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North Pacific Fishery Management Council

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June 1996 Newsletter - Published 6/20/96

Items In This Newsletter

- June [Council](#) Meeting
- [Improved](#) Retention/Utilization
- BSAI [Crab](#) Bycatch Management
- BSAI [Pacific Cod](#) Allocation
- [Halibut](#) Charter Management
- Sablefish/Halibut [IFQ](#) Program
- Ban on [Night Trawling](#) for Pacific Cod
- Call for [Proposals](#)
- [Overfishing](#) Definition

June Council Meeting in Portland Short and Sweet!

The June meeting in Portland was highlighted by sunny weather, a congenial atmosphere, and an early adjournment. Originally scheduled to run through Saturday, the Council adjourned early on Friday afternoon after completing its agenda. An industry negotiated agreement on

BSAI Pacific cod allocations, facilitated by Dave Hanson, contributed to the quick meeting. Details on this action are inside, as well as details on the Council's Improved Retention and Utilization (IR/IU) initiative, BSAI crab bycatch management, amendments to the sablefish and halibut IFQ program, and other items.

The Council will be meeting at the Centennial Building in Sitka the week of September 16-22. To assist you in making plans to attend the meeting, you may contact the Council office for a list of accommodations including hotels, motels, bed and breakfasts and apartments/houses.

Improved Retention and Utilization

At this meeting, the Council reviewed a draft analysis for the BSAI Improved Retention and Utilization (IR/IU) initiative, and approved release of the document for public review, with a final decision still expected at the September meeting in Sitka, Alaska. That program focuses on pollock, Pacific cod, yellowfin sole, and rock sole in all BSAI groundfish fisheries, with a potential phase-in period for the flatfish species. Minor revisions and additions are being made to the document prior to release on or about July 8. The Council action called for solicitation of public comment on the draft analysis, with particular attention on the following areas:

1. Potential target fishery switching caused by IR/IU (and associated PSC implications).
2. Effects of IR/IU on VIP rates.
3. Extent of conflict between IR/IU requirements and vessel upgrade restrictions in the moratorium and License Limitation programs.
4. Monitoring and enforcement, particularly of the utilization portion of the program.

The Council action also calls for public comments to be assimilated, and then reviewed by the IR/IU industry committee established by the Council. The Committee will then forward its own comments to the Council prior to the September meeting. The Committee will likely meet in early September and review any comments received by that time. Analyses also will be developed for a potential IR/IU program for the Gulf of Alaska this will likely occur during the fall with concurrent implementation possible for 1998. For a copy of the BSAI IR/IU document please contact the Council offices. For further details or specific questions, Chris Oliver is the staff contact.

Return to the beginning of this [newsletter](#)

BSAI Crab Bycatch Management

The Council remains concerned about the depressed status of Bristol Bay red king crab. At its June meeting, the Council took final action on several measures to protect this stock from possible impacts due to groundfish fisheries. First, the Council rescinded its previous action on Amendment 37, and recommended a year-round closure to non-pelagic trawling in the Red King Crab Savings Area (162 to 164 W, 56 to 57 N). An extended duration of the closure period provides for increased protection of adult red king crab and their habitat. To allow some access to productive rock sole fishing areas, the area bounded by 56 to 56 10' N latitude would remain open during the years in which a guideline harvest level for Bristol Bay red king crab is established. A separate bycatch limit for this area would be established at no more than 35% of the red king crab prohibited species catch (PSC) limits apportioned to the rock sole fishery.

To protect juvenile red king crab and critical rearing habitat, the Council recommended that all trawling be prohibited on a year-round basis in the nearshore waters of Bristol Bay. Specifically, the area east of 162 W (i.e., all of Bristol Bay) would be closed to trawling, with the exception of an area bounded by 159 to 160 W and 58 to 58 43' N that would remain open to trawling during the period April 1 to June 15 each year. It was felt that such a closure area would protect known areas of juvenile red king crab habitat while at the same time allow trawling in an area that can have high catches of flatfish and low bycatch of other species. The area north of 58 43' N was closed to reduce bycatch of herring, and also of halibut, which move into the nearshore area in June. In addition to establishing nearshore trawl closure areas, the Council also recommended that NMFS rescind regulations allowing trawling for Pacific cod in the area off Port Moller, as these regulations are out of date given the current status of red king crab and scientific knowledge of critical habitat.

The third management measure adopted by the Council was a reduction of PSC limits for red king crab taken in trawl fisheries. Specifically, the Council recommended adoption of a stairstep-based PSC limit for red king crab in Zone 1. PSC limits would be based on abundance of Bristol Bay red king crab as follows:

Abundance	Zone 1 PSC Limit
Below Threshold = 8.4 million mature crabs	
+ Effective Spawning Biomass (ESB)	35,000 crab
Above Threshold + ESB	100,000 crab

ESB > 55 million lbs

200,000 crab

The Council did not make any recommendations regarding PSC limits for Tanner and snow crabs. Rather, the Council will form an industry workgroup to review proposed PSC limits for these crab species. The workgroup will also review allocation of crab PSC among trawl fisheries to gain an understanding of how proposed actions may affect PSC use. The workgroup will report to the Council in September before final action on the proposed Tanner and snow crab PSC limits. The workgroup will be chaired by Dave Hanson and will consist of three crabbers, three trawlers, and one shoreside processor representative. Nominations are requested at the Council office by June 30.

Discussion of crab bycatch management highlighted the need for additional information and future assessment of management actions. The Council recommended that all vessels (including vessels using pot and longline gear) fishing for groundfish in the Red King Crab Savings Area and the 159 to 160 W area require 100% observer coverage. In addition, the Council recommended that closure areas and crab PSC limits be re-evaluated on a regular basis because crab abundance and distribution change over time. Staff contact is Dave Witherell.

Return to the beginning of this [newsletter](#)

Council Approves Negotiated Allocation of Pacific Cod in the Bering Sea and Aleutian Islands

The Council approved the agreement negotiated by affected industry groups allocating Pacific cod in the Bering Sea and Aleutian Islands. Under the agreement, 51% of the Pacific cod TAC will be allocated to fixed gear, 47% to trawl gear and 2% to jig gear. If approved by the Secretary of Commerce, the allocation should be in effect beginning in 1997, with a review by the Council scheduled in four years. The specific provisions of the agreement as approved by the Council are shown in the box below. Staff contact is Marcus Hartley.

Pacific Cod Allocations in the Bering Sea and Aleutian Islands

1) TAC Apportionments:

The trawl sector will be allocated 47% of the Bering Sea and Aleutian Islands Pacific cod TAC. The trawl apportionment will be split between catcher vessels and catcher processors

50/50.

The fixed gear sector will be allocated 51% of the Bering Sea and Aleutian Islands Pacific cod TAC.

The jig gear sector will be allocated 2% of the Bering Sea and Aleutian Islands Pacific cod TAC.

2) *Rollovers:*

On September 15 of each year, the Regional Director shall reallocate 100% of any projected unused amount of the Pacific cod allocated to jig vessels to the fixed gear vessels.

If, during a fishing year, the Regional Director determines that vessels using trawl gear or hook-and line or pot gear will not be able to harvest the entire amount of Pacific cod allocated to those vessels, then NMFS shall reallocate the projected unused amount of Pacific cod to vessels using the other gear type(s).

3) *Halibut PSC Mortality Caps:*

The trawl halibut PSC mortality cap for Pacific cod will be no greater than 1,600 mt.

The hook-and-line gear halibut PSC mortality cap for Pacific cod will be no greater than 900 mt.

4) *Review:*

There is no sunset provision, but the Council will review this agreement in four years following the date of implementation.

Return to the beginning of this [newsletter](#)

Halibut Charter Boat Management

The Council initiated consideration of management alternatives for the halibut sport/charter fishery in 1994, establishing several alternatives to be studied, including a moratorium on further entry into the charter boat fishery and a potential allocation between sport and

commercial halibut fisheries off Alaska. With funding and staff finally becoming available to proceed with the study, the Council revisited the scope of this initiative and the specific alternatives to be studied. At this meeting, the Council narrowed the scope of study by eliminating consideration of the unguided sport fishery, and by eliminating development of an IFQ program for the charter boat industry. Four major alternatives remain: Alternative 1 is the status quo. This option will not change the current management practices. Alternative 2 would implement federal reporting requirements on the guided halibut charter industry. This option may be implemented along with any of the management options selected by the Council.

Alternative 3 would annually allocate the guided fleet (includes charter boats, lodges, and outfitters) 105% to 140% of their actual 1994 or 1995 catch. No caps would be placed on the unguided sport fleet under this alternative. The IPHC would take into account the halibut that would be needed for the unguided sport fishery and the allocation to the guided sport industry, with the remaining Total Allowable Catch (TAC) made available to the commercial fleet. A moratorium on new entry into the guided halibut industry is included under this alternative the moratorium could be implemented with or without the explicit cap. Alternative 4, though not an IFQ program in itself, would allow the guided charter industry to lease or purchase poundage from the existing commercial IFQ program, for continued operation if the cap (under Alternative 3) is reached in a given year.

Part of the overall analysis of alternatives is expected to be done under contract to an outside consultant. The Council recommended that a Request for Proposals (RFP) be released by July 1, 1996. The contractor selected will be expected to develop a methodology and proposal to determine the economic value of the halibut charter industry (which includes lodges, outfitters, and guided halibut charter operations), analyze the potential impacts of placing a poundage cap on the charter fleet, and study the impacts of placing a moratorium on entry into the fishery at the 1994, 1995, or 1996 participation levels. The desired timeline is for completion of the contracted study by January 10, 1997. Under this timeline, an RFP will be issued by July 1, and proposals must be received at the Council office by August 7, 1996. The contract would be awarded by August 20. After the contract is awarded, a progress report will be due during December 1996, and the final report will be due January 10, 1997.

The RFP will allow for bidders to submit alternative timelines for completion if it is felt that a January 10, 1997 deadline is insufficient for completion of the study. When released, copies of the RFP will be available from the Council office. Under the timelines outlined above, the Council may take action on this issue as early as April of 1997. Council staff contact is Chris Oliver or Jane DiCosimo.

Return to the beginning of this [newsletter](#)

Sablefish and Halibut IFQ Program

The Council approved a regulatory amendment to increase the Bering Sea/Aleutian Islands (Area 4) halibut quota share use caps to 1½ percent from the status quo limit of ½ percent of the total amount of halibut QS for regulatory areas 4A, 4B, 4C, 4D, and 4E, combined. Industry had reported that the ½ percent cap was insufficient to justify the expense of traveling to remote areas in the western Aleutian Islands and Bering Sea to harvest halibut and does not allow initial issues to harvest halibut in a manner consistent with their historic participation in the fishery. The ½ percent cap amounted to 26,500 lb based on combined Area 4 1994 TACs and 23,610 lb based on 1995 and 1996 TACs. Most QS, however, is distributed among multiple areas, further exacerbating the problem of low use caps.

The 1½ percent cap would raise the use cap to 495,044 units for the 513 Area 4 QS holders. The increased cap will allow 13 persons who had been previously constrained to increase their holdings. Nine individuals remain above the recommended cap. Implementation is planned for the 1997 IFQ fishing season. Staff contact is Jane DiCosimo.

IFQ Amendment Update

Amendment 33/37 to prohibit the use of halibut catcher vessel QS on freezer/longliners and allow the freezing on non-IFQ species while harvesting sablefish catcher vessel QS on freezer/longliners was approved by the Secretary of Commerce on June 13, 1996. The final rule implementing this amendment will be effective 30 days after publication in the Federal Register.

The Omnibus II regulatory amendment included eight regulatory changes and was submitted to the Secretary of Commerce on March 22, 1996. The final rule is under preparation.

Amendment 42/42 to allow QS assigned to larger vessel categories to be used on smaller vessels was submitted to the Secretary on June 4, 1996. The Council recommended that the 30-day cooling off period be waived since the effective date of the final rule would occur on October 11, late in the fishing season during potentially dangerous weather for the small boats that would wish to fish under the new rule. The waiver would result in an effective date of September 12.

The proposed rule for a regulatory amendment to extend the sablefish IFQ season in the Aleutian Islands is pending at the NMFS Regional office. The amendment is expected to be submitted in time for implementation for an extension of the 1996 season beginning on November 16 for the Aleutian Islands regulatory area.

The proposed rule for a regulatory amendment to allow the use of pot longlines in the IFQ sablefish Bering Sea regulatory area is also pending at the NMFS Regional office. The Council has requested that this amendment be fast-tracked to allow for implementation during the current IFQ fishing season.

The proposed rule for Amendment 43/43 to increase the halibut and sablefish sweep-up amounts is also pending. This amendment is scheduled for implementation for the 1997 IFQ season.

Groundfish Amendment Update

A regulatory amendment to require groundfish processors to utilize electronic recordkeeping and reporting was approved for public review and will be available from the Council office on July 15. The amendment would require groundfish processors in the BSAI and GOA that are subject to observer coverage to use NMFS-supplied software to electronically record harvest and processing activities on computer equipment. Conventional logbooks and associated NMFS reports would be replaced by electronic versions. At-sea processors would be required to transmit in-season NMFS reports using Inmarsat satellite equipment and shore-based processors would be required to use modems and phone systems. All processors using the electronic reporting system would be required to have a computer-operated printer to make paper copies of electronic logbook pages and transmitted reports at the processing site.

The NMFS electronic reporting system would be implemented in two stages. Phase 1 would consist of electronic versions of the daily production, weekly production, and check-in/check-out reports and would be implemented in early 1997. Phase 2 would consist of electronic logbooks, vessel activity reports, and product transfer reports and would be implemented in 1998. An earlier phase, approved by the Council in June 1995, to facilitate the reporting of observer data will also be implemented in early 1997. Staff contact is Jane DiCosimo.

GOA Amendment 45 to annually apportion seasonal allocations of pollock TAC for combined GOA Western and Central regulatory areas was approved by the Secretary on May 20 and will become effective on July 1. The final rule combines the third and fourth quarterly

allowances of pollock TAC in the W/C area into a single seasonal allowance that will become available on September 1. While the Council recommended a third trimester opening date of September 1 for the Central area and October 1 for the Western area, NMFS received extensive public comment from Western area-based fishermen and processors, that if their opening is delayed to October, they will be preempted by larger and more numerous Bering Sea-based vessels, and they also expressed safety concerns with an October 1 opening in the Western area. Staff contact is Jane DiCosimo.

GOA Amendment 38 to amend the Pacific ocean perch rebuilding plan was submitted to the Secretary on June 19, 1996. It is scheduled for implementation prior to setting final groundfish quotas for the 1997 fishing year. Staff contact is Jane DiCosimo.

A regulatory amendment to restrict fishing seaward of the EEZ was approved by the Council in January 1995. All federally permitted vessels would be required to carry onboard a fully functional and operable transponder when en route to and when fishing in waters seaward of the EEZ off Alaska. The final rule is pending in the NMFS Regional office. Staff contact is Jane DiCosimo.

Return to the beginning of this [newsletter](#)

Ban on Night Trawling for Pacific Cod

The Council once again discussed a proposed ban on night trawling for Pacific cod (in the BSAI) in order to reduce halibut bycatch. Additional analyses are being conducted by scientists at the Alaska Fisheries Science Center and will be included in an overall analysis for initial review at the September Council meeting. The Council also identified the following specific issues to be examined in the analysis:

1. Night would be defined as 11:00 pm until 5:00 am.
2. A check-in requirement for the cod fisheries will be examined to help deal with enforcement concerns.
3. Halibut bycatch rates should be examined by specific areas for possible differential treatment. The three areas will be the Eastern Bering Sea (horseshoe area), the Aleutians, and north of the Pribilof Islands.
4. Enforcement issues regarding what constitutes a violation; for example, doors on surface, bag in water, cod on board, and short-wiring.

Staff contact is David Witherell.

Return to the beginning of this [newsletter](#)

Call for Groundfish & Halibut/Sablefish IFQ Proposals

It is that time of year when the Council begins its annual groundfish cycle and issues a call for proposals. Proposals for amending the groundfish FMPs are due by August 15 and will be reviewed by the Council at the September meeting.

The Council also has developed a specific (and slightly different) cycle for amendments to the sablefish/halibut IFQ program. This cycle calls for proposals over the summer which will be forwarded to the IFQ Industry Implementation Team in September or October for review. Their recommendations will be reviewed by the Council at the December meeting. The analysis of IFQ proposals identified for further development will be presented the following April, with final action at the June meeting.

There is a separate form for IFQ proposals. Again, the deadline is August 15. Staff contact is Jane DiCosimo.

Return to the beginning of this [newsletter](#)

Overfishing Definition

The Council adopted a more conservative overfishing definition under Amendment 44/44 to the BSAI and GOA fishery management plans. Overfishing is a level or rate of fishing mortality that jeopardizes the long-term capacity of a stock to produce maximum sustainable yield on a continuing basis. The new definition would institute new safeguards against overly aggressive harvest rates, particularly under conditions of high uncertainty or low stock size. The proposed alternative sets a maximum allowable fishing rate as prescribed through a set of six tiers corresponding to information availability. A buffer will be maintained between acceptable biological catch (ABC) and the overfishing level. Under current stock conditions, ABC's would be reduced for flatfish, sablefish, and many rockfish species in both the GOA and BSAI areas. Impacts on total allowable catch would be much less, but will result in lower catch limits (8 to 15%) for GOA sablefish and some rockfish species. The revised ABC and overfishing

definition will be used for establishing 1997 catch specifications, pending approval by the Secretary. Staff contact is Dave Witherell.

Return to the beginning of this [newsletter](#)

Still a novice at this home page stuff, so any comments, suggestions or "whatever" are welcome and appreciated regarding your thoughts on home page improvements. This home page is not intended to be used for "public comment" on any issues before the Council. All public comment with regard to specific fishery management issues will continue to be mailed or faxed to the Council office by the deadline date set for that item. Any email comments should be related to [Linda_Roberts](#)