

Appendix C

North Pacific Fishery Management Council

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MINUTES

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
TWENTY FIRST PLENARY SESSION
November 30 - December 1, 1978
Anchorage/Westward/Hilton
Anchorage, Alaska

The regular monthly meeting of the North Pacific Fishery Management Council was held in Anchorage, Alaska at the Anchorage Westward Hilton Hotel on November 30 - December 1, 1978. An attendance roster of Council members, the SSC, AP, and public is attached as Appendix A.

The Council meeting was called to order on Thursday, November 30 at 8:30 a.m. by Chairman Clement V. Tillion. The Scientific and Statistical Committee met in the Council office on Tuesday and Wednesday, November 28, and 29, and again the morning of November 30. The Advisory Panel met on November 29 in the Anchorage Westward Hilton Hotel and again on the morning of the 30th.

The preliminary agenda for the Council meeting was approved and is included as Appendix B. Minutes of the November 2 - 3, 1978 meeting were approved with changes and are included as Appendix C.

EXECUTIVE DIRECTOR'S REPORT

Included as Appendix D

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT

Included as Appendix E

ADVISORY PANEL REPORT

Included as Appendix F

U.S. COAST GUARD REPORT/NOAA GENERAL COUNSEL REPORT

Included as Appendix G

ALASKA DEPARTMENT OF FISH & GAME REPORT

Included as Appendix H

NATIONAL MARINE FISHERIES SERVICE REPORT

Included as Appendix I

BERING SEA SHRIMP FMP

The SSC reviewed the Bering Sea Shrimp FMP with Paul Anderson and Jerry McCrary of the Plan Development Team and recommends the Council not send this plan out for public review at this time. They feel that it is basically a well written document but considerable rewriting is necessary as well as clarification of ABC and OY.

The Advisory Panel also listened to a presentation by Paul Anderson, NMFS, Kodiak, about the Bering Sea Shrimp FMP. They said that after learning the SSC had reviewed the plan and made suggestions which required rewriting, the AP would have no comments on it until it has been rewritten and resubmitted. The Panel indicated they will review the logbook reporting requirements contained in the plan and comment on that specific aspect at the next Council meeting.

Acting upon the recommendations of the SSC and AP, the Council delayed the Bering Sea Shrimp FMP until the January meeting.

SCIENTIFIC AND STATISTICAL COMMITTEE MEMBERSHIP

The SSC told the Council they had reviewed two résumés from fisheries economists interested in participating on the SSC. They unanimously recommended Dr. James A. Crutchfield, an economist with the University of Washington, as the tenth member. They said they had contacted Dr. Crutchfield and he had agreed to work with the SSC.

The Council unanimously approved the appointment of Dr. Crutchfield as the tenth member of the SSC.

COUNCIL STEERING COMMITTEE FOR BERING SEA CLAM FMP

The Council appointed Henry O. Wendler and Kirk Beiningen to the Council Steering Committee for the Bering Sea Clam FMP.

APPOINTMENTS TO ADVISORY PANEL FOR NEW TWO-YEAR TERM

Mr. Meacham, Chairman of the Advisory Panel Nomination Committee, announced the Committee had met and recommended the following members be reappointed:

Robert D. Alverson
Truman C. Emberg
Sigfryed Jaeger
Joseph A. Kurtz
Raymond P. Lewis
Carlene Welfelt
Joseph Demantle, Jr.
Robert L. Blake
Alan Otness
Nick Szabo

A. W. Boddy
Oral L. Burch
Charles L. Jensen
Rick Lauber
Daniel J. O'Hara
Don Rawlinson
Shari R. Gross
Kenneth O. Olsen
Keith Specking
Harry Wilde, Sr.

They recommended that Robin Chlupach (consumer representative), Ed Linkous (Alaska Trollers Association), and Jack Phillips (blackcod longline fisherman) be appointed to fill three of the additional five vacant positions. They further recommended that the two positions remaining be left vacant until the January meeting.

The motion was made and seconded to accept the recommendations of the Nominations Committee.

Councilman Rietze asked that the Council wait until the January meeting before filling any of the vacant positions and that in the meantime, the Executive Director prepare a matrix showing the affiliation of the present Advisory Panel members and what interest they represent to determine if there are any interests not covered.

Councilman McKernan moved to amend his previous motion to include Mr. Rietze's suggestion that a matrix be prepared. This amendment was seconded and was approved with one abstention. The Council then approved the Nominations Committee's report, including the three additional members, with one abstention.

HALIBUT OFF THE COAST OF ALASKA FMP

The AP acknowledged receipt of the first draft regulations for this plan, will review them for any needed changes, and Panel members with comments will submit them in writing before the next Council meeting.

The Executive Director reported to the Council that the Halibut FMP had been received by the Secretary to begin her 60-day review period on November 14.

HIGH SEAS SALMON FISHERY OFF THE COAST OF ALASKA EAST OF 175° EAST LONGITUDE FMP

The SSC said they went over highlights of SSC concerns and Council recommendations made at the last meeting. They felt the plan now adequately addressed those requirements and should be sent forward. They also suggested a few minor editorial changes.

The Advisory Panel reported they reviewed the redrafted troll salmon plan and in addition to a discussion of the major changes in the plan, had two additional comments:

1. That Page 10, Paragraph 2, should be changed to indicate that the fishing effort in waters west of 175° East longitude are the subject of the INPFC agreement beyond the 3-mile territorial State boundary only. Suggested change is as follows:

"Fishing effort in the FCZ west of 175° East longitude is the subject of a separate international fisheries agreement between the United States, Canada, and Japan."

Page 10, Paragraph 3, the Panel felt that the State of Alaska Aleutian fishery management area should also be listed.

2. Page 44, first paragraph, the Panel recommends an additional sentence which reads as follows:

"This regulation while specific for the fishery conservation zone (3 - 200 miles), is the same as in State waters (0 - 3 miles)."

With those recommendations, the Advisory Panel advised the Council that they had reviewed the plan and found it acceptable.

The Council unanimously approved adopting the SSC's and AP's comments and sending the plan forward for Secretarial review.

COMPREHENSIVE SALMON PLAN

The SSC reported it reviewed a document presented by the Alaska Department of Fish & Game as to scope, time frame, and plan development team composition of a joint State/Council comprehensive salmon plan. They suggested modifications to the document. The SSC stated they will meet with the development team and review plan content and scheduling at their meeting in January and report to the Council at that time.

The ADF&G presented this document to the Council, with the SSC suggested changes. They reported it would be presented to the Board of Fisheries at their December 5 meeting in Juneau. The Council reviewed and commented on the document and unanimously approved it for presentation to the Alaska Board of Fisheries.

TANNER CRAB STATUS OF STOCKS

The SSC said NMFS representatives reviewed the results of the 1978 Bering Sea Tanner crab trawl survey with them. The survey indicated substantial reduction in the availability of legal male bairdi, to approximately one-half of the 1978 level.

The SSC recommended that no particular action be taken at this time. Managers and industry must recognize that the survey indicates a probable reduction in male crab over 135 mm in 1979, but the degree of this reduction is uncertain and fishery performance in season will probably form the basis for management of the harvest.

The Committee pointed out that the testimony presented on age class relative abundance indicates that the downturn in Tanner crab abundance forecasted by Dr. D.L. Alverson last year is still valid, extending until at least 1982. The Committee felt it would be helpful if OY was expressed as a range rather than a point figure.

The Advisory Panel also reviewed the report by NMFS on the 1978 Eastern Bering Sea Tanner crab survey results. The Panel discussed the survey, its methodology and possible explanations for the drastic decline in Tanner crab. The Panel concurred with the SSC recommendations and discussed the need for an indication to industry of an expected or probable harvest range. They commented that an indication earlier in the year of the status of the stocks would have been helpful to the industry in planning for the 1979 fishery.

The Council discussed this matter, reviewed the AP and SSC comments and recommended no change in FMP provisions at this time. It can be reexamined at a later date if more information becomes available.

FINANCE COMMITTEE REPORT

The Chairman of the Finance Committee, Professor Donald L. McKernan, presented the Finance Committee Report for the November 2-3 and November 30-December 1, 1978, Council meetings.

He reported that at the November 2-3 meeting the Committee had reviewed the draft auditor's report and made suggestions to the Executive Director and approved his responding to this document. He stated they reviewed the 1979 administrative budget and did not feel it would be sufficient to fulfill obligations of the Council.

Mr. McKernan stated they also reviewed the NMFS budget for FY 81 and commented on oversights and problems.

The Council unanimously approved the November 2-3, 1978, Finance Committee Report.

Mr. McKernan then presented the report of the November 30-December 1, Finance Committee meeting. They directed a policy be established to provide for approval of the research contract reports by the SSC and AP. They recommended the Coded Wire Tag Recovery Program be funded for the third year in the amount of \$74,000. The Pacific Council will fund part of this contract (\$44,000), and ADF&G the remainder of the \$156,560 needed. After 1979 ADF&G will take over full funding for this project.

He said they discussed extension of the Tetra Tech, Inc., contract (no cost to the Council) and recommended approval of the extension. He recommended the new proposal for yellowfin sole stomach sample analysis presented by Tetra Tech, Inc., not be approved.

The Council unanimously accepted the Finance Committee Report.

RESEARCH FUNDING PROPOSAL "DETERMINATION OF DOMESTIC PROCESSING CAPACITY AND INTENT" PRESENTED BY AEIDC

The SSC reviewed a letter from Arctic Environmental Information and Data Center soliciting Council interest in a formal funding proposal to assess U.S. bottomfish processing capacity and intent. The Committee did not believe any data of long-term usefulness not already being collected by others would result from such a study. Studies are already being done on this by other agencies and they recommended the Council take no action on this request.

The AP felt this study should not be a high Council priority since the information could be obtained from existing sources. Keith Specking, representing the Office of the Governor, was already responding to this need statewide.

The Council accepted the recommendations of the SSC and AP on this matter.

FINAL REPORT - "INVESTIGATIONS ON THE CONTINENTAL ORIGIN OF SOCKEYE AND COHO SALMON IN THE AREA OF THE JAPANESE LANDBASED FISHERY

SSC Chairman Steve Penmoyer said the SSC had reviewed this report in respect to satisfaction of contract requirements. They noted Tasks 1 and 5 were completed as requested. Tasks 2 and 3 were not completely satisfied due to no fault of the contractor. The methodology of applying scale character analysis to separate the continent of origin of sockeye

in the area of the high seas fishery was adequately assessed and important characters determined. They had not been able to determine whether adequate samples were available to establish Asian standards or from the landbased fishing catch on an annual basis. He said the SSC was told that cooperative data exchanges were planned between U.S./U.S.S.R. and Japanese scientists and that NMFS plans to continue funding this work. SSC members Ed Miles and Don Bevan abstained from comments on this report due to possible conflict of interest.

The AP reported they had reviewed the final report and concurred with the recommendations of the SSC that it be formally received by the Council in fulfillment of the terms of the contract and for final payment.

The Council, acting upon the recommendations of the SSC and AP, unanimously accepted this report in fulfillment of the contract.

BERING SEA HERRING FMP

The SSC received an oral and written report from the Management Plan Development Team on the progress of the Bering Sea Herring FMP. The team summarized life history, subsistence use, domestic and foreign fishery, status of stocks and management measures being considered in the draft plan. The Committee made suggestions on plan content.

The AP had also listened to a presentation from the team. The Panel felt the presentation was very helpful as it brought out most of the pertinent historical fisheries data, the most current status of the resource, the intended U.S. fishery, and the role of the subsistence fishery.

The MPDT made a presentation on their progress to date to the Council. The Council reviewed the seven recommendations in the Dames & Moore study which gave direction to the Plan Development Team. Mr. Rietze stated he would like to have a definition for subsistence in the plan. The Council (with the caveat that a better definition be developed at a later date) approved these as the initial guidelines to be used in developing the Bering Sea Herring FMP.

INCIDENTAL SPECIES REPORT

Keith Specking, Chairman of the Advisory Panel, said the Panel reviewed the report and has no basic problems with the policy statement. The Panel specifically addressed strategy II, #3 on page 4 of the report and adopted the following motion: "Regarding the Regional Director's in-season allocations pertaining to the release of reserves of incidental species, the Advisory Panel recommends that the Regional Director consult, whenever possible, with the Council before taking action and when not possible, inform the Council at its next meeting."

The Council approved the Final Incidental Species Report.

CODED WIRE TAG RECOVERY PROGRAM

The SSC noted a real problem in lack of planning and responsibility for tag recovery by those agencies marking fish. Some form of coastwide coordination of this is needed and the Committee suggested that the two Councils (Pacific and North Pacific), State, and Federal Government, perhaps coordinated through PMFC get together to determine how tag recovery effort should be funded. The SSC recommended the Council support the tag recovery project for one more year with the understanding that the State of Alaska is planning to fund future recovery programs. They recommend the Council ask the State to provide broad estimates of the funds they have available by the January meeting and for the Council to agree in principle to fund the balance (less \$44,000 from the Pacific Council) for this year only. They noted that a substantial number of marked native Alaskan chinook and coho are returning in 1979 which would not be recovered and analyzed without this financial support.

FINAL REPORT - "AN INVESTIGATION OF JOINT U.S./FOREIGN VENTURES IN THE DEVELOPING COMMERCIAL FISHERY OFF ALASKA"

The Council accepted the final joint venture report and approved final payment of \$600. The final contract price is \$19,521, considerably under the \$33,431 originally estimated.

FUTURE MEETING SCHEDULE

The Council discussed scheduling two additional out-of-town meetings in 1979. They settled on Sitka in September, in conjunction with a meeting of the Pacific Marine Fisheries Commission, and tentatively Bethel in October.

FOREIGN PERMIT APPLICATION REVIEW

Keith Specking, Chairman of the Foreign Permit Application Review Committee, reported they had met and considered several applications. They recommended approval of four KMIDC applications for joint venture operations for 1979.

The Committee discussed at length the applications from Poland for the Bering Sea. They recommended disapproval of those permits since Poland has never fished there in the past.

The Committee recommended approval of the Republic of China permits but only in the Bering Sea/Aleutian Islands area. The Council had reviewed the same permits at the November meeting and recommended disapproval.

They also recommended disapproval of 11 Mexican applications. They feel this type of two-nation operation nullifies the U.S. allocation process.

Councilman McKernan moved the Council accept the recommendations of the Committee and spoke at length on the need to conform to the Act's guidelines on allocation, noting that neither Mexico or Poland had any history of fishing off Alaska in the areas requested in the Permit Applications.

The Council unanimously approved the recommendations of the Foreign Permit Application Review Committee.

AMENDMENTS TO THE GULF OF ALASKA GROUND FISH FMP

Steve Pennoyer, SSC Chairman, said the SSC had heard presentations from Mr. Jay Hastings, representing the Japanese Deep Sea Trawlers Assn. and Mr. Carl Mundt, representing the Japanese North Pacific Longline-Gillnet Association. Both groups presented written documentation supporting their requests for changes to the Gulf of Alaska Groundfish FMP. The SSC also reviewed the summary of proposed amendments prepared by the Council staff, dated November 27, 1978, and other documents with Bert Larkins.

The Advisory Panel reported they, too, had considered all 14 amendments put forth in the November 27, 1978, memo and an additional 15th amendment.

Amendment #1 - To change the sablefish OY. (a) reduce the OY commensurate with the latest (1977) foreign CPUE data; (b) increase the OY in the FMP from 13,000 mt to 15,000 mt, which is the OY currently in effect in the PMP.

SSC Recommendation: The Japanese Longliners Association is preparing further information on the status of stocks to be presented at the January meeting. The SSC suggested action on this amendment be deferred until the January meeting.

AP Recommendation: The Panel endorsed a reduction in the OY commensurate with their earlier recommendations to 10,000 mt. In addition, the Panel concurred that the reserves for sablefish should not be transferred to TALFF as scheduled for January 2 and March 2.

Council Action: The Council unanimously deferred this matter to the January meeting with the proviso that no reserve of sablefish is to be released on January 2.

Amendment #2 - A proposal to allow foreign longlining on Davidson Bank.

SSC Recommendation: The SSC said this proposal had been withdrawn by the Japanese Longline-Gillnet Association. Further data on Davidson Bank will be presented at the January meeting.

AP Recommendation: The Panel rejected this proposal for conservation and for gear conflict reasons.

Council Action: Deferred until the January meeting.

Amendment #3 - A proposal to restrict the incidental catch of sablefish in joint venture catches and allocations to 0.1% of the total pollock catch.

SSC Recommendation: The SSC said that based on testimony from Mr. Larkins, an incidental rate of 1.5% seems high for joint ventures, 0.5% would be more appropriate for a true directed pollock fishery.

AP Recommendation: The Panel recommended adoption of this proposal. They feel an allowable bycatch of 1.5% sablefish was unrealistic and could reasonably be set at 0.1%.

Council Action: The Council expressed concern over a directed trawl fishery on sablefish. The SSC was asked to look into this matter and report to the Council at the January meeting. Oral Burch, AP member, was asked to check into this matter and report to the Council in January. The Council unanimously approved the reduction of 1/2 of 1% of the pollock catch.

Amendment #4 - A proposal to eliminate the special joint venture reserve amount for sablefish (1,500 mt) and Pacific cod (3,000 mt).

SSC Recommendation: The SSC said the joint venture harvest should be considered part of DAH, with an actual tonnage limit of bycatch based on a realistic appraisal of joint venture performance. It would appear that 1,500 mt of sablefish is far too high.

AP Recommendation: The Panel studied this proposal and the accompanying information supplied by Carl Mundt and recommended adoption.

Council Action: A motion to approve the AP recommendation was made and seconded. However, the motion was tabled until the January meeting.

Amendment #5 - A proposal to relax the regulations which permit fishing only with pelagic trawl gear during the period December 1 to May 31.

This proposal was withdrawn and therefore no action was necessary.

Amendment #6 - A proposal to relax the regulation which limits the catch to no more than 25% of TALFF during the period December 1 to May 31.

SSC Recommendation: The SSC recommended acceptance of this proposal. They said that in discussing the 25% winter month foreign trawl harvest restriction with Mr. Larkins, it was evident that the large DAH reserve allocation has probably rendered this restriction meaningless.

AP Recommendation: The AP recommended retaining the regulation which limits the catch to no more than 25% of TALFF during the period December 1 to May 31.

Council Action: The Council unanimously adopted the recommendation of the SSC to eliminate the 25% restriction.

Amendment #7 - A proposal to reduce the number of statistical (regulatory) areas in the Gulf of Alaska.

SSC Recommendations: The SSC said it was evident the present five areas cause the foreign fleets some operational difficulty, particularly since final division of OY for minor species to 5 areas combined with 5 or more national allocations results in some very small individual quotas. Mr. Larkin's opinion was that a reduction to 3 areas would not have any significant biological effect. The SSC stated they did not feel this would solve the problem since some species OY would still be very small. The Japanese have agreed to present more detailed information on their operational difficulties to assist the choice of appropriate area changes and the team has agreed to examine possible effects of various area combinations for different species. This will be presented in January. The SSC recommended sending the proposal to reduce the number of areas from five to three to a public hearing for the January meeting. A review of the analysis and a decision could be made at that time.

AP Recommendation: The Panel recommended rejecting this proposal. They feel that the present system of five INPFC statistical areas and the ensuing closures of an area once any species or species group is exceeded are essential to the plan.

Council Action: The Council discussed adopting the SSC recommendation. The five statistical areas were chosen for historic reasons and a reduction in number would not be a statistical reporting problem. The subject will be advertised for discussion at the January meeting.

Amendment #8 - A proposal to relax the regulation which closes an INPFC area to all fishermen of one nation once that nation's allocation of any species or species group in the area is exceeded.

SSC Recommendation: The SSC recommended rejection of this proposal. They feel there should be other methods, perhaps in the method allocations are made, of dealing with this.

AP Recommendation: The Panel recommended rejecting this proposal.

Council Action: The Council unanimously approved the recommendations of the SSC and AP.

Amendment #9 - A proposal to eliminate the regulation which prohibits trawling for Pacific cod west of 157° West longitude. This proposal was withdrawn, therefore no action was necessary.

Amendment #10 - A proposal to allow foreign trawl fishing between 169° and 170° West longitude, between 3 and 12 miles.

SSC Recommendation: The SSC said this was an inadvertent omission by the team, and recommended amending the plan to allow trawling.

AP Recommendation: The Panel recommended this proposal be accepted learning that the closure to foreign trawling in this area was an oversight in the FMP.

Council Action: The Council unanimously approved adoption of the SSC and AP recommendations.

Amendment #11 - A proposal to increase the OY for Pacific ocean perch and for "other rockfishes." This proposal was withdrawn and therefore no action was taken.

Amendment #12 - A proposal to relax the depth restriction on foreign longlining from 500 meters to 400 meters.

SSC Recommendation: The SSC recommended the Council relax the 500 meter restriction to 400 meters for the summer months only (June through November).

AP Recommendation: The AP recommended allowing foreign longlining seaward of 400 meters from May 1 - September 30, and seaward of 500 meters from October 1 - April 20.

Council Action: During the public comment portion of the meeting on Thursday, November 30, Mr. Nakamura of the North Pacific Longline-Gillnet Association, voluntarily agreed to accept the recommendation of the AP to allow foreign longlining seaward of 500 meters from May 1 - September 30. The Council unanimously approved the AP recommendation.

Amendment #13 - A proposal to allow a directed foreign longline fishery for Pacific cod east of 157° West longitude to 140° West longitude, and landward of the 500 meter isobath, during the offseason for U. S. halibut fishery.

SSC Recommendation: The SSC said the Japanese Longline-Gillnet Association had asked this proposal be delayed until January.

AP Recommendation: The AP recommended rejection of this proposed amendment.

Council Action: Deferred until the January meeting.

Amendment #14 - A proposal generally objecting to the 25% bimonthly reallocation of reserves to TALFF and specifically to delay the release of the reserve to TALFF from January 2, 1979, until the end of April 1979.

SSC Recommendation: The SSC recommended rejection of this proposed amendment.

AP Recommendation: The Panel recommended rejection of this proposal as written, but recommends adoption if changed to read "until March 1, 1979."

Council Action: The Council suggested releasing the reserves on January and holding the ones on March 2, however, they unanimously approved leaving this to the discretion of the Regional Director.

Amendment #15 - This was a new request by the Japanese to increase the OY for squid in the Gulf of 3300 mt from 2,000 mt.

SSC Recommendation: SSC Chairman Pennoyer said that no real data or rationale was given originally for setting the OY at 2,000 mt. He stated that testimony from Bert Larkins, NMFS, suggests an OY of 5,000 mt would be acceptable and would in essence eliminate the allocation problem.

AP Recommendation: The Panel reported that after learning from Bert Larkins that this proposal appeared biologically justified, they concurred with the SSC and supported their recommendation.

Council Action: The Council unanimously approved the recommendations of the SSC and AP to raise squid OY to 5,000 mt.

The complete comments of the SSC and AP are included in their minutes.

PUBLIC COMMENT

During the public comment period, the Council heard testimony from the following:

- o Muhammad A. Majid regarding the Cook Inlet salmon problem.

- o Mr. Kawahira, chief delegate of the Hokuten Trawlers Association representing the National Federation of Medium Trawlers. Mr. Kawahira gave a written presentation (Appendix J) on the Bering Sea/Aleutian Islands Groundfish Fishery FMP.
- o Mr. Ono, representing the Japanese Tanner Crab industry, presented the Council with written and oral requests (Appendix K) regarding their Tanner crab fishery in the Bering Sea.
- o Mr. Fukui, representing the Japanese Deep Sea Trawlers Association, presented oral and written comments (Appendix L) on the Gulf of Alaska Groundfish Fishery FMP and its implementing regulations.
- o Mr. Joe Demantle, Jr., and Jesse Foster presented written and oral testimony (Appendix M) on two subjects: (1) Bering Sea/Aleutian Island Groundfish Fishery FMP and (2) the High Seas Salmon Fishery Off the Coast of Alaska east of 175° East Longitude FMP.
- o Mr. Robert Ely and Mr. Jeff Johnson, representing the American Fisheries Corporation, presented a report on the progress of the KMIDC/Davenny pollock joint venture in the Gulf of Alaska (Appendix N).
- o Mr. Scott Stafne, representing the Alaska Longline Fishermen's Association, gave a short oral presentation on incidental catch.
- o Mr. Nakamura, representing the North Pacific Longline-Gillnet Association, gave a presentation on the Association's activities in connection with a number of proposed amendments to the Gulf of Alaska Groundfish Fishery FMP (Appendix O).

The next Council meeting is scheduled for January 25-26, 1979, at the Sheffield House, 720 West Fifth Avenue, Anchorage, Alaska.

Meeting adjourned at 1:55pm.