

North Pacific Fishery Management Council

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Corrections to the

MINUTES

Thirty-Third Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
Kodiak Elk's Lodge
Kodiak, Alaska

The following corrections are necessary for the Minutes of the May 22/23, 1980 Council meeting held in Kodiak.

G-1. Gulf of Alaska Proposed 1981 Amendments

(Public Hearing) (page 6)

Line 3: the words "Appendix IV" should read "Appendix V".

(Council Meeting) (page 7)

Line 8: the words "Appendix V" should read "Appendix VI".

Part VI (page 9)

Paragraph 3, lines 3 and 4: the words "Appendix VI" should read "Appendix VII".

Part VII (page 10)

Line 3: the words "Appendix 15" should read "Appendix VIII".

No further corrections to the Minutes have been noted.

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MINUTES

Thirty-Third Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
Kodiak Elk's Lodge
Kodiak, Alaska

The monthly meeting of the North Pacific Fishery Management Council was held in Kodiak, Alaska, May 22 and 23, 1980, in the Kodiak Elk's Lodge, Kodiak, Alaska. The Council met Thursday, May 22, 1980, from 2:30 p.m. to 4:30 p.m., and again on Friday, May 23, 1980, from 8:30 a.m. to 3:30 p.m.

No meetings for the Scientific and Statistical Committee and Advisory Panel were conducted in Kodiak. Council members, Scientific and Statistical Committee members, Advisory Panel members, and the general public in attendance are listed in Appendix I.

A. CALL TO ORDER

Vice-Chairman Harold Lokken presided during both days of the meeting. Mr. Lokken introduced Kodiak Acting Borough Mayor, Dave Hernstein, who welcomed the Council to Kodiak.

B. APPROVAL OF AGENDA

The agenda for the May 22-23, 1980 Council meeting was approved as submitted.

C. APPROVAL OF APRIL 1980 MINUTES

The April 24-25, 1980 Council minutes were approved as submitted.

D. EXECUTIVE DIRECTOR'S REPORT

Salmon FMP

The Executive Director reported that emergency regulations to implement the salmon FMP had been published in the Federal Register on May 1st and immediately rescinded. They were again published on the 15th and are expected to be in effect until June 29th. The Council's amendment to the salmon FMP is expected to be published in the Federal Register on May 20th; comment period will run until July 14th. A letter has not yet been received from NMFS approving or disapproving the amendment, but we have been told by phone that it was partially disapproved, again deleting the proposed ban on hand trolling. NMFS will probably suggest that the Council develop a federal limited entry scheme for both power and hand trollers.

The catch of chinook to date has paralleled the 1977 season, considerably less than 1978 and 1979 catches. ADF&G and NMFS will continue to monitor the fishery, but it appears that an in-season closure may not be necessary to stay within the recommended OY for chinook salmon.

We have signed a contract with Natural Resources Consultants, Inc. for development of a 1981 salmon FMP and the foundation for a comprehensive salmon plan. Principal investigators for the contract are Mike Fredin and Frank Fukuhara.

The Inter-Council Salmon Coordinating Committee (Pacific and North Pacific Councils) met on April 29th. The plan development teams for the two councils met jointly on May 14th. A statement of common objectives and approaches for comprehensive and coordinated management of salmon stocks of mutual concern was developed by both groups. Those reports are Appendix II.

High Seas Salmon Research

Funding for the 1981 high seas salmon research program has been dropped from the NMFS budget. That program, already three years behind, begins in 1980 with a contract to the Fisheries Research Institute, who will use two large seiners, working with two Japanese research ships and a Soviet seiner, to capture and tag salmon in the area of the Japanese land based drift gillnet salmon fishery. After discussion the Council directed the Executive Director to ask the Alaska Congressional delegation for assistance in returning the needed funding (approximately \$1 million a year) to the budget so the tagging program can be completed. The Council, several of whose members have been involved in INPSC negotiations over the years, felt that unless the tagging program was completed the U.S. position on elimination of the high seas salmon fishery would be greatly weakened.

Council Operations

The Council Policy Group decided on a tentative meeting date of June 5th in Juneau to begin a thorough examination of the Council's objectives, policies, and scheduling, particularly as it relates to the development of management plans, Council meetings, and the Council's relationship with other agencies and with their plan development teams. The members of that sub-committee are Ron Skoog, John Harville, Don Bevan, Don Collinsworth, Sig Jaeger, and Ed Miles.

Chairmans Meeting

The Carribean Council, host for the next Council chairmen's meeting, has suggested July 29th - 31st in San Juan, Puerto Rico. The Executive Director recommended that the meeting be postponed until October or November and that an Executive Director's meeting be held prior to the chairmen's meeting to discuss administrative and operational matters and to develop a substantial agenda for the chairmen's meeting. The Council agreed with that recommendation.

Council Staff

The Executive Director reported several personnel changes. The Assistant Executive Director, Mark Hutton, is resigning effective June 13th; Florence Mynarski, Executive Secretary, resigned effective May 23rd; and Staff Assistant Mike Hershberger is resigning effective May 30th.

Meeting Schedule

Because there was no management plan action required before the July meeting and because of the staff constraints in the near future, the Executive Director recommended cancelling the June meeting and holding the next meeting the regular scheduled July 24th and 25th. The Council agreed with that recommendation and so moved.

E. SPECIAL REPORTSE-1. Report on NOAA Trade Negotiations

Acting Regional Director Robert McVey reported on the March and April NOAA trade negotiations and the May announcement by the Administration of a new policy in which the federal government would enter into a partnership with the U.S. fishing industry to develop its capacity to harvest, process, and market the bulk of the 1.6 million metric tons now taken by foreign countries in the U.S. FCZ. That policy links foreign fishing allocations to a willingness on the part of the fishing country to provide greater access for U.S. seafood exports into its markets. First promulgated during a NOAA trade mission to Japan in November, 1978, the policy was a factor in the Japanese willingness to concede some tariff reductions to the U.S. However, very few sales to Japan of "under-utilized species" actually took place in 1979. DOC therefore encouraged the Department of State to withhold 40,000 metric tons of Alaska pollock from the 1980 Japanese allocation to convince the Japanese that the United States was serious about linkage between trade and allocations and, unless trade barriers were reduced and actual purchases of under-utilized species increased, the fishing allocations could be further reduced. Since then NOAA has pursued this policy of linking allocations with expanded trade in negotiations with Spain, Italy, and Japan, the Federal Republic of Germany and the European Economic Community.

NOAA is coordinating their negotiations through consultations with Congress, regional management councils and industry representatives to discuss proposed allocations; those discussions will include the issue of new nations fishing off Alaska. Congressional support has been strong for this policy. Senator Magnusson and Congressman Breaux have told the Department of State that unless trade factors are an important consideration in allocation decisions that they will push legislation to require the linkage.

The Council discussed the "fish and chips" policy development and made three recommendations:

- (1) They wanted clear, open, and early discussion on allocations for trade concessions that in any way affect the Council's area.
- (2) They were opposed to fish/non-fish trades.
- (3) While not endorsing trades for allocations from one area for benefits to the fishing industry in another, they would examine each proposal on its merits, recognizing that if the resource was not being used any benefits the American industry could derive would obviously be useful.

They directed the Executive Director to notify NMFS, the State Department, and the Alaska Congressional delegation of the Council's policy on this issue.

E-2. Domestic Fisheries Report

Fred Gaffney, the Alaska Department of Fish and Game, briefed the Council on U.S. fishing effort off Alaska. Sable fish catch through April was 620,000 pounds (headed and gutted); effort is higher this year than last, but the price is considerably lower - 35 to 40¢ per pound as opposed to 55 to 85¢ last year.

Other than joint ventures, there is little effort in the ground fishery at this time. Most of it is shifting to the halibut fishery, which opened May 19.

The Bering Sea fishery for C. bairdi Tanner crab closed May 11th, with a catch of 36.2 million pounds. The fishery continues for C. opilio with the current catch slightly over 20 million pounds.

The Togiak herring season opened April 15th and the fishery began April 27th. Season closed May 15th with a harvest of 18,000 tons and a dead loss of at least 2,500 tons. Approximately 3,000 tons of the catch was purchased for food and bait at \$50 to \$120 a ton; 15,000 tons purchased for sac roe averaged \$200 a ton had 10% roe recovery. The average roe content was 9 to 10%. Approximately 90% of the catch was composed of six and seven year old fish.

Twenty-three companies, 102 processor and tender vessels, 140 purse seiners and 370 gillnetters were involved in the fishery. Purse seiners took 87% of the catch.

Significantly fewer herring were observed during 1980 than expected based on population levels observed in 1979. Biomass estimate on the peak survey date, May 6, was 100,000 tons, making the exploitation rate 20% plus. Wastage, not a major problem in previous seasons, was significant this year and derived from two sources: capture of green fish that were not released, or could not be released in the case of gillnets, and a bad storm at the end of the season that caused heavy losses in the gillnet fishery.

Gulf of Alaska groundfish catch since November 1979 is estimated at 3,647 tons. In the Bering Sea it is 12,706 tons for the calendar year.

E-3. Foreign Fishery

Foreign effort off Alaska is building to its mid-season high with slightly over 220 ships on the grounds in May. Catches are normal in relation to the time of year, except for Poland, which has taken most of its allocation in both the Bering Sea and Gulf of Alaska.

Japanese Tanner crab catches in the Bering Sea are approximately the same as far as catch per unit of effort as in 1979. Effort is lighter; they are expected to reach their allocation of 7,500 tons in mid-August.

E-4. Coast Guard Patrol Effort

Only one verbal warning has been issued to a foreign ship since the last Council meeting. Patrol effort is nearing normal after the fuel crunch of late April.

F. OLD BUSINESS

F-1. National Park Service Report

The Ad Hoc Fisheries Task Force Report prepared by the National Park Service was introduced by Mark Hutton. The report discusses future National Park management policy for aquatic and fisheries resources. The management policy for curtailing commercial fisheries within National Parks was identified to be the cause of concern because of the potentially adverse impact on several local commercial fisheries within the National Parks in Alaska.

Dr. Bevan alerted the Council to the fact that the development of the policy had been in process since March 1979, and that a request for delay in comment time might be appropriate. He was concerned that the national policies being developed be reviewed to consider the particular conditions that exist in Alaska.

The Executive Director agreed to prepare a letter to the Park Service with the help of Dr. Bevan.

Mr. Skoog pointed out that Fish and Game was preparing an extensive reply to the request for comments, and offered to forward the draft to the Executive Director for his use in preparing the response.

F-2. Breaux Bill

The Council was asked to comment on a bill introduced by Congressmen Breaux, Forsythe, and Murphy. The following members of the public testified before the Council:

1. Dave Hernstein - He spoke to the state of the economy in Kodiak and the need to support the local fishermen.
2. John Hall - He discussed the need for aggressive Council action in the phase-out of foreign fishing in Alaskan waters. He mentioned the Capital Construction Fund and its uses in providing funding for under-utilized species, stressing that it should be carefully managed so that over-capitalization is avoided.
3. Jay Hastings - He presented written comments, which are attached as Appendix III.
4. Jim Branson discussed the scheduling of proposed hearings. The House hearings were on May 23rd and Senate hearings are expected.

5. Council member Bart Eaton stressed the need for a procedural mechanism to allow the Council to comment in a timely fashion on pending legislation. He cited as an example the Capital Construction Fund and the difficulties of changing legislation once it has been implemented.
6. John Harold discussed the approach of the Pacific Council in responding to the Breaux Bill. They elected a committee to discuss the details of the issue with members of the industry. The issue of whether to limit the Council's discussion to amendments affecting the FCMA was discussed. A subcommittee made up of Bart Eaton, Bob McVey, Harold Lokken, and Jim Branson was elected to meet to prepare a response to the Breaux Bill. This response is attached as Appendix IV.

G. FISHERY MANAGEMENT PLANS

G-1. Gulf of Alaska Proposed 1981 Amendments

(Public Hearing)

A public hearing was held (in conjunction with the Council meeting) on Thursday, May 22, 1980, beginning at 9:30 a.m. and ending at 2:30 p.m. Fourteen persons testified; they are listed in Appendix IV. Eleven persons addressed Part VI of the amendment package which proposes a time and area closure around Kodiak Island to foreign trawling during the Kodiak king crab season; two spoke against the proposal. The remainder of the testimony was fairly divided between Part I, which would establish a total allowable catch quota for prohibited species; Part V, a proposal to divide the sablefish allocation in the Eastern regulatory area; Part VIII, a proposal to close the Eastern regulatory area to foreign trawling; Part IX, a proposal to prohibit foreign longlining east of 150° East longitude; and Part XI, a proposal to allow the Regional Director in-season field order authority to make time and area closures to joint ventures.

(Council Meeting)

On Friday, May 23rd, the Council considered the eleven (11) part amendment package for the 1981 Gulf of Alaska Groundfish Fishery Management Plan. In addition to public hearing testimony, the Council considered the following in their review of the proposed amendment:

1. May 13, 1980 Advisory Panel Subcommittee report.
2. May 14, 1980 Scientific and Statistical Subcommittee report.
3. A management plan drafting team report -- oral.
4. A draft legal analysis of the proposed amendments by Pat Travers.
5. May 9, 1980 NMFS 1980/81 processor survey.
6. May 12, 1980 report of the Incidental Species Working Group.
7. April 23rd statement of Henry Haugen.
8. May 9, 1980 letter from Steven Hoag (Halibut Commission).

9. May 12, 1980 letter from Steve Johnson.
10. April 30 and May 21, 1980 letter from Paul MacGregor.
11. May 15, 1980 letter from Judy Meers (ALFA).
12. May 21, 1980 letter from Steve Johnson.
13. May 16, 1980 letter from Dennis Grotting, Fisherman's Marketing Association, California.
14. May 22, 1980 written statement from Mr. Ted Evans.

These documents are all contained in Appendix V.

PART I: Establish Total Allowable Catch Amounts for the Incidental Catches of Prohibited Species and impose a mitigation fee.

Both the Advisory Panel and Scientific and Statistical Committee endorsed the concepts in this proposal. Both groups, however, felt that additional thought should be given to the operational aspects of the proposal. Their recommendation was that the concept be forwarded to the Management Plan Drafting Team to evaluate other alternatives and to look at some of the operational aspects of the proposal. The joint SSC/AP recommendation was to resubmit the proposal (simultaneous with a similar proposal for the Bering Sea/Aleutian Island Groundfish Plan) for public comment in June and July and possible Council action in July.

Testimony at the public hearing by two attorneys (one representing Marine Resource Inc., the other the Japanese Deep Sea and Hokuten Trawlers) favored rejecting the proposal.

The Council, on the basis of the written record and the SSC and AP reports, deferred action on the proposal and requested it be referred to the management plan drafting team for modification to be subsequently considered with the Bering Sea/Aleutian Island amendment package in July.

PART II Change the plan year and eliminate any expiration date.

The Advisory Panel and the Scientific and Statistical Committee favored this proposed change. Two commentators during the public hearing (representing the North Pacific Longline and Gillnet Association and Marine Resources, Inc.) also favored the proposal.

The Council, on the strength of the AP and SSC reports, unanimously approved this proposal and clearly restated their intent that no expiration dates be attached to this plan. The Council also attached a severability clause to the proposal so that if the amendment package is likely not to be approved this part may be severed and approved.

PART III - Distribute the optimum yield gulfwide for squid, "other-species", rattails, Atka mackerel, and "other-rockfish."

Both the Advisory Panel's and the Scientific and Statistical Committee's subpanels concurred with a recommendation of the Management Plan Drafting

Team that gulfwide OY's be established for squid, "other-species," and "other-rockfish" provided that rattails be placed in a non-specified or non-allocated species category with no quota and the gulfwide OY for "other rockfish" be for 1 one year only; for research and experimental purposes.

The Council, with this advice, unanimously approved the proposal as amended and established a gulfwide OY for squid, "other-species," and "other-rockfish."

PART IV - Establish four species categories for the Gulf of Alaska Groundfish Fishery: prohibited species, target species, "other-species" and non-specified non-allocated species.

Both the Advisory Panel's and Scientific and Statistical Committee's subpanels supported the proposal and also endorsed the concept of placing rattails in the fourth category (i.e., the non-specified species category). Both groups felt that this category was for species with (1) no present commercial value (2) that did not appear to be depleted and (3) for which the OY's could safely be set at whatever levels were required to maintain directed species fisheries. Pat Travers told the Council several minor corrections should be made to the table as follows: Prohibited Species should be called "unallocated species" and should include Pacific herring, scallops and snails; target species should define rockfishes as Pacific Ocean Perch (and four related red rockfishes) "other-rockfishes" and the rockfish Sebastolobus.

The Council accepted the recommendations of the SSC and AP and, adding the corrections noted by Mr. Travers, unanimously approved Part IV, creating four categories for the Gulf Groundfish fishery and adding rattails to the fourth category, i.e., non-specified species.

PART V - Divide the eastern regulatory area of the Gulf of Alaska into four parts to allocate sablefish OY.

The Advisory Panel's and Scientific and Statistical Committee's subpanel concurred that the eastern regulatory area should be divided into three parts (instead of four) to allocate sablefish OY: the Yakutat area, outside Southeast, and inside Southeast. The Advisory Panel went on to recommend that if it became necessary in the future to reallocate unused Reserves or DAH to TALFF in that portion of the Yakutat district west of 140° West longitude, that the following OY guidelines be used: that no more than 58% of the OY allocated to the Yakutat area be allocated west of 140° West longitude. The Scientific and Statistical Committee report, on the other hand, concluded that if the OY is subdivided in the Yakutat area and DAH falls short of the level required to take the OY for the sub-area east of 140° West longitude and TALFF were made available in the area, it would be undesirable.

One commentor at the public hearing opposed Part V of the basis of the continued domestic short-fall in projected sablefish catches and the increasing need to allocate all available surpluses to TALFF.

The Council unanimously approved Part V as modified, thereby establishing three regulatory areas in the eastern regulatory area to allocate sablefish OY: Yakutat, Inside Southeast, and Outside Southeast.

PART VI - Specify a) the authority of the Regional Director to issue field orders for time and area restrictions on foreign vessels to prevent gear conflicts and/or grounds preemption problems, and b) specify foreign trawl closures during crab seasons in the Kodiak district.

Much of the public hearing was devoted to testimony by Kodiak fishermen supporting the proposed foreign trawl closure. Eleven commentors told the Council there had been serious gear conflicts and grounds preemption problems in the Fall (1979) king crab fishery in the southwest part of the Kodiak crab district. The Council also learned that a portion of the quota for that area went unharvested because of the grounds preemption problem. Jeff Stephens, Manager of the United Fisherman's Marketing Association (king crab fishermen), summarized the concerns of the fishermen and told the Council the domestic crab fishermen needed protection during the king crab season in order to fully utilize domestic king crab quotas. He told the Council that overall a 4,1000,000 lb. short-fall existed in the area affected by the gear conflict and the grounds preemption. In one king crab school, Stephens reported a 1.04 million lb. short-fall due to the problem. Countering arguments were presented at the public hearing by attorneys representing the Japanese Deep Sea Trawlers Association the Hokuten Trawlers Association and the North Pacific Longline and Gillnet Association. Chief among their concerns was an overreaction to a "one-time" problem which they felt was the result of an inexperienced nation (Poland) fishing in an area previously heretofore unfished by Poland. They in turn supported Subpart (a) to give the Regional Director the in-season field order authority to close areas because of gear conflicts and potential grounds preemption.

The Council listened to a presentation by ADF&G staff--and notably Jack Lechner--outlining four alternatives to the proposed time and area closure contained in the amendment package. These are summarized (Appendix VI) and basically offer four alternatives or modifications to a total trawl closure in the southwest part of Kodiak district.

The Council, on the advice of the SSC and AP and given the preponderance of public testimony, unanimously approved Subpart (a) giving the Regional Director the authority to impose in-season time and area closures as a result of gear conflicts and/or ground preemptions as specified by the five criteria proposed in the amendment.

The Council deferred action on Subpart (b)--to establish a time and area closure to foreign trawling during the king crab season--until more work

could be done by the scientists and the Management Plan Drafting Team to evaluate all of the proposals. A detailed study of the "Lechner Line" was requested of the drafting team, the SSC, and AP prior to a decision on Subpart (b)--scheduled for July.

The sense of the Council's action on Part VI was to provide a positive mechanism for the 1980 king crab fishing season to quickly close areas of gear conflicts and/or grounds preemptions using the Regional Director's "in-season field order authority." The purpose in requesting a further review of the alternatives for a fixed time and area closure is to more thoroughly evaluate the alternatives, rationale, and impacts for the most probable choices. If this action were completed at the July Council meeting, the Council feels that information could be used by the Regional Director during the Fall king crab fishery.

PART VII - Set a schedule for the release of the reserves.

The Advisory Panel and the Scientific and Statistical Committee agreed with the proposal. On that basis the Council unanimously approved a new schedule for the release of the reserves (Appendix 15).

PART VIII - Prohibit foreign trawling in the eastern regulatory area.

The Scientific and Statistical Committee subpanel did not approve the proposal. They felt that if the intent of the proposal was a concern for the current condition of Pacific Ocean perch (POP) stocks and other rockfish stocks, then steps should be taken to modify the optimum yield figures and not total trawl closures. The Advisory Panel agreed with the seemingly understated concept of promoting the fastest possible rebuilding of these stocks of POP off Southeast Alaska. They recommended that POP be prohibited as a directed fishery but did not support a foreign trawl closure in this area. Testimony at the public hearing was offered for and against the proposal, although both addressed the need to rebuild POP stocks and not necessarily overreact by closing the whole foreign trawl fishery.

The Council rejected the proposal by taking no action.

PART IX - Prohibit longlining east of 150° West longitude.

The Advisory Panel's and the Scientific and Statistical Subgroups' Subpanels rejected the proposal. The Advisory panel generally favored the proposal but found it difficult on one hand to support closure. They believed that everything that could be done should be done to enhance the expansion of the domestic black cod longline fishery, but did not believe the U.S. industry would expand west into the area in 1981 because of price reductions for black cod. The SSC believed that the available data indicated that the 1979 catch in the subject area fell short of the DAH. Further, the NMFS survey estimate indicates that production intentions of processors for 1981 are below 1980 levels. Both groups rejected the proposal.

The Council unanimously rejected the proposal by taking no action.

PART X - Require biodegradable escape panel on sablefish pots fished in the Gulf of Alaska.

Both the Advisory Panel and Scientific and Statistical Committee supported this proposal. The Council unanimously adopted the proposal opting to include a description of the purpose of an escape panel and not a detailed regulation in the plan.

PART XI - Proposed joint venture policy statement.

The Scientific and Statistical Committee did not support the proposal. They told the Council that no data had been made available to indicate that the allowance of joint ventures has adversely affected U.S. processing firms.

The Advisory Panel endorsed the concept of the proposal. They believed, however, that the criteria to be used by the Regional Director to specify a time and area closure should be developed and reviewed. For that reason, the AP recommended that Part XI of the package be reserved and subjected to another public hearing and public comment with the proposed criteria developed.

Additionally, one commentor at the public hearing strongly urged rejection of the proposal on the grounds that it would be detrimental to the Marine Resources Company joint venture operation with USSR.

The Council unanimously recommended that this part of the amendment package be deferred until July with the expectation in the interim that criteria will be developed which would direct the Regional Director to institute a time and area closure to implement the joint venture policy statement. The criteria and the policy statement are expected to be combined with an identical proposal for the Bering Sea and Aleutian Island Groundfish Plan during the public comment period for that plan scheduled for June and July.

G-2 Bering Sea/Aleutian Islands Groundfish FMP

The Council discussed three subjects under this agenda item. First, the third of four reserve releases scheduled for the Bering Sea/ Aleutian Island area due June 2nd; second, an amendment to the Pacific cod OY, adding 29,300 metric tons for a new OY of 88,000 metric tons for 1980; third, implementation of the Bering Sea/Aleutian Groundfish FMP and problems with the review and implementation process.

Two witnesses testified on this subject. Ted Evans, representing Marine Resources, Inc., projected a yellowfin sole catch by the U.S./ Soviet joint venture in the Bering Sea at more than is currently available in DAH and reserve. He said the joint venture operation had moved from

pollock and cod to yellowfin sole, expecting to return to the cod and pollock fishery in late October/November. They were not taking very much Pacific Ocean perch, sablefish, "other-rock fish", or squid.

Paul MacGregor testified on behalf of the Japanese Longline and Gillnet Association, asking that all sablefish, Pacific cod, and turbot reserves be released and made available to the foreign fishery.

After considerable discussion and testimony from NMFS representatives who indicated that 20,000 metric tons of Pacific cod would be needed for allocation to the foreign fishery in the Bering Sea if the balance between species was to be maintained for the rest of 1980, the Council, on motion by member Mace, seconded by member Skoog, voted unanimously to leave the disbursement of the reserve and the allocation of the additional codfish OY under the PMP to the discretion of the Regional Director. Patrick Travers, NOAA General Counsel - Fisheries, told the Council that his division was having difficulty with the concept of scaling the OY for Pacific cod down to 88,000 tons from the ABC of 111,000 tons. The Council had made that recommendation at the April meeting, following discussion and testimony from the Plan Development Team members, because of the possibility that a very large increase in Pacific cod OY would have a detrimental effect on the beginning U.S. fishery for that species. Large amounts of codfish made available to the foreign fleets off Alaska would adversely impact the market and increase competition on the fishing grounds so that the somewhat marginal U.S. operation would be doomed to failure. Travers suggested that legally it might be sounder to reduce the ABC than the OY. After brief consideration, the Council maintained its stand for an OY of 88,000 metric tons and an ABC of 111,000 metric tons.

Travers also told that Council that he did not believe that the Environmental Impact Statement for the original Bering Sea/Aleutian FMP as approved by Commerce and filed with the Environmental Protection Agency on December 7, 1979 was adequate, and proposed a complete rewrite of the EIS for the original plan and the amendment package currently under development by the Council. This would delay implementation of the FMP until sometime in November or December, with the amendment package to follow in February or March of 1981.

G-3 King Crab Draft Fishery Management Plan

The king crab fishery management plan was revised according to the recommendations of the SSC during their review of summer 1979. The PDT extensively revised the document and have included additional management strategies and options. The document was distributed to the Council at the meeting and will be reviewed by the SSC and AP subgroups in mid-June.

H. NEW BUSINESS

H-1 The Accumulation of Plastic Litter on Beaches of Amchitka Island, Alaska by the National Marine Fishery Service

Mr. Jim Brooks (NMFS - Juneau) presented the report prepared by Mr. Theodore R. Merrill, Jr. on "The Accumulation of Plastic Litter on Beaches of Amchitka Island, Alaska." Brooks said the study on litter was conducted by the National Marine Fishery Service several years ago at Amchitka. It indicates that foreign vessels were the "major culprits" in discarding material that ends up on Alaskan beaches, much of which is plastic and extremely long-lasting. The report goes on to say that derelict nets that wash up on the beaches kill thousands of sea birds, fur seals and other marine life, and have disabled many vessels at sea by filing propellers or jamming cooling systems. Brooks told the Council that the long range effects of discarded plastic on the biota, while not yet fully understood, was objectionable and that some control of this littering was necessary.

The sense of the Council could be summarized by Bob Mace who said, "The world considers the ocean a garbage dump and it's time we looked into the problem." The Council generally concluded that when the Governing International Fishery Agreements (GIFAs) were renegotiated in 1982, stronger anti-pollution language should be considered.

H-2 Joint Venture Foreign Permit Applications

The Executive Director told the Council that two Soviet joint venture applications had been received and required action. The NOVAYA ERA and MYS PROKOFYEVA are substitute vessels for the USSR/Marine Resources Inc. joint venture. They will replace six trawlers currently used by the joint venture and intend to operate in both the Gulf of Alaska and the Bering Sea. Because of the routine nature of these substitute applications, Mr. Branson suggested they be addressed by the whole Council and not by the foreign permit review committee. There were no objections.

Mr. Ted Evans, attorney representing Marine Resources, Inc., told the Council that these ships intended to process yellowfin sole in the extreme eastern Bering Sea. He encouraged the Council to act quickly on the permit applications so the ships could begin operating as soon as possible.

Because the applications were for a joint venture already approved, the Council recommended they be conditionally approved. The condition attached to the permit was a restriction that the foreign ships be prohibited from operating within 12 miles of Akutan and Akun Islands: i.e., a permit restriction recommended for all joint venture applications off Alaska for 1980.

That action by the Council sparked discussion on the fate of similar restrictions recommended for joint venture applications in January. The Council learned from Bob McVey (NMFS) and Pat Travers (GCF) that a final decision on the Council's earlier recommendation was still pending.

I. REPORTS, CONTRACTS, PROPOSALS

No report was given for this item.

J. FINANCE REPORTS

No report was given for this item.

K. PUBLIC COMMENTS

Jay Hastings, Japan Fisheries Association, gave an update on the Japanese Tanner crab fishery. Dave Hernstein, Kodiak Acting Borough Mayor, asked the Council to clarify the action taken on the crab closure around Kodiak.

L. CHAIRMAN'S CLOSING REMARKS

Vice-Chairman Lokken re-affirmed the cancellation of the June, 1980 Council meeting. Mr. Lokken extended the best wishes of the Council to Rear Admiral Robert A. Duin in his retirement. He also recognized Mark Hutton, Mike Hershberger, and Florence Mynarski, exiting employees of the Council, for their work and dedication.

M. ADJOURNMENT

The thirty-third plenary session of the North Pacific Fishery Management Council adjourned on May 23, 1980, at 3:30 p.m.