

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 86 / 2
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There is little doubt that the troubles seen in marine birds and mammals have much to do with the abundance and availability of forage fish--herring, capelin, sandlance, juvenile pollock, myctophids, and the like. These species are notoriously difficult to monitor, and in many cases their basic biology is scarcely known. Recently, however, techniques have been developed that rely on seabirds as samplers of the forage fish community. Puffin nestling diets, in particular, are easy to sample quantitatively, and afford the opportunity to monitor changes in forage fish populations throughout the Gulf of Alaska and Aleutian Islands. Thus, there is ample justification for increased seabird monitoring and research effort in the northeastern Pacific, not only because of concerns for the welfare of the birds themselves, but also because of the contribution these studies can make to fisheries oceanography and management policies for the marine system as a whole.

What is needed is a network of permanent stations for seabird research and monitoring throughout the northeastern Pacific. This network should contain no fewer than three strategically chosen sites in the Gulf of Alaska and three sites in the eastern Bering Sea at which detailed investigations of seabird population dynamics, feeding ecology, and relationships to physical, biological, and fisheries oceanography can be carried out on an annual basis. In addition, the studies program should include an array of less intensively worked sites to achieve greater geographic coverage in sampling seabird diets and in monitoring their populations and productivity.

International fisheries are active in the western Bering Sea, in Russian territorial waters, and populations of seabirds and pinnipeds are showing some of the same signs of stress as in Alaska. The breeding of red- and black-legged kittiwakes on the Commander Islands in 1993 was well on the road to complete failure by mid-July, and Steller sea lions are known to have declined recently in this area. The status of red-legged kittiwakes is of special concern because this species is endemic to the Bering Sea and breeds in only four locations, of which the aggregation on the Commander Islands is second in size only to the colony on St. George Island in the Pribilofs (Fig. 3). Russian-American cooperative studies of seabird populations were begun on a limited basis in the Sea of Okhotsk in 1992, but as yet there is no similar effort in the western Bering Sea. The Commander Islands are the logical place to start because of the potential to address questions of interest to both sides, including ecological dysfunction in the Bering Sea and the status and trends of threatened species. Because of the current economic crisis in Russia, however, American involvement is essential if the relevant ecological investigations are to be conducted in the Commander Islands or elsewhere in the Russian Far East.

Peru during the 1960's and early 1970's, intense fishing pressure and a series of El Nino warm-water events conspired to cause a crash of the anchovy stock. Concomitantly, a once-abundant assemblage of guano birds (pelicans, cormorants, and boobies) crashed along with their food supply, and neither has ever fully recovered. In northern Norway, a recent crash of capelin stocks was attended by a 90% reduction of the local murre population. In Shetland, overfishing and the decline of sandlance has resulted in spectacular breeding failures in species such as terns, puffins, and kittiwakes.

In Alaska, the same story is likely to be repeated, and may be unfolding already. In the Gulf of Alaska and Bering Sea, international fleets have successively decimated stocks of Pacific ocean perch, yellowfin sole, herring, and crabs. Currently, the main target of bottom trawlers is the walleye pollock, which has emerged as the world's largest single-species fishery (annual landings exceeding 5 million metric tons). The juvenile stages of walleye pollock, and also herring, are food for seabirds. More than likely, the ecological changes caused by these perturbations are at least partly responsible for untoward indicators in pinnipeds (declines of up to 70% since the 1970's), seabirds (breeding failure and population declines of up to 50% since 1975), and cetaceans (recent movements into marginal feeding areas).

There is every reason to be concerned about the welfare of seabirds that may be affected by human use of marine resources. But equally important--and quite aside from any value placed on this particular group of animals--is the demonstrated role that seabirds can serve as indicators of environmental change and of the health of marine ecosystems. Increasingly, fishery managers are realizing that seabirds can serve as cost-effective samplers of fish stocks, providing vital information on year-class strength, distribution, and phenology of early life stages that is difficult to get by any other means.

At least 80% of the nation's seabirds breed in Alaska, yet current funding for seabird research permits only limited, intermittent studies at one or two sites. What is needed is a coordinated program of population studies with suitable geographic coverage and continuity. A network of seabird research stations should be established in the Gulf of Alaska and Bering Sea, where the relationships among physical factors, food supply, and population dynamics can be systematically investigated. A system of planned comparisons is the applicable scientific approach. For example, paired observations on surface feeders and divers are appropriate, as are studies targeting different trophic levels (piscivores vs. planktivores) and species with contrasting foraging areas (inshore vs. oceanic feeders). Planned comparisons among species, colonies, and years permit inferences about the oceanic environment of seabirds even when the substrate itself cannot be sampled directly.

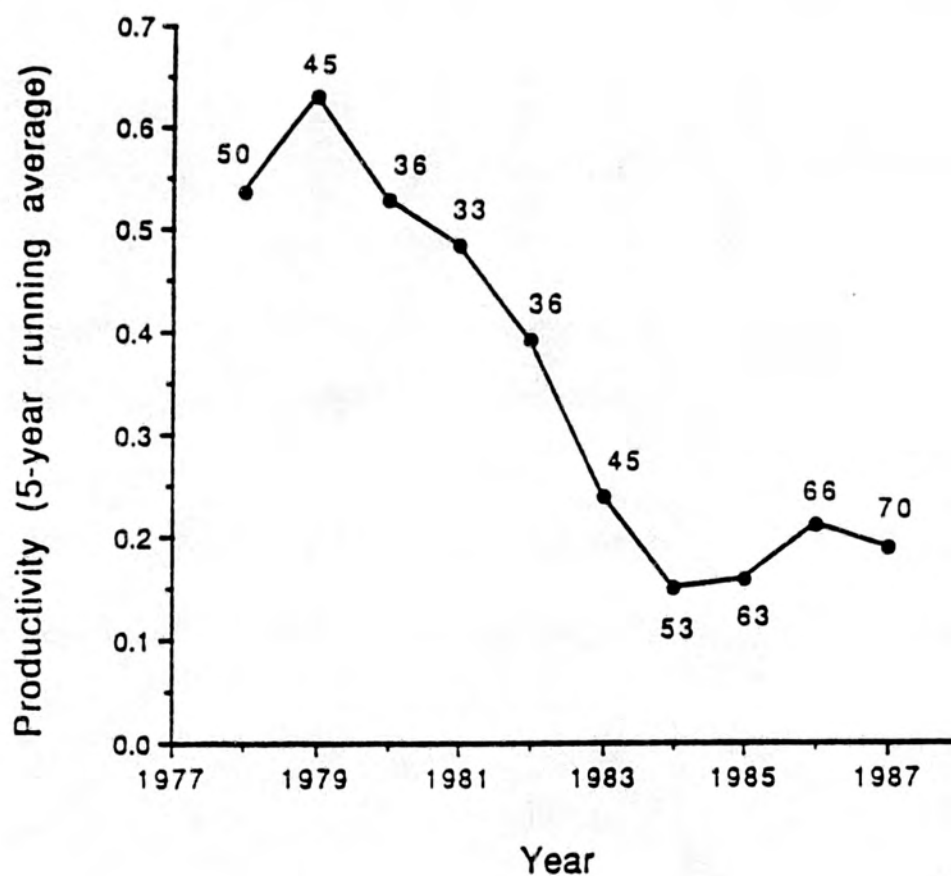


Figure 2. Productivity of Black-legged Kittiwakes in Alaska plotted as 5-year running averages from 1978 to 1987. The number of colony-years included in each mean is indicated.

ALASKA MARINE CONSERVATION COUNCIL

Box 101145 Anchorage, Alaska 99510
(907) 277-5357 (kelp) 274-4145 (Fax)

BYCATCH AND WASTE

WOULDN'T IT BE BETTER NOT TO CATCH IT IN THE FIRST PLACE?

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Faced with declining populations and potential ESA listings of several marine species in the Bering Sea and Gulf of Alaska, many of our livelihoods and subsistence cultures are at risk. What they call "bycatch" are what subsistence users in western Alaska depend on to eat. What federal managers call prohibited species is what Alaska fishermen make their living on. What they call the "cost of doing business" is what could bankrupt our coastal communities.

We are seeking the following amendment to Sec. 303 of the Magnuson Act, Fishery Management Plans, which would reward those fishermen who successfully minimize bycatch, waste and disruption to habitat by giving them a reserved portion of the total allowable catch or some other Harvest Priority allocation.

Conservation and management measures shall include an allocation preference to those fishermen who minimize waste of catch of target species, minimize bycatch of non-target species and minimize disruption to habitat.

Any legislation addressing this issue must emphasize reducing bycatch and economic discards as a first step. Utilizing and subsidizing the processing of unwanted fish as fish meal or oil does not solve the larger problem of bycatch and conservation and may, in fact, contribute to legitimizing current practices. **We can not underscore enough the ecological, cultural, and economic importance of concentrating our efforts in avoiding not-target species in the first place.** Once bycatch is reduced to acceptable levels, we can turn our full attention to increased processing and utilization of catch.

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HARVEST PRIORITY: QUESTIONS AND ANSWERS

What is it? An economic incentive to reward those fishermen who successfully minimize bycatch, waste and disruption to habitat by giving them additional fishing time, a reserved portion of the total allowable catch(TAC) or some other harvest preference as determined by the Council.

How would it help assure the long-term health and productivity of fish stocks and other living marine resources?

Harvest priority is distinguished from all other strategies to minimize bycatch, waste and discard in acknowledging the role and intrinsic value that non-commercial and low value species play in the maintenance of the ecosystem. By providing fishermen incentives to fish deliberately and selectively for target species and minimize their catch of non-commercial and non-target marine life, harvest priority embraces the importance and ecological value of all marine resources including those that do not have meaningful management plans and of which very little is known.

Harvest priority also helps maintain the food budget needs for marine mammal and birds, including several species that are on the brink of making the Endangered Species list. Today, many species are discarded for economic reasons even though they are critical elements in the food chain.

Would harvest priority favor one gear over another? Bycatch rates vary among gear. We do not know what the lowest rates for most gears are now because there has not been a direct economic incentive to operate them in a selective manner. Some gears with current high bycatch rates may actually be capable of very low bycatch rates. We would anticipate a push within all fisheries to clean up the use of their fishing gear. Conversion to and development of more selective gear and techniques is a way some fishermen will reduce their bycatch rates.

What about full utilization? If full utilization results in the bycatch being turned into fishmeal or oil, the ecosystem still suffers from the impact of the biomass extraction without knowing the effects. Many species have no fisheries management plans and harvesting them before knowing their ecology is inviting stock depletion or major composition shifts in the ocean food web.

Industry and management need to concentrate efforts in not catching non-target marine life in the first place.

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V.A.

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What about full retention? Again, from a conservation and enforcement point of view, it would be better to concentrate our efforts in not catching non-target species in the first place through the use of improved fishing practices as promoted under a harvest priority incentive.

If retained bycatch generates revenue to the vessel or covers the cost of handling, no reduction can be anticipated. Operational costs may be reduced since the whole catch could be dumped in the hold without sorting and dealt with by the processor at shoreside delivery. If bycatch fees, funds or fines become a revenue stream for the managing agency, agency resistance to reduction could be anticipated. No matter who is the beneficiary of the bycatch, a constituency for that bycatch will be created for continued access to that product. Full retention requires a high level of enforcement on every vessel to prevent many practices such as night dumping and highgrading.

Doesn't Comprehensive Rationalization involving Individual Fishing Quotas accomplish the same thing as Harvest Priority? IFQ's address the problem of fleet overcapitalization, but do not fully solve the conservation problems of bycatch, highgrading and habitat disruption in most fisheries. Possible bycatch reduction is governed by the economics within a particular fishery. If the product from a particular area can be value enhanced by such things as fresh market expansion, than IFQ's may spread the catch over a longer period of time and possibly result in more specific targeting of catch. If the product is frozen or further processed, fishermen will try to minimize cost by fishing quickly to allow their vessels harvesting opportunities in other fisheries. If size, color or other fact is increase value of one part of the catch, than IFQ's will stimulate high grading which increases the discard rate.

Harvest priority does not prevent the eventual implementation of other programs such as Comprehensive Rationalization. In order for Harvest Priority to lower bycatch, however, it must come first since the allocation of harvest inherent in IFQ's would preclude its use.

Who benefits from the Harvest Priority approach? Fishermen who can minimize catch of non-target species; Agencies who can achieve the goal without high cost or additional staff; subsistence users who rely on bycatch for food and culture; recreational and commercial fishermen; Marine predators dependent on the ocean food chain; Fishermen in other fisheries that have occasional interaction with or take of marine mammals and birds threatened by ESA fishery shutdowns.

Won't this system fail because the observer data is not scientific enough to stand up in court as with previous vessel incentive programs? Previous programs were enforcement actions for violations of regulation caps. As a fishery management measure, a harvest priority program is not punishing offenders but rather rewarding those who choose to participate using the best available data as required by the Magnuson Act. In this case, federal observer program data would be the "best available" to participants in this voluntary program.

Variability among observer data has been a concern. The Council can make allowance for some variance since the downward pressure on bycatch rates, not a fixed number, is the goal. For example: The yellowfin sole fishery has an average discard rate of 38%. If it was determined that 8% was the qualifying bycatch rate, a 20% variability could be built into so that any rate under 10% would qualify. Bycatch would still be reduced by a factor of 4 below current practice. Data variability should decrease with observer verification of catch. Portions of the catch not observed would be calculated at previous year's fleet average. Weights and measures, valid sampling techniques and other tools currently being developed by NMFS to improve bycatch monitoring will also work to reduce data variability when they come online in 1994.

FISHERIES CONSERVATION ACTION GROUP

P. O. Box 135 • Kodiak, Alaska 99615
Phone (907) 486-3781 • Fax (907) 486-2470

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 P. O. Box 135
 Kodiak, Alaska 99615
 (907) 486-3781

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Magnuson Fishery Conservation and Management Act

TESTIMONY
to be submitted to the U.S. Congress
by the

Fisheries Conservation Action Group

Introduction

The Fisheries Conservation Action Group (FCAG) is a coalition of 15 fisheries trade associations whose members harvest and process fish from the Bering Sea and the Gulf of Alaska. Approximately 40 processing companies and over 10,000 individuals are represented by the groups which form the FCAG coalition. The FCAG was formed in 1990 to support effective management measures that protect North Pacific fishery resources and promote long-term sustainable use.

Because FCAG chooses its positions only after careful consideration and because its broad based membership includes representation from Alaska, Washington, and Oregon, our organization has earned the attention and the respect of the North Pacific Fishery Management Council.

Our testimony to Congress regarding reauthorization of the Magnuson Fisheries Conservation and Management Act focuses on conservation and emphasizes support for amendments to the act that will:

- ✓ (1) Reduce bycatch.
- (2) Provide better protection for fisheries habitat.
- (3) Encourage the collection of more accurate and timely harvest data.

NPFMC Record on Conservation

When you consider the overall health and condition of our

nation's fisheries stocks, it is appropriate that conservation has emerged as one of the main issues in the current round of Magnuson Act reauthorization hearings.

Compared to other councils in the country, the North Pacific Fishery Management Council (NPFMC) has established a good record for resolving management conflicts on the side of conservation. The NPFMC has an established and functioning Scientific and Statistical Committee and an industry Advisory Panel that are integral parts of the council's decision making process.

Despite intense pressures from certain industry groups, the NPFMC has prohibited pollock roe stripping, maintained a two million metric ton cap on Bering Sea groundfish harvest since 1984, instituted the country's first comprehensive domestic observer program and started to address the overcapitalization problem by approving a moratorium on new entrants into the fishery. Additionally, the council has always followed the recommendations of its Scientific and Statistical Committee on biological issues.

We mention these issues to illustrate that the current system can work for the benefit of the resource. But while the NPFMC has made impressive strides on some conservation issues, many other areas still need improvement. Congress can provide help by clarifying the goals of the Magnuson Act, strengthening its conservation mandate, and providing the means to employ certain management tools. Specifically, we request that Congress identify the conservation of fishery resources as the principle objective of fishery management plans and the regulations promulgated to implement these plans.

The Bycatch Problem

No other management problem is more complicated than bycatch, and today it drives the fisheries in Alaska.

To clarify, "bycatch" refers to other fish that are caught while the gear is targeting a specific species. "Prohibited species bycatch" - such as halibut, crab, and salmon - must be returned to the ocean for conservation or management purposes. "Economic discards" are targeted species that are thrown away because they are the wrong size or are of poor quality, even though they could be processed into ancillary products such as meal and oil.

In the North Pacific, traditional management techniques have been used to restrict bycatch to acceptable levels. For example, fisheries managers will sometimes establish allowable bycatch rates or caps on the amount of bycatch that can be taken. These caps can trigger closures of target species whether or not the quota has been

reached. Another method is to restrict or prohibit fisheries from operating in specific areas and during specific times. Managers also can require the use of specific gear or fishing practices. These techniques are marginally successful and have created conflicting results. NOAA General Council states that individual vessels cannot be held accountable for overages. As a result, just a few fishermen with high bycatch rates have shut down entire fisheries. Premature closures of target fisheries are clearly a cost to the nation. Individual accountability unencumbered by burdensome confidentiality standards is essential to the efficient and productive use of the resource.

FCAG urges Congress to give the council the tools they need to tackle the bycatch problem.

We specifically recommend that Congress amend the Magnuson Act to:

- Explicitly define bycatch in the FCMA and declare a national policy to reduce fishing waste.
- Create incentives to develop gear and other fishing practices that reduce bycatch.
- Fund research on gear impacts and selectivity.
- Provide the councils with the legal and technical tools to manage bycatch on the basis of individual vessels.
- Enforce individual accountability over the maintenance of confidentiality.

Establishing Conservation as a Priority

Since the implementation of the Magnuson Act, our experience has been that the National Marine Fisheries Service has narrowly interpreted the National Standards to focus on and favor economic efficiency.

Economic efficiency should not be the sole driving force for determining the proper management of our fishery resources. Congress must require NMFS to give equal consideration to wastage, bycatch, habitat degradation, and the maintenance of biological diversity. Many of these factors have not been adequately addressed because they cannot be quantified.

Hence, Congress must provide guidelines that place these factors on equal footing with economic efficiency.

For example, non-selective gear can substantially impact non-targeted species taken as bycatch and can result in the waste of targeted species that are discarded because they are the wrong size. Non-selective gear can also have detrimental effects on immature fish. If habitat is damaged as a result of harvesting, then those costs also need to be considered. All of these factors help to weigh the long term costs of harvesting our groundfish and crab resources. Measuring only the economic harvest costs does not give a clear picture of the "real" costs associated with harvesting the marine resources.

Clearly, the environmentally-concerned public has no tolerance for the bycatch mortality and waste generated by some of our commercial fisheries. We can no longer view excessive bycatch and discards merely as a cost of doing business.

Our industry and the resource itself have no future unless we protect our ocean habitat. Therefore, we must modify and improve our gear and fishing practices to ensure that sustainable harvests can occur while protecting spawning stocks, nursery areas, and the marine environment.

(Examples of management actions that accomplish the above: No trawl zones to protect crab in the Gulf of Alaska and Bering Sea, halibut savings areas, and maintenance of the split between pollock A and B seasons.)

Conclusion

In 1992, the Cancun International Conference on Responsible Fishing declared that "states should promote the development and use of selective fishing gear practices that minimize waste of catch of target species and minimize bycatch of non-target species." Interestingly, the U.S. government played a leadership role in the conference's proclamation that, "states commit themselves to the conservation and sustainable use of living marine resources."

Additionally, the United Nations Conference on Environment and Development declared "...it is necessary to...promote the development and use of selective fishing gear and practices that minimize waste of catch of target species and minimize bycatch of non-target species..."

As participants in North Pacific commercial fisheries, we recognize that our industry depends on the perpetuation of the stocks and on sustainable harvest levels. We must make the conservation of fishery resources a shared responsibility among

all affected interests. It is crucial that Congress clearly direct our fishery managers to make the conservation of our fishery resources the Magnuson Act's primary focus.

These goals can only be accomplished through the consideration of factors other than "economic efficiency". The protection of habitat, the reduction of waste and bycatch, the use of truly effective conservation measures, the promotion of both full utilization and, where practicable, selective harvest practices must be clearly identified as explicit objectives of the Magnuson Act. Where appropriate, they should also be incorporated into National Standard Five. If Congress provides these tools, our organization believes the management councils can do the rest.

As part of our conclusion, we also wish to note that all the suggested amendments to the Magnuson Act - no matter how well drafted and how carefully considered - will do very little to solve our problems unless they are accompanied by adequate funding for the councils and NMFS to do their jobs.

Speaking for a broad cross-section of the North Pacific seafood industry, we wish to thank you for the opportunity to provide testimony. We would be pleased to provide you with additional information on fishery conservation issues.

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Harvest priority is distinguished from all other strategies to minimize bycatch, waste and discard in acknowledging the role and intrinsic value that non-commercial and low value species play in the maintenance of the ecosystem. By providing fishermen incentives to fish deliberately and selectively for target species and minimize their catch of non-commercial and non-target marine life, harvest priority embraces the importance and ecological value of all marine resources including those that do not have meaningful management plans and of which very little is known.

Harvest priority also helps maintain the food budget needs for marine mammal and birds, including several species that are on the brink of making the Endangered Species list. Today, many species are discarded for economic reasons even though they are critical elements in the food chain.

Would harvest priority favor one gear over another? Bycatch rates vary among gear. We do not know what the lowest rates for most gears are now because there has not been a direct economic incentive to operate them in a selective manner. Some gears with current high bycatch rates may actually be capable of very low bycatch rates. We would anticipate a push within all fisheries to clean up the use of their fishing gear. Conversion to and development of more selective gear and techniques is a way some fishermen will reduce their bycatch rates.

What about full utilization? If full utilization results in the bycatch being turned into fishmeal or oil, the ecosystem still suffers from the impact of the biomass extraction without knowing the effects. Many species have no fisheries management plans and harvesting them before knowing their ecology is inviting stock depletion or major composition shifts in the ocean food web.

Industry and management need to concentrate efforts in not catching non-target marine life in the first place.

People throughout Alaska working to protect the health and diversity of our marine ecosystem
A program of the Alaska Conservation Foundation

What about full retention? Again, from a conservation and enforcement point of view, it would be better to concentrate our efforts in not catching non-target species in the first place through the use of improved fishing practices as promoted under a harvest priority incentive.

If retained bycatch generates revenue to the vessel or covers the cost of handling, no reduction can be anticipated. Operational costs may be reduced since the whole catch could be dumped in the hold without sorting and dealt with by the processor at shoreside delivery. If bycatch fees, funds or fines become a revenue stream for the managing agency, agency resistance to reduction could be anticipated. No matter who is the beneficiary of the bycatch, a constituency for that bycatch will be created for continued access to that product. Full retention requires a high level of enforcement on every vessel to prevent many practices such as night dumping and highgrading.

Doesn't Comprehensive Rationalization involving Individual Fishing Quotas accomplish the same thing as Harvest Priority? IFQ's address the problem of fleet overcapitalization, but do not fully solve the conservation problems of bycatch, highgrading and habitat disruption in most fisheries. Possible bycatch reduction is governed by the economics within a particular fishery. If the product from a particular area can be value enhanced by such things as fresh market expansion, than IFQ's may spread the catch over a longer period of time and possibly result in more specific targeting of catch. If the product is frozen or further processed, fishermen will try to minimize cost by fishing quickly to allow their vessels harvesting opportunities in other fisheries. If size, color or other fact is increase value of one part of the catch, than IFQ's will stimulate high grading which increases the discard rate.

Harvest priority does not prevent the eventual implementation of other programs such as Comprehensive Rationalization. In order for Harvest Priority to lower bycatch, however, it must come first since the allocation of harvest inherent in IFQ's would preclude its use.

Who benefits from the Harvest Priority approach? Fishermen who can minimize catch of non-target species; Agencies who can achieve the goal without high cost or additional staff; subsistence users who rely on bycatch for food and culture; recreational and commercial fishermen; Marine predators dependent on the ocean food chain; Fishermen in other fisheries that have occasional interaction with or take of marine mammals and birds threatened by ESA fishery shutdowns.

Won't this system fail because the observer data is not scientific enough to stand up in court as with previous vessel incentive programs? Previous programs were enforcement actions for violations of regulation caps. As a fishery management measure, a harvest priority program is not punishing offenders but rather rewarding those who choose to participate using the best available data as required by the Magnuson Act. In this case, federal observer program data would be the "best available" to participants in this voluntary program.

Variability among observer data has been a concern. The Council can make allowance for some variance since the downward pressure on bycatch rates, not a fixed number, is the goal. For example: The yellowfin sole fishery has an average discard rate of 38%. If it was determined that 8% was the qualifying bycatch rate, a 20% variability could be built into so that any rate under 10% would qualify. Bycatch would still be reduced by a factor of 4 below current practice. Data variability should decrease with observer verification of catch. Portions of the catch not observed would be calculated at previous year's fleet average. Weights and measures, valid sampling techniques and other tools currently being developed by NMFS to improve bycatch monitoring will also work to reduce data variability when they come online in 1994.

6/16/93
12:00pm

Economic
Impacts of
Fisheries

TESTIMONY OF CARL L. ROSIER
COMMISSIONER
ALASKA DEPARTMENT OF FISH AND GAME
BEFORE THE
HOUSE OF REPRESENTATIVES
COMMITTEE ON MERCHANT MARINE AND FISHERIES
SUBCOMMITTEE ON FISHERIES MANAGEMENT

June 16, 1993
Washington D.C.

Mr. Chairman and Members of the Committee, thank you for this opportunity to come before you today to discuss one of the nation's most important pieces of oceans legislation, the Magnuson Fishery Conservation and Management Act (the Act). I am Carl L. Rosier, Commissioner of the Alaska Department of Fish and Game.

The Act is perhaps the most important piece of fisheries legislation passed by Congress. The Act provides the framework for conservation, management, and allocation of the fisheries off our shores. It established the regime under which the United States gained control of its fisheries, which led to the Americanization of the immense groundfish fisheries off Alaska.

But these same successes, and the rapid development of the domestic offshore fleet in response to the policy of Americanization, have led to many of the management and allocation issues which will be the subject of this next reauthorization of the Act. Interestingly

The Importance of Fisheries to Alaska

In order for you to understand the significance of these issues to Alaska, let me first provide you some information about the importance of our fisheries to Alaska and the nation.

If Alaska were a separate nation, it would rank among the world's top ten in total fish harvest. In 1992, the catch off Alaska totalled over 5.2 billion pounds of seafood. This was about half the national harvest and over 3 times greater than the amount landed by fishermen in the Gulf of Mexico, the nation's second ranking region. Alaska's 1992 catch was up about 6% from the year before.

The ex-vessel value of Alaska's commercial fisheries has grown from an estimated \$565 million in 1985, to a record \$1.8 billion in 1988. The first wholesale level was estimated at \$3 billion in 1988. Preliminary figures indicate the 1992 ex-vessel value was roughly \$1.5 billion.

In a state with little or no manufacturing-based economy, the seafood industry is the largest private, basic industry employer, providing more than 77,000 seasonal jobs which equal 33,000 year-round direct and indirect jobs. Total investment is estimated at roughly \$4 billion, and the payroll is the largest in the state among private industries: approximately \$600 million. Dutch Harbor-Unalaska ranked number one in the nation for seafood

landings in 1992, with total landings in excess of 736 million pounds, nearly 3 times greater than the next largest non-Alaska port. Seafood landed at Dutch Harbor-Unalaska was worth about \$194 million to commercial fishermen, about 25% greater than seafood landed in New Bedford, Massachusetts, the highest ranking non-Alaska port in the country. Two Alaska communities were among the top ten volume ports in the United States in 1992. In one region of the state, the seafood industry accounts for almost 90% of the private sector income, and many of our coastal communities are almost entirely dependent on commercial fisheries for cash income.

The economic and social significance of fisheries to Alaskans underscores the importance the state places on the effectiveness of the Act to govern domestic fisheries. While the Act has been a remarkable success since originally passed in 1976, the transfer from a foreign dominated fishery to a fishery which is almost wholly domestic created new issues and management problems not foreseen at the time of passage.

The Need to Conserve Our Fish Stocks and Fully Utilize Harvested Resources.

The State of Alaska does not condone the waste of fish. In fact, state law makes it a criminal offense for any individual to engage in the wanton waste of seafood or seafood products. Similarly, the nation has an overriding interest in seeing that public resources are properly utilized. This includes controlling and reducing

species. Conflicts arise when bycatch in one target fishery reduces the amount of resource available to a different directed fishery. In extreme cases, bycatch of species or stocks with low or declining populations can lead to conservation problems for those species or stocks. Incidental catch of halibut, Tanner crab, king crab, herring, and salmon have been of particular concern in the groundfish fisheries off Alaska.

Out of our growing concern regarding the increasing problems of bycatch control and discard waste, the State commissioned a report to document the 1992 levels of bycatch and economic discards in the Gulf of Alaska and Bering Sea/Aleutian Island groundfish fisheries. The report relies entirely on NMFS data taken from vessel operator/processor reports. It does not look at data from the federal observer program. This is an important distinction. Generally it means that the data presented in the report are very conservative, because in most instances bycatch and discard data are higher in observer reports. For comparison, the pollock discard level in the Bering Sea reported by operators was 47,772 mt, while federal observers reported 113,000 mt (249,000,000 pounds), a 237% difference.

The findings in this report are startling:

- * Over 507 million pounds of groundfish were thrown away as bycatch or as economic discards, 462 million pounds came out of the Bering Sea/Aleutian Islands (BSAI) alone.

bycatch, and eliminating the waste associated with economic discards.

Economic discards are fish which are harvested in a target fishery but not processed because they are the wrong size, the quality is poor, or for some other economic reason. These fish could be processed into ancillary products such as meal and oil, and some of their value retained. Instead, they are simply thrown away. An example would be undersized pollock which are taken in a directed fishery for pollock but discarded due to their size.

Economic discards, and the biological and economic losses resulting from this practice, are a major concern to the State. In 1991, pollock discards totalled 111,313 metric tons (mt) in the directed pollock fishery in the Bering Sea. This was approximately 245,400,000 pounds of discarded fish, which was roughly equivalent to approximately six times the entire commercial harvest of salmon in Washington State, or the entire combined commercial harvest of herring, halibut, and shellfish in Alaska in 1990. These economic discards represented approximately \$35 million in lost value to the nation for this one fishery.

Bycatch differs from economic discards. Bycatch is a term for fish or shellfish taken in a directed fishery which is targeting on a different species. The use of nonselective harvesting methods such as trawls, longlines, and pots often yields catch composed of a variety of species including both target and incidental (bycatch)

WORK ORDER REQUEST FORM

W.O. [18] LS-1767

KEYWORDS: FISH/GAME, FISHERIES ASSIGNED: Utermohle

REQUEST FOR: Resolution TAKEN BY: Utermohle

SUBJECT: Wanton Waste of Fish

REQUESTED FOR: HC HRLS BY: Cheryl Sutton PHONE: 465-6848

DELIVER TO: Rep. Moses, Attn: Cheryl Sutton, Cap 204

INSTRUCTIONS: Prepare HJR relating to wanton waste of fish in the North Pacific fisheries.

OBTAIN

SPECIAL DRAFTING INSTRUCTIONS ATTACHED []

AUTHORIZED TO CONFER WITH _____

RETURN _____

_____ TO REQUESTOR

APPROVED: X DIRECTOR, LEGAL SERVICES

REVIEWED _____

IN 02/17/94 DUE _____

TYPED: Draft _____ Date _____

Final _____ Date _____

PROOFED _____ DELIVERED _____

SPECIAL INSTRUCTIONS to TYPING/PROOFING

For delivery to House Clerk before

5PM today

Request for FINAL

HOUSE JOINT RESOLUTION NO. 59

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE

Introduced: 2/18/94

Referred: House Special Committee on Fisheries, Resources

A RESOLUTION

1 Relating to reduction of wanton waste in North Pacific Ocean and Bering Sea
2 fisheries.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 WHEREAS more fish were discarded in the federally managed fisheries of the North
5 Pacific Ocean than were landed by American fishermen in the North Atlantic Ocean in 1992;
6 and

7 WHEREAS over 500,000,000 pounds of ~~discarded fishery resources~~ marine life were dumped overboard in the
8 Bering Sea and the North Pacific Ocean, including 20,000,000 pounds of halibut, 1,000,000
9 pounds of herring, and over 20,000,000 pounds of crab; and *(not pounds, actual crabs)*

10 WHEREAS, in 1993, over 360,000 salmon were intercepted by North Pacific Ocean
11 and Bering Sea trawl fisheries; and

12 WHEREAS these discarded herring, crab, and salmon are State of Alaska managed
13 resources that were intercepted in offshore federal waters; and

14 WHEREAS these resources are the economic and cultural lifeblood for many Alaskans
15 who depend on the sea for their livelihoods and subsistence; and

16 WHEREAS this continued wanton waste undermines any long-term management

1 strategy for sustained commercial, subsistence, and recreational fisheries, and places ~~our~~ ^{and non-commercial} rural
2 communities at risk; and

3 **WHEREAS** Alaska marine waters face declining wildlife populations and potential
4 endangered species listings of several marine species that depend on fish for food; and

5 **WHEREAS** minimizing the catch of undersized fish and reducing wanton waste will
6 conserve fisheries resources for present and future generations of subsistence users,
7 commercial and recreational fishermen, seafood industries, ~~and non-commercial~~ coastal communities, consumers,
8 and the nation;

9 **BE IT RESOLVED** by the Alaska State Legislature that the wanton waste now
10 occurring in federal fisheries of the North Pacific Ocean and the Bering Sea is of utmost
11 importance ^{socially,} economically, and ecologically; and be it

12 **FURTHER RESOLVED** that the Alaska State Legislature respectfully urges the
13 Congress to amend the Magnuson Fishery Conservation and Management Act, or to enact
14 other legislation, encompassing a broad range of measures to reduce wanton waste in North
15 Pacific Ocean and Bering Sea fisheries, including harvest priority incentives for clean fishing
16 practices and other management tools.

17 **COPIES** of this resolution shall be sent to the Honorable Ron Brown, Secretary of the
18 United States Department of Commerce; the Honorable Richard B. Lauber, chair of the North
19 Pacific Fishery Management Council; and to the Honorable Ted Stevens and the Honorable
20 Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative,
21 members of the Alaska delegation in Congress.

WHEREAS fisheries can technically or operationally reduce waste or the incidental taking of non-target species if given economic incentives through appropriate regulatory measures

February 28, 1994

George,

Additional language and some minor changes for **HJR 59** -- please draft a CS for me.

Page 1, line 7 - delete, [marine life], add fishery resources

Page 1, line 9 - delete [pounds of], add crabs

Page 2, line 11 - change the order to read as follows:

"importance ecologically, socially, and economically; and be it"

NEW WHEREAS

place following page 2, line 8 (make it last WHEREAS)

WHEREAS fisheries can technically or operationally reduce waste or the incidental taking of non-target species if given economic incentives or through appropriate regulatory measures;

Cheryl (6848)

P.S. Of course, I have this scheduled for a hearing on Wednesday morning!

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 1
To <u>GEORGE LI.</u>	From <u>CHERYL (Rep. 1125)</u>	
Co.	Co.	
Dept.	Phone # <u>6848</u>	
Fax # <u>465 2039</u>	Fax # <u>3445</u>	

8-LS1767E
Utermohle
2/28/94

CS FOR HOUSE JOINT RESOLUTION NO. 59(FSH)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE

A RESOLUTION

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5 Pacific Ocean than were landed by American fishermen in the North Atlantic Ocean in 1992;
6 and

7 **WHEREAS** over 500,000,000 pounds of fishery resources were dumped overboard in
8 the Bering Sea and the North Pacific Ocean, including 20,000,000 pounds of halibut,
9 1,000,000 pounds of herring, and over 20,000,000 crabs; and

10 **WHEREAS**, in 1993, over 360,000 salmon were intercepted by North Pacific Ocean
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12 **WHEREAS** these discarded herring, crab, and salmon are State of Alaska managed
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14 **WHEREAS** these resources are the economic and cultural lifeblood for many Alaskans
15 who depend on the sea for their livelihoods and subsistence; and

16 **WHEREAS** this continued wanton waste undermines any long-term management

1 strategy for sustained commercial, subsistence, and recreational fisheries, and places our rural
2 communities at risk; and

3 **WHEREAS** Alaska marine waters face declining wildlife populations and potential
4 endangered species listings of several marine species that depend on fish for food; and

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24 members of the Alaska delegation in Congress.

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24 members of the Alaska delegation in Congress.

8-LS1767E

Utermohle

2/28/94

CS FOR HOUSE JOINT RESOLUTION NO. 59(FSH)**IN THE LEGISLATURE OF THE STATE OF ALASKA****EIGHTEENTH LEGISLATURE - SECOND SESSION****BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES**

Offered:

Referred:

Sponsor(s): HOUSE RULES COMMITTEE

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SCOMM

87:32

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. HJR 61

Revision Date:	Dept. Affected:
Title: "An Act relating to the Western Alaska Community Development Quota Program and the North Pacific Fishery Management Council comprehensive rationalization."	BRU:
Sponsor: House Rules Committee	Component:
Requestor: House Economic Task Force	COMPONENT SERIAL NO.

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0					

CAPITAL EXPENDITURES	0					
----------------------	---	--	--	--	--	--

CHANGE IN REVENUES ()	0					
------------------------	---	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

FUND SOURCE		FUNDING CATEGORY				
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0					

Estimate of any current year (FY94) cost: \$

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Cheryl Sutton, Aide, House Special Committee on Fisheries Phone: 465-6848
Division: House Special Committee on Fisheries Date: March 12, 1994
Approved by Commissioner: Carol D. Moore Date: March 12, 1994
Agency: House of Representatives/Legislative

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

Alaska State Legislature

Representative Carl E. Moses

CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL COMMITTEE FISHERIES

MEMBER FINANCE SUBCOMMITTEES ON:
DEPT. OF FISH AND GAME
DEPT. OF PUBLIC SAFETY



SESSION:
CAPITAL BUILDING, ROOM 204
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-4451
FAX: (907) 455-3445

INTERIM
716 W. 4TH AVE. #630
ANCHORAGE, AK 99501-2133
PHONE: (907) 258-8167
FAX: (907) 258-8468

SPONSOR STATEMENT

House Joint Resolution 61

Relating to the Western Alaska Community Development Quota Groups and the North Pacific Fisheries Management Council's Comprehensive Rationalization Plan

House Joint Resolution 61 asks the North Pacific Fisheries Management Council (NPFMC) to allocate groundfish and crab to the Western Alaska Community Development Quota Groups.

Currently, the NPFMC is developing a comprehensive rationalization plan which would involve a license limitation program for groundfish and crab. This action by the Council does not abandon the Individual Fishing Quota (IFQ) option as a potential management solution in the future.

Options under consideration by the NPFMC for groundfish include no allocation to the CDQ groups; CDQ set-asides of up to 15% of the total allowable catch (TAC) with no sunset provisions; and, CDQs in the form of **additional**, non-transferrable licenses. For Bering Sea and Aleutian Island king and tanner crab, the suggested options include no allocation to CDQs; an initial allocation of up to 15% of the guideline harvest level (GHL) by species with consideration of other criteria and with no sunset provisions; and, CDQs in the form of **additional**, non-transferrable licenses.

HJR 61 specifically asks the NPFMC to allocate fairly and equitably to the CDQ groups as a vital part of the fishing economy in western Alaska. The successes of the CDQ groups to date have set an example of economic development for others in western Alaska. Adding groundfish and crab to their economic activities should assist the coastal communities they represent in an even greater measure.

ADAK • AKUTAN • AMCHITKA • ATKA • ATTU • BELKOFSKI • CHERNOFSKI • CHIGNIK • CHIGNIK LAGOON • CHIGNIK LAKE
COLD BAY • DUTCH HARBOR • EGEGIK • EKWOK • FALSE PASS • IVANOF BAY • KING COVE • KING SALMON • KOLIGANEK • LEVELOCK • NAKNEK
NELSON LAGOON • NEW STUYAHOK • NIKOLSKI • PEDRO BAY • PERRYVILLE • PILOT POINT • PORT HEIDEN • PORT MOLLER • SAND POINT
SHEMYA • SQUAW HARBOR • SOUTH NAKNEK • ST. GEORGE ISLAND • ST. PAUL ISLAND • UGASHIK • UNALASKA • UNGA

SCRIPT

HOUSE SPECIAL COMMITTEE ON FISHERIES

March 16, 1994

HJR 61 - Relating to the Western Alaska Community Development Quota Program and the North Pacific Fishery Management Council's Comprehensive Rationalization Plan.

Document Overview Presentation - Rick Lauber, Pacific Seafood Processors Association

Good morning. Today is Wednesday, March 16 and this is a meeting of the House Special Committee on Fisheries. The time is (give time). Will the secretary please take the roll. I would like to note for the record that Representative Nicholia is excused from the House for the week.

Today we will be hearing HJR 61 - A resolution addressing the Community Development Quota Groups and the North Pacific Fishery Management Council; and, will then have a document presentation on "The Economic Impact of the Shoreside Processing Industry Upon Alaska During 1992" from Rick Lauber with Pacific Seafood Processors Association.

I would like to begin with HJR 61. HJR 61 was introduced through House Rules by the request of the House Economic Task Force. It addresses the allocation of groundfish and crab to the Community Development Quota Groups by the North Pacific Fisheries Management Council. There is a sponsor statement in your packets.

(Read as much of the sponsor statement as you would like.)

Is there anyone who would like to testify from the public (maybe Rick Lauber will want to.)

Any discussion by committee members?

(Need a motion to adopt.)

(Need a motion to move it out.)

Next we have a document presentation by the Pacific Seafood Processors Association. Rick Lauber is here and also Larry Cotter from Pacific Associates and Norm and Lennie Gorsuch from Capitol Associates who jointly produced the report.

I believe Rick will be testifying. Go ahead, Rick.

Are there any questions from committee members?

Would anyone else like to testify?

Adjournment

3/16/94

FURTHER REFERRALS:

Resources

HJR 61

COMMUNITY DEVELOPMENT FISHING QUOTAS

[] the same title

☐ additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

APPROVES PREVIOUS: (Dept/Date)

☐ fiscal note(s) _____

[] zero fiscal note(s) _____

[illegible]

Carl E. Moses
CHAIRMAN'S SIGNATURE MOSES

Alaska State Legislature
Representative Carl E. Moses

CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL COMMITTEE FISHERIES

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MEMORANDUM

TO: Senator Mike Miller, Chairman
Senate Resource Committee

FROM: Representative Carl E. Moses, Chairman
House Special Committee on Fisheries

A handwritten signature in cursive script, appearing to read "CEM".

DATE: April 18, 1994

RE: Scheduling of HJR 61

I respectfully request the scheduling of HJR 61 at your earliest convenience.

HJR 61 relates to the allocation of groundfish and crab to the Community Development Quota groups by the North Pacific Fishery Management Council under their comprehensive rationalization plan currently being developed.

Thank you for consideration of my request.

CEM:cs

WESTERN ALASKA FISHERIES DEVELOPMENT ASSOCIATION

Coastal Villages Fishing Cooperative • Norton Sound Economic Development Corporation
Bristol Bay Economic Development Corporation • Yukon Delta Fisheries Development Association

725 Christensen Drive, Suite 5 • Anchorage, Alaska 99501 907-279-6519 Fax 907-258-6688



April 7, 1994

RECEIVED
APR 11 1994
Ans'd.....

The Honorable Carl Moses
Alaska House of Representatives
State Capitol
Juneau, Alaska 99901-1182

Dear Representative Moses:

The members of the Western Alaska Fisheries Development Association wish to thank you for introducing House Joint Resolution No. 61, "Relating to the Western Alaska Community Development Quota Program and the North Pacific Fishery Management Council Comprehensive Rationalization Program".

WAFDA strongly supports HJR 61. We appreciate your efforts to put the Alaska Legislature on record in support of fair and equitable Community Development Quota allocations as a part of any comprehensive rationalization plan that the North Pacific Fishery Management Council prepares.

In approximately one-and-a-half years of existence, the CDQ program has demonstrated phenomenal success. Hundreds of western Alaska residents have found employment in the Bering Sea fishing industry. New fisheries-related development projects have been implemented in communities throughout western Alaska. More of the Bering Sea fisheries resource value has been captured for Alaska. A sense of hope has spread through communities that previously were mired in despair.

Despite all the accomplishments, we are concerned that the CDQ program could expire on December 31, 1995 with the council taking no action to extend or expand it. HJR 61 would be very helpful in showing that the CDQ program enjoys widespread support and in convincing the council that CDQs should be renewed as a part of the comprehensive plan.

"Working in support of Alaska's Community Development Quota program"

April 7, 1994

Again, thank you for your support. Please do not hesitate to contact me if I can provide you with further information about the CDQ program and its positive impact on Alaska.

Yours truly,



John Jemewouk
Chairman

cc: CDQ corporations

JJ/ko

TESTIMONY TO HOUSE RESOURCE COMMITTEE
March 25, 1994

**HJR 61 - Relating to the Western Alaska Community Development
Quota Program and the North Pacific Fishery Management Council
Comprehensive Rationalization Plan.**

I am Karen Brand, legislative aide to Representative Carl Moses. I will be testifying today to HJR 61.

I apologize on behalf of Representative Moses and Cheryl Sutton, the House Fisheries Committee aide, for their absence. They are both attending the Spring Fisheries Conference in Bristol Bay.

I have provided a copy of the January, 1994, newsletter of the North Pacific Fishery Management Council as a source of information for the committee.

HJR 61 is a resolution which first sets forth some factual information relative to the Western Alaska Community Development Quota groups and then addresses the North Pacific Fishery Management Council's comprehensive rationalization plan for groundfish and crab.

HJR 61 requests the North Pacific Fishery Management Council (Council) to allocate groundfish and crab to the Western Alaska

Community Development Quota (CDQ) groups under any comprehensive rationalization plan it develops. The resolution asks that fairness and equity be exercised by the Council toward the CDQ groups.

CDQ groups have already received sablefish and halibut shares through the IFQ program currently being implemented by the National Marine Fisheries Service (NMFS). The further addition of groundfish and crab will complete the allocative procedure, under current consideration, of fishery resources for CDQ groups.

Representative Moses respectfully requests your support and passage of this resolution from committee. Thank you.

