

North Pacific Fishery Management Council

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CERTIFIED:


Chairman

MINUTES

47th Plenary Session NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

March 23-26, 1982
Westward Hilton Hotel
Anchorage, Alaska

The North Pacific Fishery Management Council met with the Alaska Board of Fisheries Tuesday, March 23, 1982, through Thursday, March 25, 1982, in the Alaska Room of the Westward Hilton Hotel in Anchorage. The Council continued its meeting on Friday, March 26, in the Council's headquarters conference room.

The Scientific and Statistical Committee convened at 9:30 a.m. on Monday, March 22, 1982, and continued on Tuesday, March 23, in the Council's headquarters conference room.

The Advisory Panel met in the Trattoria of the Westward Hilton Hotel from 9 a.m. to 5 p.m. on Monday, March 22.

Council members, Scientific and Statistical Committee members, Advisory Panel members, Board of Fisheries members, and general public in attendance are listed below.

Council

Clem Tillion, Chairman
Harold Lokken, Vice-Chairman
Robert Mace, for John Donaldson
Gene DiDonato, for Rolland Schmitt
Don Collinsworth, for Ronald Skoog
Leroy Sowl, for Keith Schreiner
Robert W. McVey

Donald Bevan
James O. Campbell
RADM Richard Knapp
Douglas B. Eaton
John P. Harville
Keith Specking

Scientific and Statistical Committee

Donald Rosenberg, Chairman
Richard Marasco, Vice-Chairman
Bud Burgner
Larry Hreha
Jack Lechner

Al Millikan
William Aron
John Clark
Steve Langdon
Ed Miles

Advisory Panel

Robert Alverson, Chairman
A.W. "Bud" Boddy, Vice-Chairman
Larry Cotter
Eric Jordan
Kristy Long
Ken Olsen
Jeff Stephan
Ed Wojeck

Greg Baker
Al Burch
Dick Goldsmith
Ray Lewis
James O'Connell
Don Rawlinson
Tony Vaska

Board of Fisheries

Nick Szabo, Chairman
Harry Sundberg
Chris Goll
Herman Schroeder

Jim Beaton
Jimmy Huntington
Griffin Quinton

NPFMC Staff

Jim H. Branson, Executive Director
Clarence Pautzke, Deputy Director
Jim Glock
Jim Richardson
Rebecca Wetzler

Peggy McCalment
Judy Willoughby
Steve Davis
Peggy Hough
Jeff Povolny

Support Staff

Ron Naab, NMFS
Patrick Travers, NOAA
Fred Gaffney, ADF&G
LCDR Paul Blayney, USCG
James Brooks, NMFS
Kris Hauschild, ABoF
Mike Fraidenberg, WDF
Bill Wilkerson, WDF
Ron Regnart, ADF&G
Mike Rubenstein, AG's Office
Jack Helle, NMFS-Auke Bay Lab

Phil Chitwood, NMFS
Mark Miller, ADF&G
LCDR Doug Smith, USCG
Lew Queirolo, NMFS
Milstead Zahn, ABoF
Steve Pennoyer, ADF&G
Bob Garrison, ODF&W
Mel Seibel, ADF&G
John Gissberg, AG's Office
Kirk Beiningen, ODF&W
Kathryn Cohen, ADF&G

General Public

James A. Crutchfield, Natural Resources Consultants, Seattle
Dayton L. Alverson, Natural Resources Consultants, Seattle
John Schmeidtke, Nordstern, A.G., Seattle
Olney Patt, Sr., Confederated Tribes of Warm Springs, Warm Springs, OR
E. Oswald, Sealaska Corporation, Juneau
Don Martens, Office of the Canadian Consulate General, Seattle
Edward R. Zyblut, Department of Fisheries and Oceans, Government of Canada, Vancouver, B.C.
Mike Hunter, Department of Fisheries and Oceans, Government of Canada, Ottawa
Henry Porter, Yak-tat-kwaan, Inc., Yakutat

Jack Van Hynes, Fairbanks
Stephen B. Johnson, Japan Deep Sea/Hokuten Trawlers Associations,
Seattle
Jeri Museth, Elfin Cove Advisory Committee, Elfin Cove
Sue Sturm, Troll Pac, Sitka
Dennis Petersen, North Pacific Fishing Vessel Owners Association,
Seattle
Richard L. Burton, Confederated Tribes, Warm Springs, OR
N. Kathryn Brigham, Umatilla Fish and Wildlife, Pendleton, OR
Delbert Frank, Sr., Confederated Tribes, Warm Springs, OR
Allen V. Pinkham, Nez-Perce Tribe, Lopwai, ID
Bernice Mitchell, Confederated Tribes, Warm Springs, OR
Walter Johnson, Yakutat Advisory Committee, Yakutat
Richard W. Montague, Brussels, Belgium
Diana Runde, Sitka
Richard Luhndahl, Pelican Advisory Committee, Pelican
Laird A. Jones, Juneau
Flore Lekauf, Anchorage
Anthony Mercurief, St. George Island
S. Timothy Wapato, Columbia River Inter-Tribal Fish Commission,
Portland
Iliodor Philemenoff, Anchorage
Kelly Roth, Office of the Consulate of Japan, Anchorage
Lonny Thomas, Shanseet, Inc., Eagle River
Mel Monsen, Bering Sea Fishermen's Association, Anchorage
Ken Pitre, Department of Fisheries and Oceans, Government of
Canada, Vancouver, B.C.
Terry Buholm, Bothell, WA
Peter N. Allen, Kodiak
Kris Riley, AFDF, Anchorage
Robert E. Dignon, Seattle
Tom E. Thompson, Sitka Sound Seafoods, Sitka
Jim Ferguson, Pelican Cold Storage, Pelican
Steven K. Meier, Pelican
Earl Krygier, Alaska Trollers Association, Juneau
Nelson Walluhatum, Warm Springs, OR
Raleigh Morrison, Hydaberg, AK
Nathan Jim, Sr., Warm Springs, OR
Mike Buouili, AFDF, Anchorage
Yoshiharu Kashio, Anchorage
Jay Koenecke, Anchorage
Nell Wick, Kodiak
Clinton E. Atkinson, Seattle
Greg Gulundstein, Unalaska
Toru Fukuii, Japan Deep Sea Trawlers Association, Tokyo
Y. Teshima, Nichiro Pacific, Tokyo
Henry Haugen, Seattle
James Goldade, Seattle
Mark S. Lundsten, Deep Sea Fishermen's Union, Seattle
Leroy Kossett, Kodiak
Howard Farley, Norton Sound Advisory Committee, Nome
Thomas Boyd, BLM/OCS, Anchorage
Sig Jaeger, North Pacific Fisheries Development Corporation, Seattle
Mick Stevens, Marine Resources Company, Seattle

Mike Ecomomov, Anchorage
Terry D. King, Kenai
Henry Mitchell, Bering Sea Fishermen's Association, Anchorage
Joseph Gnagey, Westward Trawlers, Everett, WA
Kathleen Graves, Anchorage
R. Barry Fisher, F/V EXCALIBUR, South Beach, OR
Toshio Ueno, Japan Fisheries Association, Anchorage
Kenji Nishihara, Japan Fisheries Association, Anchorage
Satoshi Moriya, Kyokyo Fisheries, Tokyo

A. CALL TO ORDER AND APPROVAL OF AGENDA AND MINUTES OF PREVIOUS MEETING

The meeting was called to order by Chairman Clem Tillion at 9:15 a.m. The Chairman introduced Mike Hunter, Ed Zyblut, and Ken Pitre with the Division of Fisheries and Oceans, Government of Canada; Don Martens, Office of the Canadian Consulate General, Seattle; Mr. Satoshi Moriya with Kyokyo Fisheries, Tokyo; and Toshio Ueno and Kenji Nishihara with the Japan Fisheries Association in Anchorage.

Chairman Tillion called for approval of the agenda and the minutes of the December and January meetings. *Harold Lokken moved that the agenda and the December and January minutes be approved as submitted; seconded by Don Collinsworth. There being no objection, it was so ordered.*

B. SPECIAL REPORTS

B-1 Executive Director's Report

The Council's Policy and Planning Workgroup met in Juneau on March 11 to discuss policies for alternates for SSC members, permit reviews by the Council's Permit Review Committee, criteria for joint venture permit review, and the composition of Plan Development/Maintenance Teams.

The Workgroup's draft criteria for joint venture permit review was referred to the Advisory Panel for recommendation at the May meeting. A draft Council policy document on permit reviews by the Permit Review Committee and a draft policy for Plan Management Teams, which combine the function of plan maintenance and plan development teams, will be available shortly.

The Workgroup developed a policy for allowing alternates for SSC members. Council action on this item is addressed in item C-1, Policy on Alternates for SSC Members.

The House Subcommittee on Fisheries, Wildlife Conservation and the Environment held a hearing on the reauthorization of the MFCMA on March 2, 1982. John Harville, who was in Washington on other business, testified before the Subcommittee on behalf of the Council, expanding on the written testimony submitted for the hearing. Four other Councils also testified.

The next Council chairmen's meeting is scheduled for May 26-28 in Newport, Rhode Island. Those dates conflict with the dates scheduled for the May Council meeting. The Executive Director initially recommended that the Council meeting dates not be changed and that delegates be sent to the Chairmen's meeting; however, because of the nature of the agenda for the May meeting, *it was the consensus of the Council that the Executive Director should reschedule the May meeting for Wednesday and Thursday, May 19-20, in Anchorage.*

The NOAA/NMFS State Fish and Wildlife Directors Conference will be held in Washington, D.C. April 27-29, 1982. *It was the consensus of the Council that Executive Director Jim Branson and Deputy Director Clarence Pautzke be directed to attend the State Fish and Wildlife Directors Conference.*

The Council received a telex from the Government of Spain on March 15, 1982 suggesting that they would like to have a small allocation in 1982 to try an experimental fishery. The Executive Director responded by telegram on March 16, explaining that the Council has not been enthusiastic about new countries entering the fishery and would probably consider any proposal by Spain strictly in relationship to its benefits to the U.S. industry. He suggested that they deal directly with the U.S. industry before coming to the Council with a permit request.

The Advisory Panel recommended that the Council take similar action on the Spanish request as it took on the Norwegian request in January. The AP further recommended that Spain be denied a direct allocation.

It was the consensus of the Council that the Executive Director's response to the Spanish government provided sufficient explanation and was consistent with previous policies set by the Council.

At the December meeting, Ron Skoog asked that the biologist for the Alaska Trollers Association be considered for membership on the Salmon Plan Development Team. ATA sent the Council a resume for Earl Krygier, which was reviewed by the SSC in January. The SSC determined that Mr. Krygier appeared to be qualified as a salmon biologist and, therefore, would be qualified to be a member of the Plan Development Team. However, the SSC recommended that the size of the PDT not be increased at this time. Council action was required to make a final determination on Salmon PDT membership.

Harold Lokken moved that the Council appoint Earl Krygier a member of the Salmon Plan Development Team and that the Council go on notice that it will consider other qualified persons for membership on the plan development team if, and when, their services are offered; seconded by Don Collinsworth.

John Harville said that the user groups' role in fishery management should come through the Advisory Panel and suggested that

the Council follow the recommendation of the SSC not to increase the size of the Salmon Plan Development Team.

Keith Specking and Don Bevan also opposed the motion, both stating that this action would violate an established Council policy not to allow user groups to be members of plan development teams.

Upon call for the question, the motion failed with Council members Bevan, McVey, Eaton, Specking, DiDonato and Campbell in opposition; Robert Mace was absent for this vote.

The Executive Director said that Jim Richardson, Council staff economist, tendered his resignation effective at the end of the March meeting. Due to budgetary restraints, there is some question whether or not to fill the position.

The SSC recommended that the position be filled as soon as possible if funds are available, as this position fulfills an important role between the Council staff and the SSC.

The Council instructed the Executive Director to evaluate the budgetary situation and, based upon his conclusions, proceed accordingly to fill the position if possible.

Robert McVey submitted a written report on the possible origin of net-marked salmon in the Southeast Alaska troll fishery. This report included information from NMFS files summarizing possible sources of the net marks and three short papers describing the Japanese high seas gillnet fisheries for squid and albacore. Much of the information in the report was collected last summer, as there is little new information at this time. Mr. McVey noted that the Japanese high seas gillnet fisheries will be a major topic at the March 1982 meeting of INPFC scientists in Tokyo and it is expected that a substantial amount of new information will be available from that meeting.

B-2 Domestic Fisheries Report by the Alaska Department of Fish and Game

Over 11,700 mt of groundfish were taken off Alaska during January 1982 compared to a catch of only 222 mt at the same time last year. The catch was 93% pollock, 6% Pacific cod and 1% other species, primarily from the Gulf of Alaska.

B-3 Foreign Fisheries Report by National Marine Fisheries Service

There were 181 foreign vessels operating off Alaska at the end of February, 1982, but by March 16 that number had fallen to 126 vessels, mostly Japanese. Both the number of vessels and vessel days through February 1982 show a slight decline from the 1981 levels, though fishing patterns are similar to last year.

Final figures show that 1,273,000 mt or 86% of the 1,479,609 mt Bering Sea/Aleutian Islands TALFF was taken in 1981. In the Gulf

of Alaska only 65%, or 243,000 mt of the 374,274 mt TALFF, was utilized.

Through February 1982, 103,215 mt, 17.5% of the 588,777 mt Bering Sea/Aleutians TALFF, had been taken. The catch was 81.6% pollock, 12.6% flounders, 1.2% Pacific cod, and 4.6% other species. In the Gulf of Alaska, 7,319 mt or 9% of the 82,312 mt TALFF has been caught, with 68% of the catch Pacific cod, 29% pollock, and 3% other species.

B-4 Report on Enforcement and Surveillance by U.S. Coast Guard

Since the January meeting the U.S. Coast Guard off Alaska issued seven reports of violation and five citations to one Taiwanese, one Soviet, two Polish, two Japanese, and four Korean vessels. Infractions included failure to provide a safe boarding ladder for the authorized boarding party; failure to properly maintain the daily cumulative catch log; failure to stop immediately to facilitate an authorized boarding; failure to properly display international radio call signs; conducting fishing activities prior to the time submitted in check-in message; and failure to give proper notification of ceasing fishing activities prior to completion and departure from the fishing area.

B-5 Joint Venture Operations

John Schmeidtke reported that the West German FRIEDRICH BUSSE commenced operations on February 27 with four U.S. catcher vessels in the Bering Sea. About 1,100 mt of U.S.-caught fish were delivered to the BUSSE for processing in the first two weeks, 700 mt of Pacific cod and 400 mt of pollock.

Fish Producers Associates and Korea Wonyang Fisheries commenced operations in mid-January with seven U.S. trawlers and six Korean processors in Shelikof Straits. As of March 13 over 17,000 mt had been caught, mostly pollock.

Universal Seafoods and Nippon Suisan began their joint venture on February 14 with two U.S. trawlers and the Japanese factoryship KONGO MARU working in Shelikof Straits. Operations are proceeding on schedule; catch figures are not available.

Joint Venture Fisheries, Ltd. and a consortium of eleven companies from the Korea Deep Sea Fisheries Association are operating in Shelikof Straits with three U.S. trawlers and two Korean processors. As of March 23, 9,628.5 mt of pollock and 5.6 mt of Pacific cod had been caught. Operations are proceeding smoothly and the partners expect to take their total 15,000 mt by the end of April.

Westward Trawlers and Taiyo Fishery Company began a joint venture in late January with two U.S. trawlers and the Japanese factoryship ZUIYO MARU NO. 3 in Shelikof Straits. Over 6,000 mt of pollock had been delivered for processing as of March 13,

92.9% food grade fish. The partners expect to achieve their target of 10,000 mt by the first week of April.

B-6 Report on Observer Program

Robert French of the Northwest and Alaska Fisheries Center, retiring director of the Observer Program, reported that total observer coverage for Alaskan fisheries was about 10% in 1981. Overall coverage is scheduled to climb to an average of 35-40% for 1982. Coverage levels of the various fisheries for 1982 are projected at 90-100% for joint ventures; 100% for the Japanese mothership fisheries; 35-40% for large stern trawlers; 20% for small trawlers; and 25% for longliners. Mr. French reported a total incidental catch of salmon by foreign groundfish fisheries of 77,430 fish in 1981, over 90% of which were chinook salmon.

B-7 Pacific Cod Status Report

Vidar Wespestad reported that resource assessment surveys by the Northwest and Alaska Fisheries Center have shown a substantial increase in Pacific cod abundance in the eastern Bering Sea since 1977, primarily due to the strong 1977 year class. But because the life span of cod is relatively short and the current high abundance of the population is mainly the result of this single year class, stock abundance may soon return to historic lower levels.

In a report entitled "Current Abundance of Pacific Cod in the Eastern Bering Sea and Expected Abundance in 1982-86" by Vidar Wespestad, Richard Bakkala, and Jeff June, biomass estimates determined through the use of a numeric population simulation model indicated that the contribution of the strong 1977 year class will diminish substantially in 1984. According to the simulation model, the exploitable population biomass could be expected to decline by 1986 to a range of 349,000 mt with no fishing to a low of 120,000 mt with a constant annual catch of 120,000 mt in 1982 to 1986.

Because the Council feels it is important to predict such trends so the industry can anticipate the future harvest potential of the resource and plan accordingly, the Executive Director was instructed to include a summary of Mr. Wespestad's report in the Council Newsletter for March.

B-8 International Pacific Halibut Commission Report

Dr. Donald McCaughran, Executive Director of the International Pacific Halibut Commission, said the 1982 halibut quota will be 27.5 million pounds, 2.5 million pounds more than in 1981. Stock assessment information indicates that halibut stocks are rebuilding, particularly in the Gulf of Alaska, and that the number of young fish is increasing. The Commission is concerned, however, that the incidental catch of halibut in other fisheries is also increasing, partially due to greater halibut abundance.

Quotas for 1982 for the various areas are:

Area 2A	.2 million pounds
2B	5.4 million pounds
2C	3.4 million pounds
3A	14.0 million pounds
3B	3.0 million pounds
4	1.5 million pounds

C. NEW OR CONTINUING BUSINESS

C-1 Policy for Appointment of SSC Alternates

The SSC reviewed the Policy and Planning Workgroup's draft policy for appointing SSC alternates, made a part of these Minutes as Appendix I, and concurred with the general direction of the policy. The SSC felt that it would be advantageous to the SSC's deliberations to allow members other than primary agency representatives to have alternates, and asked the Council to liberally interpret this policy to allow alternates on a case-by-case basis when it will benefit the work of the SSC.

Don Bevan moved that the Council adopt the policy for SSC alternates, modified to conform with the SSC's recommendations; seconded by Don Collinsworth. There being no objection, it was so ordered.

C-2 Advisory Panel Appointments

The Advisory Panel had three vacancies with the resignations of Charles Parsons, Truman Emberg, and Lewis Schnaper. At the January meeting the Council asked for nominees from the public to fill those positions. Eleven names have been added to the list of nominees since that time and Chairman Tillion made interim appointments to fill the vacancies so the appointees could attend the March Council meeting if possible. Those appointments are James O'Connell, fisheries officer for the National Bank of Alaska; Harvey Samuelsen, fishermen from Bristol Bay and president of the Western Alaska Cooperative Marketing Association; and Ed Wojeck, executive director for the Alaska Trollers Association. Council action was required to confirm the interim appointments.

Harold Lokken moved that the Council confirm the appointments of Samuelsen, Wojeck and O'Connell to the Advisory Panel; seconded by Bob Mace. There being no objection, it was so ordered.

Advisory Panel member Ken Olsen, who is retiring as secretary of the Alaka Fishermen's Union, has submitted his resignation from the AP and asked the Council to fill that vacancy with his successor in the Union, Walter Smith.

Due to time constraints of the meeting, the Council deferred action on this item until the May meeting.

C-3 Council Confirmation of New AP and SSC Officers

The one-year terms of AP and SSC chairmen and vice-chairmen expired in December 1981 and new officers for each of these bodies were elected at the March meeting.

The SSC requested Council confirmation of Donald Rosenberg as Chairman and Richard Marasco and Vice-Chairman for the 1982 term.

Bob Mace moved that the Council confirm the SSC's officers; seconded by Don Bevan. There being no objection it was so ordered.

The Advisory Panel requested Council confirmation of Robert Alverson as Chairman and A.W. "Bud" Boddy as Vice-Chairman for the 1982 term.

Bob Mace moved that the Council confirm the Advisory Panel's officers; seconded by Don Bevan. There being no objection, it was so ordered.

C-4 Halibut Limited Entry and Moratorium for 1982

At the February 3, 1982 meeting of the International Pacific Halibut Commission conference board, the Council was asked to implement a limited entry program for the halibut fishery. On February 18, 1982 the Council's Halibut Limited Entry Workgroup met in Juneau to discuss a draft RFP for a hook and line limited entry study. At that meeting, industry representatives asked the Council to act on a moratorium on entry into the halibut fishery.

It is only remotely possible that a moratorium could be effective before the beginning of the 1982 halibut season on May 11. HR 5074, the implementing legislation to the protocol amending the Halibut Convention, is before Congress. The enactment of this legislation would allow the Secretary of Commerce, with the concurrence of the Council, to promulgate limited entry regulations, including a moratorium, for the U.S. halibut fishery.

Patrick Travers submitted a draft Notice of Proposed Rulemaking which could be published before the implementing legislation becomes law in an effort to put the moratorium in place before the May 11 season opening. The implementing legislation would probably have to be effective, however, before the final regulation could be promulgated. Apparently the NOAA General Counsel's office in Washington, D.C. has expressed reservations over publishing a Notice of Proposed Rulemaking before the implementing legislation has become law. They fear the moratorium may be determined a "major rule" under E.O. 12291 and require regulatory analysis under the Regulatory Reform Act. Publishing the Notice of Proposed Rulemaking before these determinations are made could cause problems during OMB review. For these reasons, Pat Travers suggested that the Council wait until the implementing legislation has passed and then go forward with an emergency action to implement the moratorium.

The Council discussed the draft RFP submitted by the Halibut Limited Entry Workgroup. Some Council members felt the RFP was too restrictive because it compares only the share system with the status quo.

The SSC recommended that a statement be included in Section 5.0 of the RFP to provide an "escape hatch" in the event that availability of the data required to complete the study does not match the time schedule for completion of the project. The SSC also suggested that the title of the study be changed to indicate that this is a study of halibut limited entry, not an overall, general study of hook and line limited entry.

The Advisory Panel recommended that the RFP be expanded to include a study of alternative limited entry systems in addition to the share system and favored establishing the moratorium.

Public Testimony

David Herrnsteen of Kodiak opposed both the RFP for a study of limited entry and the moratorium. He said he feared that action of this type may set a precedent for all other fisheries. Mr. Herrnsteen predicted that the value of halibut limited entry permits would escalate from 2.5 to 5 times the current value of the annual catch of halibut and that a limited entry system would have detrimental effects on Alaskan coastal communities.

Peter Allen, a small boat fishermen from Kodiak, opposed both the share system and the moratorium.

Chuck Rolleaux, Kodiak fisherman, said that a limited entry system based on the share system would be unenforceable.

David Ausman, representing the Kodiak Halibut Fishermen's Association, said he believes the halibut fishery will survive its problems if the threat of limited entry is removed. He proposed an alternative plan for issuing permits which would allow each person with a history of participation in the fishery to receive a permit, non-transferable except through inheritance, with no dollar value. If unused, the permit would be reclaimed by either IPHC or the Council. The Council or IPHC could either reissue the permit or destroy it, depending on the condition of the fishery at that time.

Vicki Kuhl said she wants to be able to catch fish to the limit of her ability, not to a limit that has been set by someone else. She said that a fisherman should not have to buy the privilege to fish, and equated purchasing shares with purchasing that privilege.

Ray Norland testified against both the moratorium and the RFP.

John Jackoski, Kodiak, said that all other available management measures should be tried before limited entry is considered for the halibut fishery. He suggested that the Council address the

financial structure which may be, in part, responsible for the current overcapitalization of the fishery.

Mark Lundsten, speaking on behalf of the Deep Sea Fishermen's Union of Seattle, endorsed both the moratorium and the study of a limited entry system based on the share system. He said the members of his union want to conserve the resource while using it wisely, and feel that some kind of limited entry system is absolutely necessary.

Gordon Jensen, representing Petersburg fishermen and the Petersburg Vessel Owners Association, favored the share system, but also endorsed exploring alternative systems in the limited entry study. He cited distinct advantages for both the fisherman and consumer in spreading the halibut catch over a longer period of time. Mr. Jensen also endorsed imposing a moratorium on new entries into the fishery.

Greg Baker, president of the Alaska Longline Fishermen's Association, endorsed the moratorium and the limited entry study. He urged the Council to include alternative limited entry programs as well as the share system in the proposed study.

Robert Alverson, representing the Seattle Fishing Vessel Owners Association, endorsed the share system for halibut limited entry, but wants other options to be explored in the study. He endorsed the moratorium, stipulating that it should include the Bering Sea to 56°N. He also suggested that no person should be allowed to hold shares for more than one area.

Greg Baker, speaking for Ed Wojeck, supported the moratorium and stressed the need for some form of effort limitation.

Richard Luhndahl, chairman of the Pelican Fish and Game Advisory Committee, said that the Pelican Advisory Committee has not formally addressed the subject of limited entry; however, he felt that due to the economic problems in Southeast Alaska, the Advisory Committee would support the concept.

Kathleen Graves of Anchorage and Jane Williams of Port Graham, testified against both the moratorium and the halibut limited entry study. They said that youth's right to fish should carry more weight than past participation in the fishery.

Fred Woelkus, Seward, testified against the concept of limited entry, but said that something is needed to expand the length of seasons and offer a better quality product to the consuming public.

Alvin Osterback, representing the Sand Point Fish and Game Advisory Committee, said that the communities of Sand Point, King Cove, Dutch Harbor, and Unalaska oppose both limited entry and the proposed moratorium.

Theo L. Carson, Jr., member of the board of directors of the United Cook Inlet Drift Association said that many of his members rely on the halibut fishery to supplement their incomes. He urged the Council to look at alternatives to the share system and suggested that the contractor talk with the fishermen involved when conducting the study.

Council Action

John Harville said that the testimony heard at the meeting would be helpful in the Council's deliberations. He personally favored the moratorium, but stressed that the Council should only establish the principles of the moratorium and leave the legal intricacies to the expertise of the NOAA General Counsel's office.

He favored the approach of the study outlined in the draft RFP, modified to include other alternatives to the share system.

Don Bevan moved that the Council adopt the RFP in a modified form to include a summary of other forms of limited entry which were considered but discarded during the development of the RFP and the reasons that they were discarded; and that the recommendations of the SSC and AP be included in the re-drafted RFP. The motion was seconded by Don Collinsworth.

Harold Lokken spoke against the motion, stating that the format of the RFP is too restrictive to adequately cover the available options for a limited entry system.

Upon call for the question, the motion passed with Harold Lokken in objection.

Bob Mace moved that the Council vote to impose a moratorium on entry into the halibut fishery in 1982, excluding Washington and Oregon and Area 4 north of 56°N, contingent upon Congressional approval of the required implementing legislation; seconded by Jim Campbell.

Don Bevan said he favored a moratorium, but opposed the motion as stated because it does not provide a sunset clause and transferability for certain circumstances such as that for widows and orphans.

Pat Travers suggested that the Notice of Proposed Rulemaking could be amended to allow for transfers in hardship cases once the enabling legislation becomes law.

Upon call for the question, the motion was unanimously adopted.

C-5 Joint Venture Permit Applications

The U.S.S.R. applied for permits for 14 Soviet stern trawlers to work in a joint venture with Marine Resources Company of Seattle. Marine Resources expects to catch and process 35,000 mt of

yellowfin sole and other flounders, 7,000 mt of Pacific cod, 500 mt of pollock, and 500 mt of by-catch species in areas 51, 52, 53, and 54 of the Bering Sea and Aleutians. Seven to ten U.S. trawlers and as many as eight Soviet processing vessels would work in the fishery from April 15 to September 30.

The Council also received permit applications for joint ventures from three Japanese fishing companies. Hoko Fishing Company, Ltd. of Tokyo proposed to work in a joint venture with Jeff Hendricks and Associates of Anacortes, Washington to catch and process about 9,500 mt of pollock and 500 mt of by-catch species in the Bering Sea and Gulf of Alaska. Operations would run for 40 days beginning mid-May and employ four U.S. catcher boats and the Japanese factoryship CHIKUBU MARU.

Ohtori Suisan Company, Ltd. of Tokyo and Whitney Fidalgo Seafoods, Inc. of Seattle propose to catch and process 9,500 mt of pollock, 300 mt of Pacific cod, and 200 mt of other species in the Bering Sea and Gulf of Alaska. This operation is scheduled to begin in early May and would employ two or three U.S. trawlers and the Japanese factoryship OHTORI MARU.

Nippon Suisan Kaisha, Ltd. of Tokyo and Universal Seafoods of Redmond, Washington propose a second joint venture in the Bering Sea and Gulf of Alaska scheduled to begin mid-year. They will use two to four U.S. catchers and the Japanese factoryship HARUNA MARU to catch and process 9,500 mt of pollock, 200 mt of Pacific cod, and 300 mt of by-catch species.

The Advisory Panel voted against approval of the four joint ventures. Their principle objection was due to the idea that foreign companies orchestrate joint ventures with vessels owned by domestic corporations which are, in turn, controlled by the same foreign company solely for the purpose of obtaining political concessions for more TALFF.

Bob Mace moved that the Council recommend approval of the joint venture permit requests for Marine Resources Company, Hoko Fishing Company, Ohtori Suisan Company, and Nippon Suisan Kaisha; seconded by Harold Lokken. There being no objection, it was so ordered.

C-6 Remaining 1982 Allocation Releases

Council action on this agenda item to withhold remaining sablefish TALFF in the Gulf of Alaska is addressed in agenda item D-5, Gulf of Alaska Groundfish FMP.

D. FISHERY MANAGEMENT PLANS

D-1 Salmon FMP

At the January meeting with the Board of Fisheries, the Council took preliminary action on 1982 salmon management proposals. This action was preceded by an extended proposal period and

lengthy public testimony at the meeting. Various agency reports indicated that local Southeast Alaskan wild chinook stocks are responding favorably to the current management regime, but non-local wild stocks have shown little or no improvement. Public testimony stressed the economic impacts of current regulations and the inability of the industry to withstand further catch reductions. Testimony from the Columbia River Indian tribes stressed fulfillment of treaty obligations and the need to transfer more chinooks to tribal fishing areas.

The Council's preliminary position was to maintain the current chinook optimum yield range of 243,000 to 272,000 fish and direct the Regional Director of NMFS to manage for the lower end of the range. For all other salmon proposals (gear, seasons, etc.) the Council deferred to the Board's recommendations.

The Salmon Plan Development Team met on March 21, 1982 to review the latest status of stocks and fishery information available related to the Council's position on optimum yield. The PDT concluded that the status of coastwide chinook salmon stocks contributing to the Southeast Alaska fishery is unchanged from its earlier condition and made the following specific recommendations for developing a better information base for future fisheries management decisions:

1. Whenever possible, coded wire tagging studies should be designed to provide for more reliable expansion of data for management purposes. The current backlog of micro-wire tag data should be examined for its potential application to stock specific fisheries management problems.
2. The Council should consider an ex-officio, non-voting membership of a Canadian scientist on the Salmon PDT.
3. A coastwide data format should be developed to centralize the summarization and annual updating of escapement, stock distribution, and fishery data necessary to review annual management regimes.

The PDT analyzed computer simulations from the Washington Department of Fisheries model and some possible time/area closures for three regulatory regimes and harvest guidelines under consideration for the 1982 fishery.

1. Status quo OY range with harvest guideline of 272,000 chinooks;
2. Status quo OY range with harvest guideline of 243,000 chinooks and a two-week closure early in the season (Council's preferred alternative);
3. OY of 128,000 chinook salmon with all species season beginning July 7 (modified Inter-Tribal Fish Commission proposal)

Without direction from the Council for an objective to determine rebuilding rates of major depressed stocks and the relative sharing of conservation burdens with Canada and other fisheries, the PDT was unable to recommend a specific regulatory option. The PDT noted that the fastest and most direct way to address conservation problems for Columbia River bright chinook stocks is to reduce inter-dam losses. The PDT recommended that the sources of these losses be identified as soon as possible and that measures be taken to reduce inter-dam losses to pre-1980 levels.

The PDT addressed concerns which had been raised that the removal of sub-legal adipose clipped chinook salmon from the stocks present in Southeast Alaskan waters might affect the results of micro-wire tagging experiments currently being conducted on chinooks contributing to the Southeast Alaska fishery. Under this exemption from Alaska's 28" size limit, troll fishermen may retain sub-legal adipose clipped chinooks on a voluntary basis.

The recovery of these tags is desired to determine general time/area distribution of immature chinooks of Taku and Stikine River origin and whether these fish are available to the Southeastern troll fishery as shakers. Any recovery of tagged, sub-legal fish will be recorded as select tag recoveries to distinguish from random recoveries used in analysis and experiments being conducted along the coast. The PDT determined that the number of tags recovered during this program would range from 1200-1500 and would not adversely affect the analysis of other tagging experiments. If large numbers of tags were to be recovered, experiments that rely on this ratio of marked and unmarked fish at release could be affected in that this ratio would be changed prior to recoveries in the fisheries. Experiments that depend on marked and unmarked ratios in terminal areas and escapements would not be affected as this ratio would still be the same as the ratio of marked and unmarked fish in the commercial harvest. The PDT also recommended that the tags recovered in this program be decoded as quickly as possible during the season to determine the presence of Taku and Stikine River fish. If the fish are not being recovered, then an in-season extension of the program should be considered. The PDT also recommended that if the rate of sub-legal fish being turned in becomes excessive relative to anticipated levels, appropriate in-season measures should be considered to reduce this rate or to suspend the program to limit recoveries to the expected sample size.

Bill Wilkerson of the Washington Department of Fisheries, Bernie Bohn of the Oregon Department of Fish and Wildlife, and Wayne Lewis with NMFS enforcement described enforcement problems on the Columbia River and major management and environmental activities underway at this time. Wayne Lewis, who was appearing at the request of the Columbia River Law Enforcement Committee, said that fisheries enforcement jurisdiction on the Columbia River is shared by the states of Oregon and Washington, including to a limited extent, the four treaty tribes, which each exercise jurisdiction over their own members. Federal jurisdiction is

limited to enforcement of the Lacey Act and certain provisions of the Magnuson Act. The Columbia River Fisheries Council as an entity has no enforcement jurisdiction. It does, however, have a very active law enforcement committee. The Columbia River Law Enforcement Committee is composed of the fish and game enforcement arms of the Washington Department of Fisheries, Washington Department of Game, the Oregon State Police, the Idaho Department of Fish and Game, National Marine Fisheries Service, the U.S. Fish and Wildlife Service, and the Columbia River Indian tribes. The mission and purpose of the committee is to facilitate the exchange of enforcement information and to coordinate enforcement efforts on the Columbia River, especially at those times when anadromous fish runs are most vulnerable to illegal fishing activity. A major goal of the committee is quantify the number fish illegally taken from the river. The committee is presently planning for the 1982 season and believes that their planned operations will continue to have substantial impact and reduce illegal activities on the Columbia River.

Bernie Bohn described the various fisheries which take place along the Columbia River. He said the treaty fishery has declined from the traditional 40 to 70-day fishery to a five day fishery in 1980 and an eight day fishery in 1981. The 1981 treaty fishery catch was 75,000 fish, down from an average of 200,000-300,000 fish in the period 1970-1977. Before 1976 escapements for upriver brights at Bonneville Dam numbered between 90,000 and 100,000 fish. Since 1976, however, management activities have been operated on an escapement goal of 40,000 fall chinooks over the McNary Dam. Mr. Bohn said that in 1980 an unusually large number of upriver brights, approximately 38%, could not be accounted for in spawning escapements or catch. In 1981 about 47% were unaccounted for. The Washington Department of Fisheries and Oregon Department of Fish and Wildlife estimate the 1981 total run size of brights to Bonneville Dam was 62,900 adults. The count was 45,000 at the Dalles, 30,300 at John Day, and 21,100 at McNary. The Washington Department of Fisheries took it upon themselves to research the cause of the lost fish and were able to identify some possible causes, but could make no clear conclusions.

Mr. Bohn explained the basis of a preliminary research proposal "Radio-Tracking Study of Unaccountable Losses Between Bonneville and McNary Dam, 1982". The objective of the study is to identify probable causes of inter-dam losses so corrective action can be taken.

Bill Wilkerson explained the implications of the Northwest Power Bill as it elevates fishery resource conservation to a higher priority in the comprehensive Columbia River Power Plan. The Northwest Power Bill includes five fishery priority areas:

1. To improve flows in the Columbia River;
2. To improve by-pass of upstream and downstream migrants at dams;

3. To increase artificial production of fishery stocks;
4. To improve available spawning habitat; and
5. To provide adequate institutional arrangements to insure that fish and wildlife considerations are taken into account in further planning.

Messrs. Wilkerson, Bohn, and Lewis answered questions from the Council and discussed the adequacy of Columbia River enforcement activities under current budgetary restraints; the question of transporting spawners past McNary Dam; the possibility that poaching may be a major cause for unaccountable losses; or that there may have been changes in the habitat which contributed to the failure of the fish to reach the spawning grounds.

A delegation from the Columbia River Inter-Tribal Fish Commission composed of Wilbur Johnson, Tim Wapato, Kathryn Brigham, Levi George, Allen Pinkham, and Delbert Frank presented the position of the Commission and background information on the evolution of the Commission. Their presentation covered the severity of penalties imposed against Indians caught fishing illegally on the Columbia River; traditional Indian uses and ceremonial fisheries; and their perception of the inter-dam loss problem.

Mike Hunter with the Division of Fisheries and Oceans of the Government of Canada reported on Canada's efforts to curtail their interceptions of Columbia River bright stocks in the troll fishery and other conservation measures taken by the Canadian government in 1981.

During 1981 Canada limited the number of lines fished, introduced a barbless hook requirement, closed the season one month early, and closed areas where shaker catches were high. He said that the 1981 Alaska troll fishery accounted for 25% of the coastwide outside troll fishery, which was 5% greater than the level of the 1971-74 outside fishery. Canada's share, on the other hand, remained constant at about 63%. Washington's and Oregon's share dropped to 11% in 1981 from 18% during the period 1971-74.

A proposed two week troll closure in northern British Columbia this June would provide the opportunity for increased pass-through to Washington and Oregon streams; however, Mr. Hunter said that a formal decision to implement this proposed closure has not yet been issued by the Canadian Minister of Fisheries and Oceans.

Mr. Hunter said that other Canadian salmon fisheries have been cut back as well as the troll fishery. The purse seine fishery, which caught 20,000 chinooks incidental to the sockeye fishery in 1981, is being moved away from the chinook nursery areas. The seine fisheries in areas 1, 2, and 7 will be greatly curtailed or eliminated in 1982. The sport fishery will also be restructured in 1982. The minimum size limit for sport-caught chinooks will be increased from 12" to 18" and there will be a 30 fish per year bag limit per angler.

Lee Alverson, speaking as the U.S. participant in the U.S./Canada negotiations, said that both sides are anxious to find a solution to the problem. The interim two-year agreement ends this year. Their next meeting will be the third week of April. The parties are now considering a framework agreement rather than a comprehensive plan to resolve remaining outstanding issues. Both sides agree that a coastwide mechanism is necessary to manage the salmon fisheries and that the conservation issue overrides all other problems.

Robert McVey reported on the March 8 meeting of the Policy Group for the Confederated Tribes v. Baldrige case. The Policy Group determined that an OY of 128,000 chinooks in Alaska, which represents a 53% reduction from the 1981 OY, is too drastic a cut and totally infeasible. The Policy Group hopes to establish a more reasonable, middle ground approach for setting the optimum yield. McVey and Larkins, who are responsible for developing a report for Judge Craig, will summarize the North Pacific and Pacific Councils' actions for managing the 1982 fishery. The North Pacific Council's proposal to manage toward the lower end of the OY range has been deemed "satisfactory" action by representatives of the Secretary of Commerce.

Don Collinsworth reported on the Inter-Council Salmon Coordinating Committee meeting held in Portland on March 15. Two recommendations came from that group. First, that the Pacific Council take a hard look at inter-dam losses and in and out migration patterns; and second, that the North Pacific Council adopt a preferred OY of 243,000 chinooks, with the caveat that the Council expects that the fish saved from the Southeast Alaska troll fishery will not merely be transferred to another fishery but will go to spawning grounds somewhere along the Coast.

The Advisory Panel recommended that the 1982 optimum yield range be set at 243,000 - 272,000 chinooks, managing for a harvest at the upper limit. The AP also took the position that line limits should not be imposed; that tagged, under-sized salmon may be retained as amended by the Board of Fisheries at the January meeting; and reconfirmed its recommendation for a chinook season from May 15 to September 20 and a coho season from June 15 to September 20. The Advisory Panel was split by a tie vote whether or not to recommend repeal of the ban on treble hooks.

The SSC reviewed the various reports and analyses provided by the Plan Development Team and estimated that at least 80% of the chinook salmon caught in the Southeast Alaska troll fishery are of non-Alaskan origin. They stressed that this estimate is, as yet, only an approximation and could be modified significantly by further analyses of available data and new composition studies. Their first approximation of the composition of chinook stocks in the Southeast Alaska troll fishery was 20% or less Alaskan; 40% British Columbia stocks; and 40% Washington/Oregon stocks.

The SSC concluded that the condition of stocks contributing to the Southeast Alaska troll fishery varies, but escapements of

most natural stocks contributing to the fishery are well below escapement goals. Hatchery stocks appear to be relatively healthy. The conservation issue identified last year for local Southeast Alaska stocks seems to have been addressed by the current management regime. Because of the partial dependence of the Alaska troll fishery on certain British Columbia stocks, any improvements in escapements to those streams would in turn benefit the Alaska fishery. A reduction in the optimum yield for the Alaskan fishery in itself may have little effect on escapements to British Columbia streams unless that reduction is accompanied by reduced effort in Canadian waters.

The SSC determined that a conservation issue does exist for Columbia River brights because natural stock escapements are below the established minimum escapement goals and have been below this goal for the past eight years. Although escapements are presently below the optimum, the productivity of the natural stocks still has high potential.

The SSC recommended that a coordinated coastwide plan for increasing the rate of return per spawner and for rebuilding the stocks to an identified escapement goal be developed and adopted by the agencies having fishery resource management responsibilities. The plan should be based upon a time frame taking into consideration the social and economic requirements of resource users in existing fisheries. The relative effectiveness of various controls in providing improvement to Columbia River bright chinook stocks will also need to be considered. The SSC noted that a reduction of 36 brights in the Alaska harvest would provide only one fish to escapement. The alternative reduction of one fish in inter-dam loss would provide one fish to escapement. Given the number of Columbia River brights available to the Alaska fishery, the maximum transfer of spawners to escapements resulting from the complete closure of the Southeast Alaska chinook fishery would be only about 7,500 fish, this number of fish would not provide for achievement of the 1982 spawning escapement goal. The expected inter-dam loss based on 1981 rates would be approximately 32,000 fish, all of which could transfer to the escapement if that problem were solved.

The SSC concluded that neither the North Pacific Council nor the Alaska Board of Fisheries, either singly or in combination, has the ability to completely resolve the conservation issue for Columbia River bright chinook stocks without the cooperative support of other agencies. The SSC recommended that the OY for 1982 be maintained at the 1981 level. The effectiveness of the proposed OY would depend on the overall trend and level of combined stocks being fished and actions taken elsewhere to increase survival. The SSC considered the Plan Development Team's recommendation for the timing of closed periods to limit the Alaska catch to 243,000 chinooks and concluded that option 3, a May 15 opening with a June 1-14 Southeast Alaska troll closure combined with a northern British Columbia troll closure for two weeks in mid-June, would probably be more effective in passing chinooks southward than options 1 and 2.

The SSC reviewed the letter from the Washington Department of Fisheries objecting to the retention of sub-legal, tagged chinook salmon and recommended that WDF, ADF&G, and other concerned agencies attempt to resolve the issue and recommend a solution to the Council. In the absence of a multi-agency consensus or strong supporting evidence documenting the need for sub-legal retention, however, the SSC did not support retaining sub-legal tagged salmon.

Public Testimony

The Council and Board conducted a joint public hearing during the meeting on proposals for the 1982 troll salmon fishery. A summary of testimony received at the joint hearing is made a part of these Minutes as Appendix II.

Council Action

Bob Mace moved that the Council adopt an optimum yield for the 1982 Southeast Alaska troll fishery of a maximum harvest of 128,000 chinooks; seconded by Gene DiDonato.

Mr. Mace told the Council that after listening to a great deal of public testimony, the motion was made in response to the resource. He stressed the fact that a conservation problem does exist in the Columbia River.

Board of Fisheries member Jim Beaton said he appreciated the spirit of the motion and Mr. Mace's concern for king salmon; however, the Board of Fisheries faces socioeconomic problems and must balance them with the biological aspects of the fishery. He said an OY of 128,000 chinooks would be the demise of native villages all along the coast of Southeast Alaska and, therefore, he could not support the motion.

Keith Specking reminded the Council that setting the OY for the troll fishery is a serious action. He said he could not support Mr. Mace's motion, although for the sake of the resource, he wished he could.

Gene DiDonato spoke in favor of the motion, stating that even with an OY of 128,000 chinooks it would still be many years before the desired escapement levels for Columbia River brights are achieved. He said the Washington Department of Fisheries is not willing to "write off" the resource, and assured the Council that the question of possible illegal fishing activities on the Columbia River and inter-dam losses are high profile issues for the Washington and Oregon fishery management agencies.

Bob McVey said that as a representative of the Secretary of Commerce, he found this OY very appealing. It would be responsive to the needs of the Confederated Tribes and could represent a major move toward halting the demise of West Coast chinook stocks. He said, however, that the conservation issue

must be balanced with the possible economic degradation of the Southeast Alaska fishery. For this reason, he could not support a harvest reduction of this magnitude.

Upon call for the question, the motion failed on a vote of 7 to 2, with Council members Lokken, Bevan, McVey, Eaton, Specking, Collinsworth, and Tillion in objection.

Don Bevan moved that the Council reconfirm its action of the January meeting to maintain an optimum yield range of 243,000 to 272,000 fish and instruct the Regional Director to manage to the lower end of the range. The motion was seconded by Bob McVey.

Dr. Bevan said that this action would enhance Alaskan escapements and would aid in the satisfactory conclusion of the U.S./Canada negotiations. He also noted that this action would be in line with the recommendations of the Plan Development Team and the SSC.

Don Collinsworth said he could not support a guideline harvest of 243,000 fish because there is insufficient information available at this time to make a defensible argument for a reduction of this magnitude. He felt it would be impossible to predict the impact of a reduction of this size on Southeast Alaska fishermen and processors. Further, the Council has received no firm indication of commensurate action by the Canadian government. Mr. Collinsworth suggested that the Council establish a middle ground range somewhere between 243,000 and 268,000, the 1981 troll chinook harvest level.

Bob McVey spoke in favor of the motion, stating that a reduction of this amount would go a long way to help increase spawning runs and would likely be looked upon favorably by Judge Craig in response to Indian treaty obligations.

John Harville also spoke in favor of the motion, stating that he hoped within a reasonable amount of time the Council could see West Coast chinook stocks flourish as a result of this action.

Bart Eaton said that the problem is that we really don't know what the other parties involved intend to do. We don't know whether Canada is going to implement their proposed two-week closure; we don't know what Judge Craig's decision in the Confederated Tribes case will be. Mr. Eaton said that U.S. trollers have conducted themselves admirably in the face of the cuts already sustained and cannot be expected to take additional cuts of this magnitude. He agreed with Mr. Collinsworth that the Council should find a middle ground for the harvest level.

Upon call for the question, the motion failed by a vote of 7 to 2, with Council members Lokken, Eaton, Specking, Mace, DiDonato, Collinsworth, and Tillion in objection.

In an effort to reach a compromise, Harold Lokken moved that the Council set an OY range for 1982 of 243,000 to 272,000 chinook salmon and instruct the Regional Director to manage for a harvest of 255,500, the mid-point between the low end of the range and the 1981 harvest of 268,000. Mr. Lokken noted that by leaving the OY range at 243,000 to 272,000 fish, the FMP would not have to be amended for 1982. The motion was seconded by Bart Eaton.

Don Bevan moved to amend the motion to include a statement that the Council will consider establishing an OY toward the lower end of the range for 1983 pending equivalent, complementary action by the Canadian government to restrict their fishing efforts and provide increased escapements to southern spawning grounds, both in Canada and the U.S.; seconded by Don Collinsworth. Upon call for the question to adopt the amendment to the motion, the amendment was adopted by a vote of 6 to 3, with Council members Mace, DiDonato, and Lokken in objection.

Upon call for the question to adopt the amended motion, the amended motion carried by a vote of 7 to 2, with Council members Mace and DiDonato in objection.

Board Action

The Board brought to the floor its proposal number 115 to set a guideline harvest range of 243,000 to 288,000 chinook salmon for the Southeast Alaska troll fishery in 1982.

Jim Beaton moved to amend proposal 115 to coincide with the Council's fishery management plan for the Southeast Alaska troll fishery and set a guideline harvest range of 243,000 to 272,000 chinook salmon; seconded by Harry Sundberg. Upon call for the question, the motion carried on a vote of 6 to 0, with Chris Goll absent for the vote.

It was moved and seconded to adopt amended proposal 115. Upon call for the question, the amended proposal was adopted by a vote of 4 to 2, with Chris Goll absent for the vote.

Upon advice of the Board of Fisheries, the Commissioner of Fish and Game will be instructed to manage for a guideline harvest level of 255,500 chinook salmon, the mid-point between the lower end of the OY range, 243,000, and the 1981 harvest level of 268,000, plus hatchery stocks of approximately 2,500 fish.

D-2 Bering/Chukchi Sea Herring FMP

The Bering/Chukchi Sea Herring FMP was resubmitted for Secretarial review on March 17, 1982.

The Council received a letter from Alaska Department of Fish & Game Commissioner Ron Skoog elaborating on the State's position against resubmission and implementation of the Herring FMP. In his letter, Dr. Skoog said that the State's position is that the Council's Herring FMP is both undesirable and unnecessary because

the inshore domestic herring industry has the ability and intent to fully utilize the available herring resource; that the Plan inappropriately deals with optimum yield on an annual basis by automatically allocating any surplus to the offshore fishery; that the FMP provides for a directed foreign allocation under certain circumstances; that the State believes that discreet stock management is the only approach which can be justified under present circumstances; that the Council is obligated by the MFCMA to encourage all domestic fisheries; and that the State is providing sufficient conservation and management for the Bering/Chukchi Sea herring resource through an extensive stock assessment, management, and enforcement system.

In view of the State's position opposing Secretarial review and implementation of the Herring FMP, Don Collinsworth requested that a discussion of the Herring Plan be placed on the agenda for the May 1982 Council meeting.

D-3 Bering Sea/Aleutian Islands King Crab FMP

The Council's walk-through of the Bering Sea/Aleutian Islands King Crab FMP with NMFS plan review staff in Washington, D.C. was deemed highly successful by all the participants. The purpose of the meeting was to answer questions from the plan review staff about the mechanics of the fishery and the proposed plan and to agree on the contents of a finished framework document. It was the consensus of the walk-through participants that changes made to the text of the Plan did not affect any substantive portions of the FMP or reflect any changes in policy. The FMP and Regulatory Impact Review are currently undergoing final review and will be resubmitted shortly for Secretarial approval.

Council and Board members listened to comprehensive staff reports on the status of the king crab resource throughout Alaska, received public testimony, and discussed proposals for the 1982 State regulations. A summary of public testimony received during the joint meeting is made a part of these Minutes as Appendix III.

The Advisory Panel reviewed Board proposals 59, 61, 62, 65, 66, 67, 68, 70, 71, 72, 73, 87, 99, and 100. The Advisory Panel's recommendations to the Board, taken from the AP's minutes, are made a part of these Minutes as Appendix IV.

The Board was scheduled to take final action on the proposed 1982 regulations before the end of its meeting. *In May the Council will review the applicability of the Board's actions to Federal waters in accordance with the provisions of the Joint Statement of Principles for King Crab Management, adopted by the Council and Board on October 20, 1981, and the Bering Sea/Aleutian Islands King Crab Management Framework.*

D-4 Tanner Crab Off Alaska FMP

In July 1981 the Council received the Plan Maintenance Team report on inconsistencies between State and Federal Tanner crab regulations. In that report the PMT recommended that the FMP be amended to eliminate all the inconsistencies as well as modified into a multi-year plan. In light of the lengthy process involved in amending a plan, the Council chose to take no action on developing the Tanner Crab FMP as a framework plan until the King Crab FMP is implemented. However, because the King Crab FMP has been delayed and additional inconsistencies between State and Federal Tanner crab regulations are possible following the Board's March meeting, the Plan Maintenance Team recommended initiation of a "housekeeping" amendment to eliminate all the inconsistencies and bring the FMP back into conformity with State regulations.

The Council and Board heard staff reports on the condition of the Tanner crab resource, listened to public testimony on proposals for 1982 State regulations (a synopsis of which is contained in the hearing summary, Appendix III), and discussed inconsistencies between the Tanner Crab FMP and existing and proposed State regulations.

The Advisory Panel reviewed Board proposals 18, 81, 82, 85, and 87 for changes in Tanner crab regulations. A copy of the AP's recommendations to the Board, taken from the AP's minutes, are made a part of these Minutes as Appendix V.

The SSC reviewed the PMT report and recommended that the Council instruct the PMT to proceed with the update of the current plan and also proceed without delay to develop a multi-year, king crab type FMP.

Council Action

Don Bevan moved that the Council instruct the Plan Maintenance Team to draft a "housekeeping" amendment to the Tanner Crab Off Alaska FMP to bring State and Federal regulations into conformity; seconded by Gene DiDonato. The motion was unanimously approved.

Harold Lokken moved that the Council concur with the Board to prohibit side-loading pots in the Yakutat management area; seconded by Don Collinsworth. Upon call for the question, the motion carried with Don Bevan in objection.

Don Bevan moved that the Council endorse a 3.1" size limit for C. opilio Tanner crab; seconded by Harold Lokken. There being no objection, it was so ordered.

Don Bevan moved that the Council adopt the AP's recommendation for pot storage areas; seconded by Harold Lokken. There being no objection, it was so ordered.

D-5 Gulf of Alaska Groundfish FMP

Proposed Amendment #11 to the Gulf of Alaska Groundfish FMP has been under Council review since the September 1981 meeting. There have been three public mailings, on October 2 and December 16, 1981 and February 16, 1982. The public comment period for the amendment ended on March 5, 1982.

The Plan Maintenance Team met on March 9-11 to consider the implications of sablefish migration for management, the comments received on the proposed amendment, and to evaluate available options for determining sablefish optimum yield. A copy of the PMT's report is made a part of these Minutes as Appendix VI.

After reviewing all available information on the migration of sablefish, the PMT concluded that:

1. Long-distance interchange of sablefish between management areas does occur. Seasonal movements to and from spawning grounds possibly also occur. The extent of the interchange appears to be greater than has been previously reported in the literature.
2. Different opportunities for recapture and differential reporting of recovered tags by fleet or season could bias the estimated rate of migration but not change the conclusion that east-west migration of sablefish occurs in the Gulf.
3. Bracken's estimated migration rates probably provide an upper bound on the actual long-distance migration rates; however, this estimate has not been corrected for any bias which may arise from different recapture opportunities.
4. Additional research and analysis are needed to more precisely estimate the pattern and rates of sablefish migration.
5. Sablefish should be managed as a unit stock although catch limits for each major management area should be maintained to avoid the possibility of area depletion, to control interception of fish moving from one area to another, and to allow the harvest of locally spawned and resident stocks.
6. The question of sablefish migration is less important if the objective of Amendment #11 is to provide for the development of the domestic sablefish fishery Gulf-wide as opposed to only revitalizing a domestic fishery concentrated in Southeast Alaska.

The PMT recommended that the Council adopt a Gulf-wide sablefish optimum yield of 6,100 mt for the following reasons:

1. It will enable a more rapid recovery of the sablefish resource when compared to the higher levels of OY proposed.

2. It will provide a sufficient amount of sablefish to enable expansion of the directed sablefish fisheries in the Gulf of Alaska.
3. It will provide for an incidental sablefish catch in the trawl fisheries and foreign longline fisheries for Pacific cod.
4. It will allow for a 20% reserve, which is consistent with the current management regime and necessary for domestic fishery expansion.
5. Based on the results of the simulation model designed by Joseph Terry and James Balsiger, there would be positive net earnings in 1983 and a 32% increase in gross earnings for the period 1981-84.

The PMT recommended that the suggestion put forth by the National Marine Fisheries Service for the determination of DAH and reapportionment of reserves and unutilized DAH be adopted:

Derivation of DAH, Reserve, and TALFF

"Initial DAH amounts for each species or species group established at the beginning of the fishing year shall equal the amount of those species harvested by domestic fishermen in the previous year, plus any additional amounts the Regional Director projects will be necessary to satisfy the needs of the growing domestic fishery. These supplemental amounts will be based on projected increases in:

1. U.S. processing capacity and/or intention to process; and
2. U.S. harvesting capacity and/or intention to harvest.

The initial reserve amounts for domestic fishery expansion will equal 20% of the OY for each species or species group. The TALFF amounts for each species or species group will be established from the following equation: $TALFF = OY - (DAH + Reserve \text{ for Domestic Fishery Expansion})$."

Reapportionment of Reserve and Unutilized DAH

"At any time the Regional Director may assess DAH and apportion to DAH the amounts from the reserve for domestic fishery expansion that are needed in order to prevent a closure of the domestic fishery. As soon as practicable after April 1, June 1, August 1, and on such other dates as are determined necessary, the Regional Director may apportion to TALFF any portion of DAH or reserve for domestic fishery expansion that he determines will not be harvested by United States fishing vessels during the remainder of the fishing year. When the Regional Director determines that apportionment is required on dates other than those

scheduled and that immediate action is necessary to increase a TALFF or DAH amount, he may decide that such an adjustment is to be made without affording the opportunity for public comment. Public comments on the necessity for and the extent of the reapportionment may then be submitted to the Regional Director for a period of 15 days after the effective date of such action."

The PMT discussed the North Pacific Longline and Gillnet Association's proposal to allow foreign longlining in the Davidson Bank area and recommended that this proposal not be adopted, as domestic fishermen are using the area more now than previously for bait fishing and the salt cod fishery.

The PMT did not evaluate the Alaska Longline Fishermen's Association's proposal to establish an exclusive hook and line fishery east of 140°W because it had not received enough relevant information for a proper evaluation.

The PMT received no new information on the biology of sablefish which would indicate that there are winter spawning concentrations which need to be protected by a winter closure as proposed by ALFA. For this reason, the PMT did not recommend a winter closure in the sablefish fishery at this time.

Based upon public testimony and comments received and the desire to minimize the regulatory burden on domestic fishermen, the PMT recommended that domestic fishing vessels report their catch by radio or telephone before leaving Alaskan waters.

Jim Crutchfield of Natural Resources Consultants, Seattle, reported the results of an evaluation of technical reports used as background information in developing Amendment #11. Natural Resources Consultants was retained by the Japanese North Pacific Longline and Gillnet Association to evaluate the assumptions made in those reports. The conclusion of the evaluation was that the need for additional studies using all kinds of evidence bearing on questions on the inter-relationships of sablefish stocks is apparent and the need is greatest off Alaska, where the most contradictory results have recently been forthcoming. Dr. Crutchfield said that consideration of the entire of body of evidence strongly supports their view that sablefish do form localized and discreet adult stock units; however, such a situation would not exclude the possibility that extensive movement of juveniles does take place. This could mean that any particular stock is at least partially dependent upon outside recruitment. Natural Resources Consultants concluded that the recent evidence of significant stock interchange within the Gulf of Alaska cited in proposed Amendment #11 in support of a Gulf-wide OY should undergo further examination. Assumptions, methodologies, and differences by nationalities in the degree of reporting of tag recoveries could greatly influence the conclusion about movements drawn from any tagging study.

In reviewing the Terry/Balsiger simulation model for sablefish in the Gulf of Alaska, Natural Resources Consultants concluded that the model seems too skimpy to be used as a management tool for a fishery which includes a much broader range of vessels having different characteristics and operational modes. They suggested that a re-worked and corrected version of the model using data for appropriate classes of vessels, CPUE's, and better cost and price data would be required for assessing alternative management strategies.

Public Testimony

Mick Stevens and Barry Fisher, speaking on behalf of the Coalition for Open Ocean Fisheries, elaborated on a letter written to the Council explaining the position of their group, particularly as it relates to Amendment #11. The Coalition is a newly formed group of fishery interests which supports an open ocean, multiple fishery use concept within the U.S. FCZ by domestic fisheries and opposes the establishment of special interest fishing zones, exclusion zones, exclusive gear use, or limited entry. Their position embraces conservation through sound management so long as it does not involve closure of fishing grounds or gear restrictions which promote privileged use of fishery resources at the expense of other users of the resource and the national interest as addressed in the MFCMA. The group is dedicated to the resolution of conflicts between domestic user groups by means of negotiated settlement whenever possible, rather than government intervention and regulation.

The Coalition for Open Ocean Fisheries supports a Gulf-wide OY of 10,435 mt and specific, assigned OY's for the Western, Central, and Yakutat area west of 140°W, and an EY/ABC for the Yakutat east of 140°W and Southeast areas. The Coalition opposes the ALFA proposal for an exclusive hook and line sablefish fishery east of 140°W and the winter closure from November 15 to March 15; and also opposes allowing foreign longliners to fish in the Davidson Bank area.

James Goldade, testifying on behalf of pot fishermen in general, said he opposed the ALFA proposal for an exclusive hook and line fishery for sablefish east of 140°W.

Mark Lundston, vice president of the Deep Sea Fishermen's Union, testified on the difficulties the Union members have faced in the last year or so in locating sufficient quantities of marketable-sized sablefish upon which to concentrate their fishing efforts in the Central and Western regulatory areas of the Gulf.

Henry Haugen presented a report on a January 19, 1982 meeting of interested domestic user groups to attempt to resolve some of the differences between them relating to management proposals contained in Amendment #11. Attendees at the meeting represented domestic longline, pot, and trawl fishermen interested in the sablefish fishery. The fishermen agreed that the present market is too dependent upon Japanese influence, with wide fluctuations

in prices and resulting disruption to orderly fishing operations. They also agreed that additional markets should be developed with emphasis on the domestic market. Fishermen expressed uneasiness with the status of the resource and agreed that there is a distinct need for greater scientific attention to management. The participants agreed that serious consideration should be given to establishing a minimum size limit of five pounds round or three pounds dressed for all landed sablefish and that there should be a winter closure in the FCZ from approximately December 15 to March 15. The group felt that a considerable amount of lost and abandoned gear, primarily of foreign origin, is adversely affecting the fishery and that this gear should be removed by the National Marine Fisheries Service, probably acting through a charter arrangement with a U.S. vessel. Because there is no present or planned domestic trawl fishery in the area which would harvest the sablefish resource, the group felt there is no real need at this time for restrictions on the domestic trawl fishery. The group did not reach a consensus on the major issues presented, i.e., the need for reduction in optimum yield for sablefish or the ALFA proposal to restrict the sablefish fishery to hook and line only east of 140°W.

Paul MacGregor, representing the Japanese North Pacific Longline and Gillnet Association, said that their Association developed the sablefish longline fishery in Southeast Alaska and the resulting sablefish markets in Japan. He spoke in favor of allowing foreign longliners to fish in the Davidson Bank area. The Japanese North Pacific Longline and Gillnet Association favors a Gulf-wide OY of 10,435 mt.

Greg Baker, President of the Alaska Longline Fishermen's Association, testified in favor of the management objective recommended by the Plan Maintenance Team that the sablefish resource be managed to provide for the development of the domestic sablefish fishery Gulf-wide. ALFA supports the recommendation of the Alaska Department of Fish and Game and the Board of Fisheries for a Gulf-wide sablefish OY of no more than 6,100 mt; opposes the opening of the Davidson Bank area to foreign longliners; and supports the proposal for an exclusive hook and line sablefish fishery east of 140°W longitude. ALFA continues to support their proposal for a winter closure in the sablefish fishery both to aid the resource and for the development of improved markets.

SSC and AP Reports

The SSC recommended that the Council establish a new EY for sablefish in the Gulf of Alaska of 10,965 mt Gulf-wide to be allocated among the various management areas as follows:

Western	2,225 mt
Central	4,075 mt
Yakutat west of 140°W	2,240 mt
Yakutat east of 140°W	1,135 mt
Southeast	1,290 mt

The SSC was unable to reach agreement on which of the alternatives for optimum yield they could recommend because SSC members were unable to resolve their differences in opinion on growth, migration, or the economic consequences of the various OY levels.

The SSC reviewed the December 21, 1981 letter from National Marine Fisheries Service on the proposed procedure for determining DAH and the reserve amounts. The SSC continued to support its own proposed method for determining DAH and reserve. They noted that it was not their intention to restrict the release of reserves to DAH to the schedule for release of reserves to TALFF. The SSC felt that the release of reserves to DAH should be accomplished as needed in accordance with the performance of the domestic industry.

The SSC recommended that the Gulf-wide OY value be allocated between management areas and sub-areas in accordance with the latest estimates of EY. The SSC supported the need for reporting requirements which acquire the necessary information at the least cost to the industry. They made no recommendation on the proposal to open Davidson Bank to foreign longliners; or the ALFA proposal to make the sablefish fishery east of 140°W an exclusive longline fishery. The SSC did not support the ALFA proposal for a winter closure.

The Advisory Panel endorsed the PMT's management objective to manage the sablefish resource to provide for the development of the domestic sablefish fishery Gulf-wide. The Advisory Panel recommended an optimum yield of 6,100 mt to be distributed as follows:

Western	1,238 mt
Central	2,067 mt
Eastern	2,595 mt

The AP also endorsed the PMT proposal for determining DAH and reserves, recommended that Davidson Bank not be opened to foreign longliners, and opposed the ALFA proposal for a winter closure. They recommended that pot fishing for sablefish not be allowed between Cape Addington and 140°W longitude because of gear conflict problems, but did recommend that pot fishing be allowed in the area from Dixon Entrance north to Cape Addington based on historical pot fishing activity in the area.

Council Action

Don Bevan moved that the Council accept the SSC's recommendation for an EY of 10,965 mt to be distributed over the five management areas; seconded by Gene DiDonato. Upon call for the question, the motion carried on a vote of 6 to 1 with James Brooks in objection.

Don Collinsworth then moved that the Council set the optimum yield for the sablefish fishery Gulf-wide at 6,100 mt. There was no second for this motion.

Don Bevan moved that the Council establish the optimum yield for each management by reducing the equilibrium yield of 10,965 mt for each of the five areas by 10%; seconded by Harold Lokken. Upon call for the question, the motion failed on a vote of 6 to 1, with James Brooks, Don Collinsworth, Kirk Beiningen, Clem Tillion, Harold Lokken, and Gene DiDonato in objection.

Gene DiDonato moved that the Council adopt the SSC's alternative #2 for an optimum yield of 8,200 mt Gulf-wide, to be distributed among the five management areas; seconded by Harold Lokken.

Donald Bevan requested concurrence of the mover to amend the motion that for the Southeast area, DAH would be less than or equal to OY. Gene DiDonato concurred with the amendment to the motion.

James Brooks requested concurrence of the mover to amend the motion to combine the optimum yields for the Yakutat east of 140°W and Southeast management areas, even though optimum yield for those areas would then be greater than the equilibrium yield. The motion was subsequently withdrawn by the mover.

James Brooks moved that the Council adopt SSC option #2 for a Gulf-wide optimum yield of 8,200 mt allocated as shown in the SSC's Minutes, except that optimum yields for the Yakutat east of 140°W and Southeast areas would be combined. The motion was seconded by Gene DiDonato. Upon call for the question, the motion carried by a vote of 5 to 2 with Don Collinsworth and Donald Bevan in objection.

Harold Lokken moved that the Council reject the Japanese North Pacific Longline and Gillnet Association proposal that Davidson Bank be opened to foreign longlining; seconded by Don Bevan. There being no objection, it was so ordered.

Due to loss of a quorum, remaining Council action on Amendment #11 to the Gulf of Alaska Groundfish FMP was deferred to the May meeting.

D-6 Bering Sea/Aleutian Islands Groundfish FMP

The Council was scheduled to review and possibly take action on the establishment of a U.S. Fishery Development Zone in the Bering Sea to protect areas of high fish concentrations traditionally favored by domestic fishermen. Due to time constraints of the meeting, action on this agenda item was deferred to the May Council meeting.

E. CONTRACTS, PROPOSALS AND FINANCIAL REPORTS

E-1 Status of Contracts and RFP's

Information item only; no action required.

E-2 Financial Status Report

Information item only; no action required.

F. PUBLIC COMMENTS

There were no further public comments to come before the Council.

G. CHAIRMAN'S CLOSING COMMENTS AND ADJOURNMENT

There being no further business to come before the Council, the 47th plenary session of the North Pacific Fishery Management Council adjourned at 5 p.m. on Friday, March 26, 1982.

LIST OF APPENDICES

- APPENDIX I: Policy and Planning Workgroup's Policy on SSC Alternates
- APPENDIX II: Summary of Council/Board Hearing on Troll Salmon Amendments for 1982
- APPENDIX III: Summary of Council/Board Hearing on King and Tanner Crab Regulations for 1982
- APPENDIX IV: Advisory Panel's Recommendations to the Board of Fisheries on 1982 State King Crab Regulations
- APPENDIX V: Advisory Panel's Recommendations to the Board of Fisheries on 1982 State Tanner Crab Regulations
- APPENDIX VI: Gulf of Alaska Groundfish Plan Maintenance Team Report