

HJR

34

# COMMITTEE REPORT

5/16/75

HOUSE

Mr. Speaker:

Date 5-21-75

The Committee on RESOURCES has had HJR 34

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR \_\_\_\_\_ AND THAT

CS FOR \_\_\_\_\_ DO PASS

"and" recommends it BE REFERRED TO THE \_\_\_\_\_

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
_____	_____	_____
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

[Signature] Chairman

## NATIONAL FISHERIES PLAN--ALASKA REVIEW

May 1, 1975

Comments on Issues

Issue 5: What should be the objectives of the fisheries management programs?

The group as a whole generally favored the optimum utilization principle because it allows maximum flexibility in fisheries management and keeps options open for the future. For example, the optimum utilization of Alaska pollock might be only a fraction of the MSY level if the restoration of intermingled halibut stocks were an overriding consideration. All recognized that in many cases maximum sustainable yield will constitute optimal utilization of the resource. However, in the development of a management plan, the optimum utilization principle permits consideration of the total social and economic benefits to society.

Part of the group, however, noted that two problems inherent in the optimum utilization principle are:

- (1) The term "MSY" is an easier negotiating term for dealing with foreign governments.
- (2) Optimum utilization is an ambiguous, undefined term that would leave resource managers more open to political pressures.

Issue 9: What should U.S. fisheries management policies be in relation to international arrangements?

Policy Option 1 of Policy Question 1 would be acceptable if amended as follows: "Allocate to foreign fishermen only those surplus fish stocks not harvested by U.S. fishermen up to the optimum utilization level.", (etc.). The group also recommends that part (b) regarding landlocked nations be omitted from Option Implementation A.

As an overall allocation policy under extended jurisdiction, the group recommends that allocations, when made, should be to nations that have normally utilized fishery resources that will be placed under U.S. jurisdiction. Such nations must abide by sound conservation measures, and pay for the privilege of fishing. The State of Alaska should have control of any international trade-offs concerning fishery resources off Alaska. Alaska must not be considered a resources bank for trade-offs to benefit other regions. Some members of the discussion groups opposed any trade-offs. Foreign fishing effort should be phased out in the most efficient manner possible as domestic capabilities to harvest the stocks increase.

Policy Option 2 could be redesignated as Option for Implementation D under the revised Policy Option 1 above.

Policy Question 2: (What fees should be charged?) Most participants recommended the U.S. charge foreign nationals fees in excess of their share of the costs of fisheries management to provide revenue to assist the U.S. in developing domestic

fisheries. Some disagreed with this approach because it would drive the price of imports higher, thereby increasing costs to the American consumer.

Policy Question 3: (U.S. policy for tuna) There was general agreement with the stated philosophy but attention was called to the demonstrated weakness, wherein certain countries are not now effectively controlling the harvest quota of their own nationals outside of 200 miles. An international organization must have the capability to enforce regulations beyond 200 miles.

Policy Question 4: (How should the U.S. protect salmon?) Alaskans view Implementation for Options A and B as first priority with emphasis on phasing out all high seas salmon fishing beyond 200 miles and concurrently developing the concept of country-of-origin management principles. One group recommended amending Option A to read "...prohibition of high seas salmon net fishing..."

Option for Implementation C, to establish bilateral or multi-lateral agreements was endorsed, in the event of Law of the Sea failure.

Policy Options 2 (Trade-offs to obtain bilateral or multilateral agreements) and 3 (Grazing fee concept to protect salmon) were rejected by overwhelming majority.

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Policy Question 4, Policy Option 3: (Grazing fee concept to protect salmon) The grazing fee concept to protect salmon should be used as a negotiating tactic to draw attention to the fact that Asian stocks "graze" in the U.S. zone. We might agree not to start a fishery on their stocks to extract grazing fees if they stay off our stocks.

Policy Question 5: (How should fisheries stocks shared with other nations be managed?) The group endorses the policy statement.

Policy Question 6: (Policy concerning maintenance of U.S. fisheries in waters of other nations) The group has general agreement with this question but would eliminate action numbers 5 and 7 (P. 64) and amend number 6 by striking "...in the context of Law of the Sea decision."

Issue 6: What policies and programs are needed to insure effective management of U.S. domestic fisheries resources?

Policy Question 1: (Developing major policies and principles for managing fisheries beyond territorial limits) Policy Options 1 and 2 of this Policy Question were rejected.

Participants instead recommended a new Policy Option 3:

"The National Fisheries Plan should recognize that Congress, NOAA, and the States will share in policy implementation and development. Citizens must be permitted to develop strong political, legal, and constitutional support for favorable policy development and implementation beyond territorial limits."

Policy Question 2: (Roles of the Federal government and State governments in management and development) There was full consensus that joint effort between the States and the Federal government holds the greatest promise for effective domestic fisheries management. The States should have the strongest possible role in such an effort. The Federal government should have a secondary role, primarily in arbitration, enforcement and research.

All participants concur that stocks presently managed by the States should continue to be managed by the States, with Federal assistance where requested. They emphasize that Federal preemption is an acceptable alternative only in instances where States can be shown to have failed to meet

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obligations for economic, biological, social or ecosystem management.

Because of Alaska's unique geographic characteristics, extensive coastline and broad continental shelf, and physical separation from other U.S. States, Alaska should be considered a separate region for fisheries management purposes, with local authority for action.

Membership in a Regional Marine Fisheries Council would be drawn from representatives of the State of Alaska, user groups and appropriate Federal agencies.

Policy Question 2, Policy Option 2: (Management by Regional Marine Fisheries Councils) The group favors this Option as defined above if it provides for inclusion of user group representation, including subsistence user input.

Policy Question 2: (Administrative arrangements to ensure that users have the opportunity to advise government) Option Implementation A (Formal national and regional advisory committees) is in effect on the west coast. It should be strengthened to enhance user group "grass roots" input through regularly scheduled community meetings with State, Federal and advisory groups.

Both Options for Implementation A and B are needed, with adequate provisions for subsistence use representation: e.g., commercial, recreational and subsistence fishermen..:

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State law provides for a special license for low income sport fishing and hunting as well as subsistence fishing.

Under Policy Question 4 (Administrative support for adequate scientific information), the group prefers Option for Implementation B (Resource research priority studies under authority of Regional Marine Fisheries Councils). The group prefers this Option with the emphasis again, that Alaska be considered as a region. Regional planning, of course, should be coordinated with national planning, objectives and guidelines.

The group emphasizes that strongest possible research action must be developed as outlined in Option for Implementation B. However, members also stressed that management decisions must be made as necessary on the basis of available information without waiting for absolute proof or final scientific documentation.

Policy Question 5: (Roles of Federal and State agencies in surveillance and enforcement) For Policy Option 1, Implementation A, the group recommended deletion of the last sentence beginning with "The Department of State...", as not consistent with present or anticipated national policy.

Policy Option 2: (States would be encouraged to participate in joint surveillance and enforcement under Federal deputization) The group prefers this Option, with the Federal role as defined in Option 1-B, but notes that NOAA funds are inadequate at present levels.

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Policy Question 6: (Procedures for surveillance and enforcement in the contiguous fisheries zone) The group generally embraces the first and last paragraphs of the Question statement but rejects Policy Options 1, 2 and 3 as "nuts and bolts" matters that are too detailed in scope to be included in a National Fisheries Plan at this time.

Policy Question 7: (How should fisheries management programs be funded?) The group favored Policy Option 1 (Expansion of present system...) with respect to Policy Option 3 (Marine recreational fishing licenses). Alaska has a State licensing system for marine recreational fisheries, and the State prerogative should be maintained. States might consider a regional licensing system if State licensing is inappropriate (e.g., for small States on the Atlantic seaboard). With respect to Policy Option 2 (Charging management fees to domestic and foreign fishermen), certain fees should be levied against foreign and domestic fishery harvests. The Federal government should share the responsibility with the States for administering the fee collection and for distributing the tax revenues for management funding.

Issue 1: From what U.S. sources can fisheries supplies be increased to meet future U.S. needs?

General Comments

The group emphasized that far more emphasis in Issue 1 should be placed on species not now being utilized or presently being underutilized.

To obtain more economic and nutritional benefits from our renewable marine fisheries resources, a major thrust should be to increase use of underutilized species and fish presently discarded. Discarded fish will attain greater importance with development of a trawl fishery for presently underutilized species. At present, there is no demonstrated market for many types of bottomfish harvested incidentally in Alaska.

A joint industry-State-Federal pilot effort is needed to promote utilization of groundfish and presently discarded species. This program should cover all aspects from harvesting through marketing. Its duration, effort, and product should be adequate to properly determine economic feasibility.

Participants recommend the following priorities for increasing fisheries production through development of underutilized species:

- a. resource stock assessments
- b. research into life histories to provide estimates of maximum sustained yield

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- c. market analysis, market development, consumer education and improved market intelligence, both foreign and domestic
- d. development of processing, harvesting and economic research on production aspects
- e. financial assistance
- f. development of suitable gear
- g. transportation
- h. salmon aquaculture

As a second point of major emphasis, the Alaska group does not agree with the statement on the last sentence of the last paragraph on page 13 of the Review Paper concerning problems of the fishing industry: "It was recognized by all of the groups, however, that the problems are for the most part limited to the harvesting segment of the industry, the processing segment having shown a growth matching the steady increase in the consumption of products." It was felt that marketing and associated activities presented definite problems to the maintenance and expansion of Alaska fisheries, and that major developments are necessary, particularly with respect to utilization of unutilized and underutilized fisheries.

As a third general recommendation, participants urge that the contribution of aquaculture to Alaska fish and shellfish resources be fully explored as a means for supplementing and stabilizing declining natural stocks. For salmon aquaculture,

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implementation must resolve the unique problem of harvesting hatchery stocks mixed with wild stocks, and the potential conflicts of private proprietary fisheries with common property fisheries. Increases as a result of salmon aquaculture might be negated by inroads of depredation by marine mammals and degradation of environment.

#### Comments on Specific Fisheries

The group raised serious questions concerning the applicability and accuracy of figures presented in Table 3, and urged their careful reassessment.

Recent bilateral negotiations and discussions indicate that several of the groundfish species in Alaska waters have been harvested by foreign fleets to the point that recovery will be slow. A complete moratorium may be necessary in order to permit recovery of stocks such as halibut, yellowfin sole and Pacific Ocean perch to a level which will support a viable fishery.

Species unutilized or underutilized by U.S. fishermen offer opportunities for increasing fisheries production in Alaska (e.g., flatfishes, rockfishes, pollock, cod, herring, smelt, capelin and squid).

Tanner (snow) crab should be added to the National Fisheries Plan as an established Alaskan fishery designated for improved management.

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Better use of meal, oil and by-products should be achieved to realize higher value and (where possible) direct use for human food.

Issue 2: In what ways should consumer protection and preference in the availability and use of consistent quality fisheries products be achieved and maintained at a level commensurate with other animal protein foods?

Policy Question 1: (What should be done to assure quality?)

The majority of participants endorsed Policy Option 2 with the deletion of the words "...surveillance of all vessels, establishments, and..." noting that the emphasis should be on quality assurance of fishery products. All participants demanded mandatory inspection of imported seafood products.

Policy Question 2: (Allocation of responsibilities in quality assurance system) All participants endorsed Policy Option 2 (Work-sharing system with Federal government, State governments, and the industry) and emphasized that industry should be assigned a key role in quality assurance measures.

Policy Question 3: (National quality grading standards) The group prefers cooperative efforts between industry and government as described for Option 2 of Question 2 above, rather than independent action by government.

Policy Question 5: (Nomenclature) Policy Option 2 (Federal government should continue and expand projects to develop and implement a nomenclature system) was recommended by participants, with the added stipulation that product origin should be identified on the label and that frozen fishery products

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should show quality breakdown dates. The product nomenclature system should consider market acceptability for export products. Particularly, the system should protect U.S. products from confusion due to similar names for inferior imported products.

Issue 3: Under what conditions and in what forms should Federal and State government provide assistance to strengthen the domestic fishing industries?

The list of "Long-Run Problems Facing Industry" should include 6) Competition of fishery imports; and 7) Competitive disadvantage of U.S. fishermen due to tariff inequities, Jones Act limitations, etc. Each of these problems increase the difficulties for American fishermen to competitively expand into developing fisheries.

Under Policy Question 1: (Support to enable the U.S. industry to take advantage of extended jurisdiction and solve long-run problems), we recommend Policy Option 2 (Provide additional assistance) with emphasis on short-term assistance and technical service for developing markets, and pilot projects leading to competitive processing techniques for all fisheries. Additional government assistance in producing capital for increasing harvesting capability is not needed for established fisheries because overcapitalization already exists in many of these fisheries. However, capital assistance to the harvesting sector may be desirable to stimulate development of new fisheries.

We recommend Policy Option 3 of Policy Question 2 (Establish a Federal development-assistance authority as a mechanism to provide industry assistance) for establishing a development assistance authority, but with the proviso that it be under the Regional Marine Fisheries Council with user group participation, not under some additional agency.

Issue 8: How can fisheries management assist in the more efficient utilization of fisheries?

On the subject of limited entry, the issues and options paper did not adequately emphasize State jurisdictional control. Furthermore, there is no statement of Federal policy that is compatible with already existing State limited entry programs. Alaska limited entry measures, which are designated as experimental, presently affect some 12,000 salmon fishermen. It was noted that before any form of economic regulation (limited entry) is instituted, other factors which have suggested the need for limitations on entry should be explored. These include lack of diversification, import quotas and improved marketing practices. The Alaska program and other limited entry experiments should be studied carefully by other States considering limited entry legislation. The full impacts of limited entry in Alaska cannot be assessed until implementation has been realized. Further discussions should be withheld pending that completion.

Some members of the group do not accept the principle of limited entry in any context.

Generally, the Alaska review group believes Policy Questions 1 through 4 are premature, since several schemes in North America are in various stages of development and court testing.

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Therefore, participants hesitated to discuss the entire issue at this time except to emphasize that regional councils should be used to identify the fisheries that will benefit most from limited entry.

We generally agree with Policy Question 5 on improvement of regulations to assist in more efficient utilization.

Issue 10: What policies are needed to insure conservation and enhancement of habitat necessary for fish production?

Either Policy Option 1 (The nation should restore and enhance fisheries habitat where possible) or 2 (Conserve and enhance all productive fish habitat), with minor adjustments, would reflect similar and favorable philosophies. Participants suggest rewording Policy Option 1 to read "The Nation should conserve, restore and enhance all productive fish habitat and should cease further destruction and degradation. This Option recognizes that some fisheries habitat will continue to be lost but that losses should be phased out within a reasonable time period." All participants give this Issue very high priority in National Fisheries Plan development.

If habitat is destroyed by an industry regardless of the regulatory authority or agency, that industry should bear the costs of restoration. The responsible management agencies should administer this restoration. For example, throughout the West some anadromous streams and estuarine nursery habitats have been damaged by outdated logging, mining and waste disposal practices. Other areas are threatened by proposed land developments. The degree of habitat destruction must be properly assessed by appropriate State and Federal funded research programs. Research should also be directed toward developing improved extractive practices to minimize habitat degradation and assist in providing for habitat restoration.

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Under Policy Option 2 (Conserve and enhance all productive fish habitat), "The Nation should conserve, restore and enhance ...". Option for Implementation C is favored to produce an appropriate mix of necessary actions.

One participant noted that the U.S. Forest Service was bound by law to manage on a multiple-use concept. Therefore, exclusive consideration of maximum fishery habitat protection at the expense of other values was in conflict with existing laws.

Issue 4: In what ways should State and Federal governments provide for increased demands for marine recreational fishing and other recreational activities?

Policy Question 1, Policy Option 1 (Management actions for angling opportunities) All groups endorse the need for a statistical data base for marine angling activity, and adopted a new Option for Implementation D: "Surveys funded by the Federal government and designed and conducted through cooperative State/Federal interaction." A State/Federal marine recreational fisheries council could provide coordinating and communicating services to identify problems and planning needed for marine recreational fishing research needs involving species subject to multi-State jurisdictions.

Policy Option 2 (Increase research on recreational species) was adopted with the qualification of special emphasis on coordination of research on species of both sport and commercial importance. Option for Implementation B was adopted with the understanding that its functions would be subject to an Alaska Regional Fisheries Council to integrate research by all agencies.

Policy Option 3 (Marine angling license systems) All participants supported this Policy Option and the Option for Implementation A (Statute by each of the coastal States). Alaska already has such a licensing system.

Policy Question 2 (Shoreline access for anglers and recreationists) All Policy Options (1 through 3) were adopted and should be implemented through the coordination of the Regional Council.

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Participants noted the great differences in the worth accorded to access in various areas, as result of sub-regional differences of Alaska geography, population densities, and human needs. Some recommended that access be defined by transportation modes (e.g., boat, plane, automobile) .Alaska Native Land Claims and other patterns of ownership may undesirably preempt public access to the marine coastal environment adjacent to major road systems. Option B (Surveys executed by State agencies) was the preferred method of implementation.

Policy Question 3 (To improve the qualities of marine recreational experience) Policy Option 1 (Development of varieties of marine angling opportunities) was selected. However, it was suggested that the word "experience" be substituted for "opportunities". Recreational fishing for fish species that are not currently being utilized should be encouraged (e.g., rockfish and some species of shellfish).

Both Options for Implementation A (State fishery agencies) and B (Federal agency) were endorsed. Policy Option 2 (Introduce new species of recreational fishes) is not acceptable to most.

Policy Option 3 (Information on locations of recreational fish stocks) Some agreed that the pristine quality of many of Alaska's recreational fisheries dictates that specific information should not always be disseminated to encourage increased angler participation. However, the dissemination of general information such as season duration can be a vital

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part of a management program for influencing effort distribution.

Option for Implementation A (State agencies) was endorsed.

Policy Option 4 (Include volunteer anglers in programs) was supported along with a combination of Option for Implementation A (Organized by State and Federal agencies) and B (Organization at the Federal level).

Policy Option 5 (Take no action to improve recreational experiences) was not accepted.

Policy Question 4 (Assistance for development of commercial recreation industries) The group endorsed Policy Option 1 (A nationwide survey of firms and people associated with recreation fishing to provide data for program planning and funding). Option for Implementation B (Survey conducted by combination of State agencies, with Federal guidelines) was endorsed.

Policy Option 2 (Provide services to marine recreational fishing supporting industries) was adopted with the provision that services not lead to overcapitalization of the industry. Also, improved navigational aids and weather forecasting services are needed. Both A (Executed by State agencies) and B (Lead action taken by Federal agencies) Options for Implementation were adopted.

Issue 7: What procedures should be used for allocation of fisheries resources among domestic users?

The group endorsed Policy Option 3 (Allocation at the State and Federal level) with the stipulation that allocation of fisheries resources among domestic users is primarily a State function. However, when allocation problems concern species subject to multi-state jurisdiction, decisions should be made at the regional level (State/Federal shared responsibility with effective user input).