lechner line, is expected to be implemented in March, 1981.

The deadline for proposals for 1982 amendments is January 1, 1981.

5. Bering Sea/Aleutian Island Groundfish FMP

The FMP will probably be implemented in March. The Regulatory Analysis was published in the Federal Register on November 24, 1980.

Amendment No. 1 for 1981 is open to public comment until January 10, 1981. Final Council approval to go to the Secretary of Commerce review is scheduled for February.

Amendment No. 2 to increase DAH for yellowfin sole and other flatfish to accommodate joint venture operations is in a holding pattern awaiting implementation of the FMP.

The deadline for receipt of proposals for 1982 amendments is January 1, 1981.

1980
ECONOMIC DISADVANTAGE OF AMERICAN
FISHERMEN IN EASTERN GULF

SSC
AGENDA E-2 (c)
January, 1981

<u>Area</u>	<u>Incidental Catch mt</u>	<u>Foreign Harvest*</u>		<u>Value Per lb. to Fishermen</u>	<u>Total Value</u>
		<u>mt</u>	<u>pounds</u>		
Yakutat	1,412.22		3,110,329	1.30	\$4,043,427
		180.94	39,879,179	.06	2,392,750
				(\$732-/mt)	
Economic Loss in Allowing Foreign Harvest (Fish Caught vs. Incidental Catch)					<u>\$1,650,677</u>
Southeast	313.54		691,042	1.30	\$ 898,355
		57.11	12,587,044	.06	755,223
Economic Loss in Allowing Foreign Harvest					<u>\$ 143,132</u>
Total Economic Loss (Yakutat & Southeast) Resulting From Foreign Harvest - Wholesale					<u>\$1,793,809</u>
*converted using 2,204 pounds per mt					

ECONOMIC LOSS TO INDUSTRY

<u>Area</u>	<u>Incidental Catch mt</u>	<u>Foreign Harvest</u>
Yakutat	1,411.22	18,094
Southeast	313.54	5,711
	1,724.76	23,805
Value Per Ton	x \$88.00	x \$132
	<u>\$15,177,888</u>	<u>- 3,142,260</u>

Total Economic Loss to Industry (Retail) Inflicted
By Allowing Foreign Harvest \$12,029,915

PERCENTAGE OF HARVEST: U.S. VS FOREIGN

U.S. Halibut Harvest	Eastern Gulf Incidental Kill	1,725	24%
	Total Halibut Harvest (Alaska)	7,123	
Foreign Harvest	Eastern Gulf	23,805	1.6% (less than 2%)
	Total Harvest Alaska	1,486,742	

The incidental halibut mortality in the Eastern Gulf is equivalent to 24% of the total halibut harvest as compared to the directed foreign catch equaling 1.6% of their total harvest.

Further, the foreign catch inflictor loss on approximately 2,000 U.S. vessels while benefiting only 15 foreign vessels.

Compiled By: Michael J. Mayo F/V OCEANUS

1981 Gulf of Alaska
Initial Foreign Allocations

	Pollock	Pacific Cod	Flounder	Atka Mackere1	Sablefish	P.O.P.	Other Rockfish	Sebastolobus	Other Species	Squid	Total
Western											
Japan	12,488	7,488	5,566	975	1,214	1,206					
Korea	8,641	1,156	1,353	331	226	270					
Poland	8,209	450	568	661	34	111					
Unallocated	17,125	4,169	1,903	2,061	171	531					
Total	46,463	13,263	8,890	4,028	1,645	2,118					
Central											
Japan	32,595	13,690	8,969	4,401	1,567	3,364					
Korea	13,634	2,113	1,889	1,492	291	752					
Poland	12,952	822	793	2,985	44	310					
Unallocated	14,132	7,621	762	9,309	221	1,483					
Total	73,313	24,246	12,413	18,187	2,123	5,909					
Eastern											
Japan	4,858	3,853	4,267	522	594	6,779					
Korea	2,401	595	952	177	111	1,515					
Poland	2,281	232	399	354	17	626					
Unallocated	3,369	2,145	635	1,104	83	2,986					
Total	12,909	6,825	6,253	2,157	805	11,906					
Total											
Japan	49,941	25,031	18,802	5,898	3,375	11,349	2,500	2,293	6,668	2,891	128,748
Korea	24,676	3,864	4,194	2,000	628	2,537	2,000	500	3,334	800	44,533
Poland	23,442	1,504	1,760	4,000	95	1,047	544	200	1,111	300	34,003
Unallocated	34,626	13,935	2,800	12,474	475	5,000	1,000	500	2,000	500	73,310
Total	132,685	44,334	27,556	24,372	4,573	19,933	6,044	3,493	13,113	4,491	280,594

Sablefish:	Yakutat	SE
Japan	519	75
Korea	97	14
Poland	15	2

1981 Eastern Bering Sea and Aleutian Islands
Initial Foreign Allocations

	Potllock	Pacific Cod	Yellowfin Sole	Turbots	Other Flounders	Atka Mackerel	Sablefish	P.O.P.	Other Rockfish	Other Species	Squid	Snails	Total
Bering Sea													
Taiwan	11,060						52	55					
W. Germany	6,690						28	21					
Japan	721,090						1,554	1,232					
Poland	32,310						160	140					
Korea	72,540						326	260					
Unallocated	86,760						330	0					
Total	930,450						2,450	1,708					

Aleutians													
Taiwan	1,145						26	70					
W. Germany	750						8	116					
Japan	72,976						465	4,259					
Poland	4,699						40	160					
Korea	7,190						111	340					
Unallocated	13,240						0	800					
Total	100,000						650	5,745					

Bering Sea/Aleutian Islands														
Taiwan	12,205	372	926	924	632	237	78	125	81	890	159	0	16,629	
W. Germany	7,440	227	1,000	1,000	1,000	840	36	137	113	1,091	174	0	13,058	
Japan	794,066	22,222	65,948	64,360	40,510	12,283	2,019	5,491	3,883	50,856	6,247	3,000	1,070,885	
Poland	37,009	1,131	3,688	3,774	1,919	500	200	300	300	2,000	600	0	51,421	
Korea	79,730	3,028	6,388	5,567	4,029	7,300	437	600	700	6,000	1,270	0	115,049	
Unallocated	100,000	4,520	7,000	8,800	5,660	2,300	330	800	600	7,700	1,000	0	138,710	
Total	1,030,450	31,500	84,950	84,425	53,750	23,460	3,100	7,453	5,677	68,537	9,450	3,000	1,405,752	

1981 INITIAL

Bering Sea

Aleutian Islands

BSA

Atka Mackerel

OY	24,800
DAP	(0)
JVP	(100)
DAH	100
Reserve	1,240
TALFF	23,460

Turbots

OY	90,000
DAP	(1,000)
JVP	(75)
DAH	1,075
Reserve	4,500
TALFF	84,425

Other Species

OY	74,249
DAP	(1,800)
JVP	(200)
DAH	2,000
Reserve	3,712
TALFF	68,537

Squid

OY	10,000
DAP	(0)
JVP	(50)
DAH	50
Reserve	500
TALFF	9,450

Rockfish

OY	7,727
DAP	(1,100)
JVP	(450)
DAH	1,550
Reserve	500
TALFF	5,677

Total

OY	1,579,226
DAP	(26,100)
JVP	(57,050)
DAH	83,150
Reserve	93,324
TALFF	1,402,752

1981 INITIAL	Bering Sea	Aleutian Islands	BSA
Pollock			
OY	1,000,000	100,000	1,100,000
DAP	(10,500)	-	(10,500)
JVP	(9,050)	-	(9,050)
DAH	19,550	-	19,550
Reserve	50,000	-	50,000
TALFF	930,450	100,000	1,030,450
Yellowfin Sole			
OY			117,000
DAP			(1,200)
JVP			(25,000)
DAH			26,200
Reserve			5,850
TALFF			84,950
Other Flounders			
OY			61,000
DAP			(1,200)
JVP			(3,000)
DAH			4,200
Reserve			3,050
TALFF			53,750
Pacific Ocean Perch			
OY	3,250	7,500	10,750
DAP	(550)	(550)	(1,100)
JVP	(830)	(830)	(1,660)
DAH	1,380	1,380	2,760
Reserve	162	375	537
TALFF	1,708	5,745	7,453
Sablefish			
OY	3,500	1,500	5,000
DAP	(500)	(500)	(1,000)
JVP	(200)	(200)	(400)
DAH	700	700	1,400
Reserve	350	150	500
TALFF	2,450	650	3,100
Cod			
OY			78,700
DAP			(7,200)
JVP			(17,065)
DAH			24,265
Reserve			22,935
TALFF			31,500

GULF OF ALASKA
1981 INITIAL

SPECIES		WESTERN	CENTRAL	EASTERN	TOTAL
Pollock	OY	66,500	111,066	19,367	196,933
	..DAP	(29)	(6,277)	(811)	(7,117)
	..JVP	(6,708)	(9,263)	(1,773)	(17,744)
	DAH	6,737	15,540	2,584	24,861
	RESERVE	13,300	22,213	3,874	39,387
	TALFF	46,463	73,313	12,909	132,685
Pacific Cod	OY	19,320	39,130	11,550	70,000
	..DAP	(280)	(4,060)	(327)	(4,667)
	..DNP	(700)	(1,400)	(1,400)	(3,500)
	..JVP	(1,213)	(1,598)	(688)	(3,499)
	DAH	2,193	7,058	2,415	11,666
	RESERVE	3,864	7,826	2,310	14,000
	TALFF	13,263	24,246	6,825	44,334
Flounders	OY	12,133	17,150	9,800	39,083
	..DAP	(116)	(350)	(1,050)	(1,516)
	..JVP	(700)	(957)	(537)	(2,194)
	DAH	816	1,307	1,587	3,710
	RESERVE	2,427	3,430	1,960	7,817
	TALFF	8,890	12,413	6,253	27,556
Pacific Ocean Perch	OY	3,150	9,217	16,800	29,167
	..DAP	(29)	(344)	(93)	(466)
	..JVP	(373)	(1,121)	(1,441)	(2,935)
	DAH	402	1,465	1,534	3,401
	RESERVE	630	1,843	3,360	5,833
	TALFF	2,118	5,909	11,906	19,933
Other Rockfish	OY				8,867
	..DAP				(817)
	..JVP				(233)
	DAH				1,050
	RESERVE				1,773
	TALFF				6,044
Sablefish	OY	2,450	4,433	7,466	14,349
	..DAP	(117)	(1,167)	(4,667)	(5,951)
	..JVP	(198)	(256)	(338)	(792)
	DAH	315	1,423	5,005	6,743
	RESERVE	490	887	1,656	3,033
	TALFF	1,645	2,123	805	4,573
Atka Mackerel	OY	5,458	24,309	3,717	33,484
	..DAP	(0)	(0)	(0)	(0)
	..JVP	(338)	(1,260)	(817)	(2,415)
	DAH	338	1,260	817	2,415
	RESERVE	1,092	4,862	743	6,697
	TALFF	4,028	18,187	2,157	24,372

1981 INITIAL (Continued)

SPECIES		WESTERN	CENTRAL	EASTERN	TOTAL
Squid	OY				5,833
	..DAP				(0)
	..JVP				(175)
	DAH				175
	RESERVE				1,167
	TALFF				4,491
Thornyhead Rockfish	OY				4,375
	..DAP				(7)
	..JVP				(0)
	DAH				7
	RESERVE				875
	TALFF				3,493
Other Species	OY				18,900
	..DAP				(351)
	..DNP				(933)
	..JVP				(723)
	DAH				2,007
	RESERVE				3,780
	TALFF				13,113
TOTAL	OY	109,011	205,305	68,700	420,991
	..DAP	(571)	(12,198)	(6,948)	(20,892)
	..DNP	(700)	(1,400)	(1,400)	(4,433)
	..JVP	(9,530)	(14,455)	(5,594)	(30,710)
	DAH	10,801	28,053	13,942	56,035
	RESERVE	21,803	41,061	13,903	84,362
	TALFF	76,407	136,191	40,855	280,594

1/7/81

POSITION OF PELICAN ADF&G ADVISORY
COMMITTEE ON PROPOSALS TO
BOARD OF FISHERIES FOR DECEMBER 1980 - JANUARY 1981
MEETINGS

<u>PROPOSAL</u>	<u>PELICAN'S POSITION</u>	<u>COMMENTS</u>
197	No	Don't create new precedent.
198	No	Would wipe out Pelican's three river gill netters.
218	No	Creates a completely new fishery.
219	No	#229 instead.
220	No	Keep status quo for at least one cycle.
221	No	Keep status quo for at least one cycle.
223	No	Keep status quo for at least one cycle.
224	No	Keep status quo for at least one cycle.
225	Yes	1) Changes status quo, but no other fishery on those local stocks. 2) Don't help Park Service take areas away from commercial fisheries. Bad precedent.
228	Yes	Changes status quo but Elfin Cove will definitely die without this proposal.
229	Yes	Improves fishing without changing status quo.
230	No	Against legislative intent on two separate fisheries.
231	No	Keep status quo for at least one cycle.
232	No	Keep status quo for at least one cycle.
233	No	Keep status quo for at least one cycle.
234	No	Keep status quo for at least one cycle.
238	No	Changes status quo.
239	No	Changes status quo.
240	No	1) Changes status quo. 2) Giving up more area - and to foreigners yet
244	No	1) Changes status quo 2) Not true - It's a traditional Pelican power troll drag.
245	No	Changes status quo.
246	No	Changes status quo.
251	No	Changes status quo.
253	Yes	These areas were open in past.
257	No	1) Changes status quo. 2) We will support the 80/20 section which does not change status quo.
258 (Option 1)	Yes	Maintains status quo plus saves Alaskan winter fishery.
(Option 2)	No	Changes status quo.
260	Yes	Status quo.
261 (Option 1)	No	Changes status quo.
(Option 2)	Yes	Maintains status quo.
262	Yes	Trollers are able to target species.

266	No	1) Changes status quo. 2) Biologically detrimental to the fisheries resource.
267	Yes	1) Would increase value of fish. 2) Wording of the sentence to be deleted could be altered to read: "The heads of all <u>fin-clipped</u> king salmon must remain attached to the fish until sold."
268	Yes	Same arguments as in #267.
270	Yes	Saves time and money.
271	No	Changes status quo.
272	No	1) Changes status quo. 2) Will hurt pelican financially.
273	No	Changes status quo.
276	No	Wire would have to be pulled off on gurdies when coming in from Fairweather Grounds.
277	No	1) Personal allocation of fish from treble hook users. 2) Adoption would be biologically detrimental to resource. 3) How would you enforce it?
280	No	Please protect our rearing feed stocks.
292	Yes	Save time, money and hassle.
294	Yes	Help restore traditional harvest of other species to troll fleets as alternative income.
303	No	1) Not limited enough in area and scope. 2) Punishes law-abiding with and because of a few lawbreakers.
307	No	Will lead to whole new offshore seine fishery.
307A	No comment.	
312	Yes	1) See justification. 2) Biologically acceptable alternative to further restrictions. 3) Political and/or biological areas needing protection can be closed by specific area.
317	No	IPHC is doing an excellent job by themselves.
319	No	Makes power troll and hand troll the same gear.
320	No	1) Too much hassle - unload and weigh and reload entire seasons catch. 2) Won't know who they were going to sell to.
321	Yes	Gives due process to user groups.
323	Yes	Obvious.

NORTH PACIFIC FISHING VESSEL OWNERS ASSOCIATION

Building C-3, Room 218
Fishermen's Terminal
Seattle, Washington 98119
Phone: (206) 285-3383

January 4, 1981

Alaska Board of Fisheries
Support Building
Juneau, Alaska 99801

Gentlemen:

The North Pacific Fishing Vessel Owners' Association (NPFVOA), whose members own vessels which harvest king crab and tanner crab in the waters off Alaska, strongly opposes the adoption of regulatory proposals 299 and 300. These proposed changes would prohibit the use of side-entry pots by the king crab and tanner crab fisheries in the Yakutat area in order to reduce or eliminate the incidental catch of halibut by this gear.

NPFVOA's opposition to these proposals stems from the failure of the proposal makers to present data which show that there is a high incidental catch of halibut in the Yakutat area that is jeopardizing the stocks, and this incidental catch is attributable to the side-entry pots used by the crab fishermen. Even if such data were available, NPFVOA believes there is an obligation to consider less drastic and economically disruptive means of reducing incidental catches, such as the installation of tanner boards, than imposing an outright ban on side-entry pots.

Answers Needed

Before the Board of Fisheries adopts the changes suggested by proposals 299 and 300, the Board should have the answers to the following questions:

- (1) Is there a high incidental catch of halibut in the Yakutat area?
- (2) Is this catch jeopardizing the halibut stocks?
- (3) Is this catch attributable to side-entry crab pots?
- (4) What is an acceptable level of incidental catch by side-entry pots?
- (5) Can this level be achieved by modification of the side-entry gear?
- (6) What would be the financial cost to fishermen (individually and as a group) to modify the side-entry pots?

- (7) Are there other methods of reducing incidental catches by side-entry pots?
- (8) What are the costs (financial and economic) of these methods?
- (9) If side-entry pots are to be prohibited, will this ban affect the productivity of the tanner crab and king crab fisheries?
- (10) Does this loss in productivity and its socio-economic effects on the local community and fishing industry outweigh the value of preserving the halibut stocks?

To be responsive and responsible to the fishing industry and society, NPFVOA believes that it is necessary for the Board to answer these and other questions posed by a prohibition on side-entry pots in the Yakutat area.

Data Lacking

A recent telephone call from the Association (NPFVOA) to the Board of Fisheries disclosed that the makers of proposals 299 and 300 did not provide any data to substantiate their claim that prohibiting side-entry pots would reduce or eliminate incidental catches of halibut. A member of the Board's staff did tell NPFVOA that the proposal makers were pointing to a report which supposedly justified the pot prohibition. NPFVOA was also informed that the Board was examining this report to determine whether side-entry pots should be prohibited on a state-wide basis. The report which the staff member referred to is a comparison of halibut and crab catches in side-entry and top-entry crab pots, and in side-entry pots with and without tanner boards. The report was prepared by the International Pacific Halibut Commission (IPHC) and the Alaska Department of Fish and Game for the North Pacific Fishery Management Council.¹ As will be pointed out, the Council Report does not back up the claims of the proposal makers. Nor does it respond to most of those questions which NPFVOA posed above.

The Council Study states that the International Pacific Halibut Commission estimates that "1.6 and 2.0 million pounds of halibut were caught in the king and Tanner crab fisheries, respectively, in the Gulf of Alaska during the 1979/1980 season."² However, the study also notes that "Information on the incidental

¹ "A comparison of halibut and crab catches in: (1) side-entry and top-entry crab pots; and (2) side-entry crab pots with and without tanner boards," Draft Final Report on North Pacific Fishery Management Council Contract No. 81-3, November 20, 1980. Hereinafter called "Council Report" or "Council Study."

catch of halibut in the crab fishery is lacking...." ³
Although the study was conducted in the Yakutat area (see Table 6 of the Appendix for fishing locations), nowhere does it state what the incidental catch of halibut is for this area. The Board should also be aware that the Council Study was not conducted to explore the incidental catch of halibut in the Yakutat area by crab gear but was carried out for the following objectives:

- (1) Test the hypothesis that top-entry crab pots catch fewer halibut (per unit soak time) than side-entry (rectangular) pots.
- (2) Test the effectiveness of the two pot types in catching crab.
- (3) Test the hypothesis that "tanner boards" reduce the catch of halibut in side-entry pots. ⁴

Furthermore, one of the three tasks of the Council Study was to "[a]nalyze data from the experiment and report their interpretation relative to objectives." ⁵

The preparers of the study also recognized that data on incidental catches of halibut were necessary. Recommendation 2 of the study partially declares that "An observer program should be conducted to...establish rates of incidence in the commercial fishery." ⁶

Study Suggests Need for Data on
Crab and Halibut Movements

NPFVOA did an analysis of the data gathered during the course of Experiment I of the Council Study, which compared the catch of halibut and crab in side-entry and top-entry pots. The Association came up with the following statistics. (Note: Due to the poor quality of reproduction of NPFVOA's copy of the Council Study, the figures and percentages are based on 195 pots fished, rather than the 198 pots used in the study.)

² Council Report page 7

³ Council Report page 7

⁴ Council Report page 8

⁵ Council Report page 8

⁶ Council Report page 2

Pots with no halibut or crab	66 (33.8%)
Pots with no halibut and one or more crab	48 (24.6%)
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Total pots catching no halibut	114 (58.4%)
Pots with one or more halibut and no crab	58 (29.7%)
Pots with halibut and crab	23 (11.9%)
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Total pots catching halibut	81 (41.6%)

Table 1 of the Appendix also shows that when 15 or more crabs were caught in a pot, either no halibut or at the most two halibut were also caught. Of the 18 pots where there were 15 or more crabs caught, 13 pots (72.2%) had no halibut, 3 pots (16.6%) had only one halibut, and 2 pots (11.2%) had two halibut.

These figures might indicate that where there are large quantities of crab, there are few halibut to be caught. It has been the experience of the Association's members that there is no extensive intermixing between halibut and crab except during migratory periods. We suggest that the Board might wish to conduct further inquiries into the distribution of crab relative to halibut during tanner crab and king crab seasons.

Banning Side-Entry Pots Is Not the Only
Method of Reducing Incidental Catches

One finding of the study was that tanner boards reduced the catch of halibut in side-entry pots by 63%.⁷ "Perhaps more importantly," the study noted, "the use of 'tanner boards' almost eliminated the catch of halibut over 90 cm in length." ⁸

Communication between NPFVOA and White Fabricating of Seattle, Washington has resulted in the following price quotations for tanner boards and 300-500 pound top-entry crab pots (pyramid pots):

\$1.70	Wooden Tanner Boards
\$9.60	Plastic Tanner Boards
\$210.00	Pyramid Pot

If a fishermen who fished 200 side-entry pots were to install tanner boards, his costs would be \$340 (wood) or \$1920 (plastic). To change to a top-entry pyramid pot would be a \$42,000 investment.

⁷ Council Report page 2

⁸ Council Report page 2

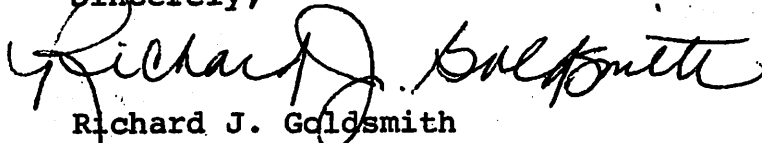
The Council Report recognizes the high financial costs that gear changes would entail. One of its recommendation was that "[f]urther gear research should be conducted to determine if side-entry pots can be modified to significantly reduce halibut loss with little cost." ⁹

Pyramid Pots May Affect the
King Crab Fishery

It has been the experience of NPFVOA's members that fishing pyramid pots for king crab has not been very successful. Thus, the Board should consider the socio-economic impact on the fishing industry and the economy of Alaska if side-entry pots are banned. In prohibiting side-entry pots to reduce or eliminate the incidental catch of halibut, the Board may be adversely affecting those dependent on king crab, a sphere of people much larger than those whose livelihood is tied to the halibut fishery.

NPFVOA hopes that the Board of Fisheries will take all these considerations into account when it acts on proposals 299 and 300.

Sincerely,


Richard J. Goldsmith
Manager