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COUNCIL MEMORANDUM

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WASHINGTON REPORTS

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## WASHINGTON REPORTS

### Joint Ventures

The public comment period on a proposed modification of Republic of Korea (ROK) joint venture vessel permits closed on July 23. The modification would revise permit conditions and restrictions on the ROK vessels SOO GONG NO. 51 and BOOK NEUNG. The revision would limit to 1.5 percent of the total catch the amount of U.S. trawl-harvested sablefish which the ROK vessels may retain and prohibit receipt of longline-harvested sablefish from U.S. fishermen. Permits issued to Soviet vessels which intend to receive U.S. harvested Gulf of Alaska groundfish from U.S. fishermen included this restriction, but the ROK permits did not because the ROK permits were issued before new information was received on the utilization of sablefish by domestic processors. Comments on the modification are under review and a final decision to modify the permits has not been made yet.

### Guidelines for Development of Fishery Management Plans

A draft of final Part 602 regulations, Guidelines for Development of Fishery Management Plans, is still under review in NMFS. It appears that publication of the regulations will be delayed by at least 30 days, but NMFS still wants to have them in place before the end of the year.

### Secretary's Annual Report on the FCMA

NMFS distributed copies of the calendar year 1978 report in July. The report, consisting of two parts (Secretarial action and Councils' activities) was widely distributed to Councils, Congressional offices, and other interested parties (representatives of Federal, State, conservation groups, etc.).

A limited number of copies are still available, and may be obtained by contacting the Office of the Executive Director, National Marine Fisheries Service, Washington, D.C. 20235 (area code: 202 - 634-7405).

### FCMA Operations Handbook

NMFS and Council representatives participated in a series of three workshops during the month of July. In preparation for the workshops, NMFS developed a first draft of the handbook. Using this first draft as a base, the workshops were designed to promote discussion and exchange of ideas and opinions about guidelines for operation and procedural/regulatory limitations and allowances related to the various subjects (travel reimbursement, budget and financial management, personnel management, procurement and property management, etc.) to be covered in the handbook.

The workshops resulted in many constructive comments and suggestions which NMFS will compile and assess in the effort to develop a second draft document. The second draft will be sent to Councils for review.

## Council Appointments

Richard A. Frank, Administrator of NOAA, acting on behalf of the Secretary of Commerce, has appointed 15 new members and 15 incumbents to vacancies on the eight Regional Fishery Management Councils. All appointments are for 3 years and become effective August 11, 1979.

The FCMA requires that members of the Councils be selected from lists of qualified individuals submitted by the Governors of the constituent States of the Councils.

### NEW MEMBERS APPOINTED

#### New England Council

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Patrick Carroll, recreational fisherman, Fairfield, Connecticut  
Robin Peters, General Manager, Maine Commercial Fisheries newspaper,  
Blue Hill Falls, Maine  
Christopher Weld, attorney, Sullivan and Worcester, Boston, Massachusetts

#### Mid-Atlantic Council

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Arthur Fass, Executive Vice President, Fass Brothers, Inc., Newport News,  
Virginia  
Dr. Roger Locandro, Rutgers University, New Brunswick, New Jersey  
Barbara Stevenson, commercial fisherman, Dagsboro, Delaware

#### South Atlantic Council

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Melvin Daniels, Jr., State Senator, Elizabeth City, North Carolina

#### Caribbean Council

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Samuel Espinosa, President, Espinosa Fishing Inc., St. Croix, Virgin  
Islands

#### Gulf of Mexico Council

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Dayton Graham, President, Deep Sea Foods, Inc., Bayou La Batre, Alabama  
Gus Mijalis, President, Farmers Seafood Co., Inc., Shreveport, Louisiana  
Bobby O'Barr, attorney, O'Barr, Hurlbert and O'Barr, Biloxi, Mississippi

#### Pacific Council

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Guy McMinds, fisheries management advisor to Washington Coastal Indian  
Tribes, Taholah, Washington

#### North Pacific Council

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Dr. Donald Bevan, College of Fisheries, University of Washington, Seattle,  
Washington

#### Western Pacific Council

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John Eads, President, Guam Fishermen's Cooperative, Agana, Guam  
Jay Puffinburger, Manager, Hawaiian Tuna Packers, Honolulu, Hawaii

INCUMBENTS REAPPOINTED

New England Council

Jacob Dykstra, President, Pt. Judith Fishermen's Cooperative Association,  
Pt. Judith, Rhode Island  
Harvey Mickelson, Executive Director, Seafood Dealers Association of  
New Bedford, New Bedford, Massachusetts

Mid-Atlantic Council

William Feinberg, attorney, Feinberg, Dee, and Feinberg, Bayonne, New Jersey

South Atlantic Council

Allen F. Branch, recreational fisherman, Midway, Georgia  
J. Roy Duggan, President, King Shrimp Company, Inc., Brunswick, Georgia  
Jerry Sansom, Executive Director, Organized Fishermen of Florida,  
Melbourne, Florida

Caribbean Council

Hector Vega-Morera, President, Vega Associates, Salinas, Puerto Rico

Gulf of Mexico Council

Robert Jones, Executive Director, Southeastern Fisheries Association, Inc.,  
Tallahassee, Florida  
John Mehos, Liberty Fish and Oyster Company, Galveston, Texas

Pacific Council

John A. Martinis, State Representative, Everett, Washington  
John McKean, retired fishery administrator, Portland, Oregon  
John Royal, Secretary-Treasurer, Fishermen and Allied Workers Union,  
ILWU, Local No. 33, San Pedro, California

North Pacific Council

James Campbell, General Manager, Spenard Builders Supply, Inc.,  
Anchorage, Alaska  
Douglas Eaton, commercial fisherman, Kodiak Alaska

Western Pacific Council

Peter Reid, Jr., Manager, GHC Reid and Company, Inc., Pago Pago, American  
Samoa

## The Latest Developments in World Fisheries

### Marine Mammals - Endangered Species

Peru, Chile, and Sweden have joined the International Whaling Commission (IWC), bringing the total membership to 22. The new members attended the annual IWC meetings held in London in July.

### Fisheries in Western Europe and Canada

Canada's fishery exports have shifted markedly in recent years from the United States to Japan and Western Europe. The United States' share of total Canadian seafood exports has declined from 60.4 percent in 1974 to 49.3 percent in 1978. Exports to Japan have increased from 9.2 percent to 22.4 percent of the total in the same period.

Canada's Fisheries and Oceans Department released the so-called Levelton Report on Atlantic region commercial fisheries licensing. The report favors the introduction of a limited entry system, and recommends expansion of fishing effort only after the stocks improve.

Newfoundland's (Canada) Deputy Fisheries Minister, Gordon Slade, predicted recently that Newfoundland and Labrador fishermen will soon be landing 200,000 tons of cod annually beyond what the Canadian and United States markets can absorb. This surplus cod will be marketed primarily in Western Europe.

French shellfish importers are turning to Japan, Canada, and the United States for supplies of frozen scallops. They had previously purchased large quantities from the United Kingdom, but are now seeking other sources of supply because of alleged quality control problems with United Kingdom scallops.

### Fisheries in Latin America

Latin American shrimp exports to the United States totaled 59,000 tons (product weight) in 1978, a decline of over 11 percent from the 67,300 tons exported in 1977. Declining shipments were reported from Mexico, Panama, Nicaragua, Honduras, Trinidad, Colombia, Surinam, and Venezuela. Much of the decline was due to smaller shipments from Mexico, partly due to a Mexican attempt to diversify export markets and a strike by cooperative fishermen at the end of 1978.

### Preliminary Fishery Management Plans (PMP's)

During the month of July the following actions were taken on PMP's:

<u>Region:</u>	<u>Plan:</u>	<u>Action:</u>
ALASKA	Trawl Fisheries & Herring Gill-net Fishery of Eastern Bering Sea and Northeast Pacific	Proposed regulations which will require the operator of foreign vessels in the Bering Sea and Aleutian Islands fishery to record and report the number of salmon and halibut discarded appeared in the <u>Federal Register</u> July 6, 1979.

Fishery Management Plans (FMP's)

During the month of July the following actions were taken on FMP's:

<u>Council:</u>	<u>Plan:</u>	<u>Action:</u>
NEW ENGLAND	Atlantic Groundfish Fishery	Approval and partial disapproval of amendments to the FMP, promulgation of emergency regulations, and notice of adjustments to catch limitations and of fishery closures appeared in the <u>Federal Register</u> July 23, 1979. Public comment on the proposed regulations is invited until September 18, 1979. The emergency regulations increasing cod and haddock OY's are effective until September 14, 1979, unless repromulgated before that date. Yellowtail flounder OY increase disapproved.
MID-ATLANTIC	Atlantic Herring Fishery	Approval of amendment (No. 2) to the FMP which was implemented through emergency regulations appeared in the <u>Federal Register</u> July 2, 1979. Public comments on the emergency regulations are invited until August 14, 1979.  Discussion paper for amendment (No. 3) arrived in the Washington Office on July 25, 1979. It went to EPA on July 30, 1979.
	Atlantic Mackerel Fishery	FMP approved. Proposed regulations undergoing Washington Office review.
	Butterfish Fishery	Revised FMP undergoing Secretarial review.
PACIFIC	Northern Anchovy Fishery	Approval of an amendment to the FMP appeared in the <u>Federal Register</u> July 18, 1979. This amendment identified domestic harvesting and processing capacities, and relates the DAH to OY.  Notice revising the limits on harvest of northern anchovy in the U.S. FCZ for the 1979-80 fishing season pursuant to the FMP appeared in the <u>Federal Register</u> July 20, 1979.
	Commercial & Recreational Salmon Fisheries off the Coasts of Wn., Ore., and Calif.	Emergency regulations still in effect.

Fishery Management Plans (FMP's) (continued)

<u>Council:</u>	<u>Plan:</u>	<u>Action:</u>
PACIFIC (continued)	Commercial & Recreational Salmon of Wn., Ore., and Calif.	Final regulations implementing the 1979 amend- ments to the FMP appeared in the <u>Federal Register</u> July 23, 1979.  An emergency rule amending the final regulations issued on July 18, 1979, appeared in the <u>Federal</u> <u>Register</u> July 26, 1979. The reduction in the length of the commercial fishing season was a result of a hearing before the U.S. District Court on July 11, 1979, in <u>Confederated</u> <u>Tribes v. Kreps</u> (C79-541).
NORTH PACIFIC	High Seas Salmon off the Coast of Alaska	Emergency regulations implementing the FMP were continued in effect until August 22, 1979 (or until final regulations are promulgated), appeared in the <u>Federal Register</u> July 11, 1979.  Correction reconciling an inconsistency between FMP emergency regulations and State of Alaska regulations appeared in the <u>Federal Register</u> July 17, 1979.
	Gulf of Alaska Groundfish Fishery	Approval of amendment (No. 4) appeared in the <u>Federal Register</u> July 9, 1979. Revised regula- tions to implement the amendment were proposed. Public comments are invited until August 16, 1979.  Proposed regulations which will require the operator of foreign vessels in the Gulf of Alaska Groundfish fishery to record and report the number of salmon and halibut discarded appeared in the <u>Federal Register</u> July 6, 1979.  Approval of amendment (No. 5) and proposed regulations appeared in the <u>Federal Register</u> July 20, 1979. Public comment is invited until August 31, 1979. This amendment establishes an OY, DAH, and TALFF for a genus of fish commonly called rattails.  Final regulations making additional amounts of fish available to foreign fishing by release reserves in accordance with the provisions of the FMP and the regulations implementing this FMP appeared in the <u>Federal Register</u> July 31, 1979.

## Congressional Activities

### Bills Introduced

Marine Artificial Reefs (H.R. 4714, Ginn/GA, 7/10/79, Committee on Merchant Marine and Fisheries). To establish a program to develop, maintain, and monitor marine artificial reefs in waters of U.S. jurisdiction.

FCMA Amendment (H.R. 4809, Weaver/OR, 7/16/79, Committee on Merchant Marine and Fisheries). To prohibit issuance of fishing permits to foreign vessels designated by the Secretary of Commerce as conducting operations in a manner that undermines the effectiveness of international fishery conservation programs.

Endangered Species Act Amendment (H.R. 4841, Beard/TN, 7/18/79, Committee on Merchant Marine and Fisheries). To insure the effective administration of the Endangered Species Act.

PL 88-309 Amendment (H.R. 4890, Murphy/NY, 7/21/79, Committee on Merchant Marine and Fisheries). To extend the appropriation authorization for the Commercial Fisheries Research and Development Act. The bill was introduced by request of the Department of Commerce. It would extend sections 4(a), 4(b), and 4(c) through fiscal year 1983, for such sums as may be necessary.

Fish and Wildlife Coordination Act Amendment (H.R. 4978, Treen/LA, 7/26/79, Committee on Merchant Marine and Fisheries). To establish a minimum time period for complex consultation procedure required by the Fish and Wildlife Coordination Act in the case of permits related to oil and gas drilling.

Marine Sanctuaries (H.R. 5018, Breaux/LA, 7/31/79, Committee on Merchant Marine and Fisheries). To repeal the marine sanctuaries title of the Marine Protection, Research, and Sanctuaries Act.

Fur Seals (H.R. 5033, Wolff/NY, 7/31/79, Committees on Merchant Marine and Fisheries, Foreign Affairs, and Interior and Insular Affairs). To provide for the termination of the Interim Convention on Conservation of the North Pacific Fur Seals to prohibit taking of seals on Pribilof Islands.

Fishery Development (H.R. 5035, D. Young/AK, 7/31/79, Committee on Merchant Marine and Fisheries). To promote the transfer of fisheries technologies and techniques.

### Committee and Floor Action

Aquaculture. The House Committee on Agriculture reported on July 16, 1979, H.R. 20, the proposed National Aquaculture Act of 1979 (H. Rpt. 96-198, Part II).



The Agriculture Committee's amendments do not include provisions for a Federal guaranteed loan program, insurance program, revolving fund, or special grants for demonstration projects. Most of the other provisions of H.R. 20 remain, except that the National Aquaculture Development Plan and implementing activities would be developed and carried out jointly by the Secretaries of Agriculture, Commerce, and Interior subject to coordination by the Joint Subcommittee on Aquaculture of the Federal Coordinating Council on Science, Engineering, and Technology. In conjunction with development of the Plan, the three Secretaries would be required to study both capital requirements of, and regulatory restraints upon, the U.S. aquaculture industry and to recommend legislation as appropriate. Lastly, the \$65 million 3-year appropriation authorization would be deleted. Instead, an appropriation authorization is provided for such sums as may be necessary to carry out the Act. It should be noted that the Agriculture Committee has accepted a de la Garza amendment to H.R. 4119, a bill to amend the Federal Crop Insurance Act. That amendment would authorize the Federal Crop Insurance Corporation to provide crop insurance to aquaculture producers.

Law of the Sea (LOS) Conference. On July 16, the House agreed to H. Con. Res. 53, a concurrent resolution to endorse efforts of the U.S. Delegation to the Law of the Sea Conference to establish a regime which will encourage the conduct of marine scientific research both within and beyond the 200-mile zone.

Deep Seabed Mining. House and Senate Committees have ordered favorably reported, H.R. 2759 and S. 493, respectively:

(House) - Interior and Insular Affairs - 7/18; Merchant Marine and Fisheries - 7/25

(Senate) - Commerce, Science and Transportation - 7/27; Foreign Relations - 7/30

Energy and Water Development Appropriations/Tellico Dam. The Senate passed H.R. 4388 on July 18, deleting the House-passed provision that authorized completion of the Tellico Dam and Reservoir project. On July 25, the Committee of Conference filed a conference report (H. Rpt. 96-388). Amendment No. 30 regarding the completion of the tellico Dam project was reported in disagreement.

Maritime Appropriations. On July 27 the House passed S. 640, amended to contain the language of H.R. 3462 as passed the House. The Emery amendment which provides funds to State marine schools for purchasing fuel for training vessels was adopted.

The House and Senate must now reach an agreement on their differing versions of S. 640.

Pacific Northwest Electric Power Planning and Conservation Act. On July 30, the Committee on Energy and Natural Resources reported S. 885. As reported, section 4(h) formalizes the procedure for insuring that the recommendations of State and Federal fisheries agencies and appropriate Indian tribes are taken into account in the development of the regional electric power plan and plan amendments.

#### Hearings

July 10 - FCMA Oversight, before the Subcommittee on Fisheries and Wildlife Conservation and the Environment of the House Committee on Merchant Marine and Fisheries. The NOAA witness, William Gordon, Director, Resource Conservation and Management, NMFS, focused on issues surrounding the organization and operation of Regional Fishery Management Councils.

July 18 - Endangered Species Act Oversight, before the Subcommittee on Fisheries and Wildlife Conservation and the Environment, House Committee on Merchant Marine and Fisheries. Terry Leitzell, Assistant Administrator for Fisheries, NMFS, submitted a statement for the record.

July 25 - International Whaling Commission (IWC) Oversight, before the Subcommittee on International Organizations of the House Committee on Foreign Affairs. The NOAA witness, Richard Frank, Administrator of NOAA, discussed the results of the IWC meeting held in London, July 9-13, 1979.

October 11-12 - Continuation of FCMA Oversight - Hearings will be held in room 1334, Longworth House Office Building.

October 11 - Focus on FMP process

October 12 - Focus on enforcement issues

Hearings will begin at 9:30 a.m., both days.

## Schedule of Upcoming Council Meetings

### NEW ENGLAND

#### Council (open meeting) (pub. in F.R. pending)

Date: September 5 & 6, 1979 (convening at 9 a.m. on 9/5; adjourning at approximately 3 p.m. on 9/6)

Place: The Bar Harbor Club, West Street, Bar Harbor, Maine.

Agenda: Discuss management objectives for a lobster fishery management plan (FMP); report of the ad hoc committee on Georges Bank marine sanctuary; groundfish oversight committee report; motion to eliminate the present system of species quotas, vessel class allocations, trip limits and seasonal and geographical allocations; election of officers, and conduct other Council-related business.

### MID-ATLANTIC

#### Atlantic Mackerel Resources Subpanel (AP) (open meeting) (F.R. Vol. 44, No. 155, 8/9/79)

Date: August 27, 1979 (10 a.m. to 4 p.m.)

Place: Best Western Airport Inn, Philadelphia International Airport, Philadelphia, Pennsylvania

Agenda: Discuss Amendment I to the Mackerel FMP.

#### Squid Fishery Resource/Butterfish Subpanels (AP) (open meeting) (F.R. Vol. 44, No. 155, 8/9/79)

Date: August 29, 1979 (10 a.m. to 4 p.m.)

Place: Best Western Airport Inn, Philadelphia International Airport, Philadelphia, Pennsylvania.

Agenda: Discuss first amendments to the Squid and Butterfish FMP's.

#### Surf Clam/Ocean Quahog Resources Subpanel (AP) (open meeting) (F.R. Vol. 44, No. 155, 8/9/79)

Date: August 31, 1979 (10 a.m. to 4 p.m.)

Place: Sheraton, Route 13, Dover, Delaware

Agenda: Discuss the Surf Clam/Ocean Quahog FMP and regulations.

#### Scientific and Statistical Committee (SSC) (open meeting) (F.R. Vol. 44, No. 155, 8/9/79)

Date: September 10, 1979 (10 a.m. to approximately 3 p.m.)

Place: Best Western Airport Inn, Philadelphia International Airport, Philadelphia, Pennsylvania

Agenda: Discuss work plans for future species, election of a vice-chairman, and conduct other fishery management business.

#### Council (open meeting) (pub. in F.R. pending)

Date: September 12 - 14, 1979 (convening at approximately 1 p.m. on 9/12; adjourning at approximately 1 p.m. on 9/14)

Place: Best Western Airport Inn, Philadelphia International Airport, Philadelphia, Pennsylvania

Agenda: Discuss the Mackerel and Squid/Butterfish FMP's; work plans for and status of various FMP's, and other administrative matters.

SOUTH ATLANTIC

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Inter-Council Billfish Steering Committee (open meeting) (F.R. Vol. 44, No. 144, 7/25/79)

Date: August 14 & 15 1979 (convening at 9 a.m. on 8/14; adjourning at 5 p.m. on 8/15)

Place: Virgin Isle Hotel, St. Thomas, Virgin Islands

Agenda: Review the Billfish FMP.

Council (open meeting) (pub. in F.R. pending)

Date: August 28 - 30, 1979 (convening at 1 p.m. on 8/28; adjourning at approximately 12 noon on 8/30)

Place: Headquarters, 1 Southpark Circle, Suite 306, Charleston, South Carolina

Agenda: Discuss: (1) Billfish FMP; (2) Election of officers; (3) Status of ongoing FMP activities; (4) Foreign fishing permits, if any; and (5) other management business.

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CARIBBEAN

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Council (open meeting) (F.R. Vol. 44, No. 144, 7/24/79)

Date: August 16 & 17, 1979 (convening at 1:30 p.m. on 8/16; adjourning at approximately 12 noon on 8/17)

Place: Virgin Isle Hotel, St. Thomas, Virgin Islands

Agenda: Consider: (1) Election of a Chairman; (2) Final working draft FMP for Shallow-Water Reef Fishery; (3) Recommendations by the SSC to the Council regarding the inclusion of a Blackfin Tuna and Little Tunny in the FMP for Coastal Migratory Pelagics; (4) Adoption of a Council position regarding the draft FMP for Billfishes; (5) Status reports on the following FMP's: Spiny Lobster, Mollusks (Couch and Whelk) and Deep Water Reef Fishes; (6) Vacancies in the SSC and AP; (7) Presentation on the Foreign Longline Fishery; and (8) Conduct other management business.

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GULF OF MEXICO

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Council (open meeting) (F.R. Vol. 44, No. 142, 7/23/79)

Date: August 7-9, 1979 (convening at 1:30 p.m. on 8/7; 8:30 a.m. on 8/8-9; adjourning at 5 p.m. on 8/7-8, and approximately 12 noon on 8/9)

Place: Regency Room of the Sheraton Marina Inn, 300 North Shoreline, Corpus Christi, Texas

Agenda: Review status reports on development of FMP's; consider foreign fishing applications, if any; and conduct other management business.

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PACIFIC

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Groundfish Advisory Subpanel (AP) (open meeting) (F.R. Vol. 44, No. 144, 7/25/79)

Date: August 8-9, 1979 (convening at 1 p.m. on 8/8; at 8 a.m. on 8/9; adjourning at approximately 5 p.m. on both days)

Place: The LeBaron Hotel, 1350 North First Street, San Jose, California

Agenda: Review and comment on the draft Groundfish FMP.

PACIFIC (continued)

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Anchovy/Jack Mackerel Advisory Panel (AP) (open meeting) (F.R. Vol. 44, No. 151, 8/3/79)

Date: August 28, 1979 (10 a.m. to approximately 5 p.m.)

Place: California Fish and Game Office, 350 South Golden Shores, Long Beach, California

Agenda: Discuss the draft Anchovy/Jack Mackerel FMP.

Billfish Advisory Panel (AP) (open meeting) (F.R. Vol. 44, No. 151, 8/3/79)

Date: August 30, 1979 (10 a.m. to approximately 5 p.m.)

Place: California Fish and Game Office, 350 South Golden Shores, Long Beach, California

Agenda: Discuss the draft Billfish FMP.

Scientific and Statistical Committee (SSC) (open meeting) (F.R. Vol. 44, No. 154, 8/8/79)

Date: September 12-13, 1979 (1 p.m. to 5 p.m. on 9/12; 10 a.m. to 5 p.m. on 9/13)

Place: The Cosmopolitan Motor Hotel, 1030 N.E. Union, Portland, Oregon

Agenda: Discuss FMP's under development, conduct a public comment period beginning at 3:30 p.m. on 9/12, and conduct other Committee business.

Council (partially closed meeting) (F.R. Vol. 44, No. 154, 8/8/79)

Date: September 13-14, 1979 (convening at 10 a.m. on 9/13; 8 a.m. on 9/14; adjourning at 5 p.m. on both days)

Place: The Cosmopolitan Motor Hotel, 1030 N.E. Union, Portland, Oregon

Agenda: Open Session (10 a.m. to 5 p.m. on 9/13; 8 a.m. to 5 p.m. on 9/14) Review FMP's; conduct other fishery management business, and hold a public comment period beginning at 4 p.m. on 9/13)  
Closed Session (8 a.m. to 10 a.m. on 9/12) - Discuss the status of current maritime boundary and resource negotiations between the U.S. and Canada and discuss personnel matters concerning appointments to vacancies on subpanels and teams.

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NORTH PACIFIC

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Advisory Panel (AP) (open meeting) (F.R. Vol. 44, No. 153, 8/7/79)

Date: August 22, 1979 (9:30 a.m. to 5 p.m.)

Place: The Kenai Room of the Anchorage/Westward/Hilton Hotel, 3rd and E Streets, Anchorage, Alaska

Agenda: Discuss: (1) Tanner Crab FMP amendments plus a report from the AP subcommittee on methods of fine-tuning the Domestic Annual Harvest (DAH), and extension of the Tanner Crab FMP through 1980; (2) Amendments to the Gulf of Alaska Groundfish Fishery FMP for 1980; (3) Bering sea and Aleutian Islands Groundfish FMP preliminary approval of an amendment on salmon savings time/area closures, and DAH/Reserve issues. (4) Incidental Species Report; (5) Business related to Council contracts; (6) A reciprocal U.S./U.S.S.R. Fishing Agreement; (7) Review of the Bering Sea Herring Draft FMP; and (8) Conduct other Council-related business.

NORTH PACIFIC (continued)

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Scientific and Statistical Committee (SSC) (open meeting) (F.R. Vol. 44, No. 153, 8/7/79)

Date: August 21-22, 1979 (convening at 10 a.m. on 8/21 & 22; adjourning at 5 p.m. on both days)

Place: The Council Conference Room, 333 West Fourth Avenue, Post Office Mall Building, Anchorage, Alaska

Agenda: Discuss: (1) Tanner Crab FMP revisions; (2) Bering Sea Herring draft FMP review; (3) Gulf of Alaska Groundfish FMP with particular reference to changes in the optimum yields (OY's); (4) King Crab draft FMP; (5) SSC membership; (6) Proposal entitled "Biometrical Analysis of Southeastern Alaska Troll Fishery Data;" (7) Socioeconomic data needs; and (8) Conduct other Council-related business.

Council (open meeting) (F.R. Vol. 44, No. 153, 8/7/79)

Date: August 23-24, 1979 (convening at 8:30 a.m. on 8/23; adjourning at 5 p.m. on 8/24)

Place: The Kenai Room of the Anchorage/Westward/Hilton Hotel, 3rd and E Streets, Anchorage, Alaska

Agenda: A new format for conducting the Council meeting will be used. On Thursday, August 23, 1979, from 8:30 a.m. to 11 a.m., regular Council business and reports will be heard: the Executive Director's Report, Alaska Department of Fish & Game (ADF&G) report, National Marine Fisheries Service (NMFS), and U.S. Coast Guard (USCG) reports. A public comment period will be held from 11 a.m. to 12 noon and 1:30 p.m. to 5 p.m. On Friday, August 24, 1979, from 8:30 a.m. to 5 p.m. the remaining agenda items will be discussed by the Council, each item prefaced by reports from the SSC and AP, with comments allowed by the public. These agenda items are: (1) A Report on the Socioeconomic Data Needs of the FMP's; (2) Incidental Species; (3) A reciprocal U.S./U.S.S.R. Fishing Agreement; (4) Business related to Council contracts; (5) Council FY 80 Budget and NMFS FY 82 Budget; (6) Bering Sea and Aleutian Islands Groundfish FMP; approval of a salmon-savings, time/area closure amendment, and DAH/Reserve amendment; (7) Tanner Crab FMP; approval of an amendment to extend the plan into 1980, a discussion of the early indicators of OY, DAH, and Total Allowable Level of Foreign Fishing (TALFF) in the Bering Sea, and a progress report of the 1979 fishery; (7) Gulf of Alaska Groundfish FMP; approval of an amendment to extend the plan into 1980; approval of an amendment package covering various OY's, the DAH concepts, provisional joint venture-related time/area concepts, and others; (9) Bering Sea Herring draft FMP; first Council review of this plan; and (10) Conduct other Council-related business.

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WESTERN PACIFIC

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Council (open meeting) (F.R. Vol. 44, No. 144, 7/25/79)

Date: August 22-25, 1979 (convening at 7 p.m. on 8/22; 9 a.m. on 8/23-24; 10 a.m. on 8/25; adjourning at 9 p.m. on 8/22; 4:30 p.m. on 8/23-24; and 12 noon on 8/25)

Place: The King Kamehameha Hotel, Kailua-Kona, Island of Hawaii

Agenda: Discuss: (1) Draft regulations for the Precious Coral FMP and vote on final approval of the FMP; (2) Status of FMP's for the Billfish and Spiny Lobster fisheries; (3) Budgets for FY 80, 81, & 82; (4) Fisheries Master Plan for the State of Hawaii; and (5) Conduct other Council-related business.

## COUNCIL REPORTS

### New England Council

The Council scheduled no Council meeting in July.

- o On July 6 the Council reconvened its regular meeting of June 27-28. The Council discussed its responses to the questions raised by the House Subcommittee on the FCMA and directed the Acting Chairman of the Council to include such responses in his statement before the subcommittee on July 10, 1979.
- o On July 11 the Scientific and Statistical Committee (SSC) met to review the draft of the Pollock Fishery Management Plan.
- o The Regulatory Measures Committee met on July 19 to review the Draft 6d Gear Conflict Regulations. Alternative language to specific sections of the regulations was agreed upon. A complete draft including alternative language was to be presented to the full Council at its August 1-2, 1979, meeting.
- o At its meeting of July 17, 1979, the Executive Committee approved a request for additional staff, approved salary adjustments for eligible Council staff, reviewed the administrative budget for fiscal year 1979-80, and heard the report of its Acting Chairman on the hearings before the House Subcommittee on the FCMA.
- o A joint meeting of the New England Council's Scallop Oversight Committee and the Scallop Subpanel of the Mid-Atlantic Council was held in Philadelphia, Pennsylvania, on July 11. The Joint Committee reviewed the draft of "Part I - Scallop FMP Statement of the Problem" prepared by the staff of the New England Council. The draft was accepted by the Joint Committee with revisions.

### Mid-Atlantic Council

The Council held its regular monthly meeting in Philadelphia, Pennsylvania, July 11-13, 1979. During the meeting the Council took the following actions.

- o Accepted the schedule for the completion of the Scallop Fishery Management Plan (FMP) proposed by the Chairman of the New England Council Scallop Oversight Committee.
- o Agreed to respond to the requests of Congressmen McCloskey and Studds that the Council support an amendment to the FCMA to include within American fisheries jurisdiction Atlantic bluefin tuna and thereby support HR 4357 or similar legislation.

- o Approved the work plans for the Bluefish FMP, Amendment #1 to the Atlantic Mackerel FMP, Amendment #1 to the Atlantic Squid FMP, and Amendment #1 to the Atlantic Butterfish FMP.
- o Approved the regulatory analysis for the Atlantic Mackerel FMP.
- o Authorized the staff to prepare draft work plans and begin the scoping process for the species remaining on the Council's planning list.
- o Recommended to the New England Council that the Groundfish FMP include a request that NMFS institute a tagging program or other methodology to determine if the cod stock currently described as "Georges Bank-Southern New England" is actually composed of several stocks; thus providing the opportunity to institute management measures designed to increase availability of cod to Mid-Atlantic areas with historic cod fisheries.
- o Approved the administrative and programmatic budget applications for fiscal year 1980.
- o Proposed that if acceptable participation conditions can be developed, that lead responsibility for the Atlantic Sharks FMP be transferred to the Gulf of Mexico Council and authorized the Executive Director to begin discussions on the feasibility of such a transfer.
- o Proposed a reallocation of 4,000 metric tons of Illex to total allowable level of foreign fishing (TALFF) for the current fishing year.
- o Agreed to request the Department of Energy recognize that fishermen should have 100% priority of need for fuel allocations.
- o Agreed to respond to the request of Congressman Hughes that, after review, the Council is opposed to passage of HR 4360.

#### South Atlantic Council

Council did not meet in July. The next Council meeting is scheduled for August 28-30, 1979, in Charleston, South Carolina.



## Caribbean Council

The Council did not meet in July; the next Council meeting will be held August 16-17, 1979, in St. Thomas, U.S. Virgin Islands.

The following is a summary of the highlights of Council activities during the month of July 1979.

- o The original draft of the "discussion paper" on the Spiny Lobster Management Plan has been reviewed considerably in conformance with National Environmental Policy Act (NEPA) and the new regulations to implement Executive Order 12044.

This present draft has been tasked in a format that attempts to satisfy the requirements of the "framework" concept. As a special paper, it has been reviewed in detail at the Washington and Southeast Regional levels of NMFS.

The comments arising from these reviews are presently being used as guidelines for preparing the draft of the FMP, regulatory analysis, environmental impact statement, and regulations. When these documents are completed, they will be submitted for formal review as a prototype framework FMP.

- o At the request of the Council, the SSC met to consider and provide advice to the Council on the status of two species of tuna: little tunny and blackfin tuna. The SSC advice will assist the Council in deciding whether to keep the two species in the group of fishes for which a private contractor will develop a draft FMP.

On the basis that coastal migratory fishery in the Caribbean Council zone utilizes and is dependent upon blackfin and little tunny as important components in a multi-species catch, and that information for the basis of management is needed, particularly in terms of the migratory nature of both species, including catch statistics, the SSC has recommended that the Council retain these two species in the listing of species components in the fishery, and to require the plan contractor to compile information on these species as required for the other species covered by the plan.

The SSC also recommended that the Council request NMFS to initiate a program, either through International Commission for Conservation of Atlantic Tunas (ICCAT) or independently, to provide the information required on the migratory habits and status of stocks. It was further recommended by the SSC that the Council be permitted to make recommendations to NMFS as input to the U.S. position in the ICCAT forum concerning tuna management needs in the Caribbean Council zone, and that when NMFS implements the skip jack tagging program, that all blackfin tuna and little tunny captured during the field activities also be tagged, and that results of this expanded activity be reported to both ICCAT and the Caribbean Council.

The Council will consider this issue at the August meeting.

- o Council staff members participated in a meeting held in Washington, D.C., July 24-25, 1979, to consider the draft Council operations handbook. Staff members also participated in a meeting with NMFS headquarters staff members to examine their reaction to the proposed framework approach to the Spiny Lobster FMP.
- o Council staff members participated in a meeting at the Southeast Regional Office in which NMFS proposed strategy for the establishment of a unit for the management of the operational aspects of monitoring fishery management plans (subject to discussion by NMFS and the South Atlantic, Gulf of Mexico, and Caribbean Councils).
- o The Council staff completed the tabulation of the data collected during the first year of the spiny lobster size-frequency survey. This information will be used now in connection with the preparation of the regulatory analysis of the Spiny Lobster FMP.

#### Gulf of Mexico Council

The following is a summary of the highlights of the Council meeting held July 10-13, 1979, in Key West, Florida. Summary prepared with Council concurrence by Charles A. Oravetz, Southeast Regional Office, NMFS.

- o A public meeting with all Council members participating was held to hear statements concerning proposed changes in the Reef Fish DEIS/FMP. Approximately 100 commercial and recreational fishermen as well as a few environmentalists, attended the meeting. About 35 of the attendees made official comments. As a result of new information the Council referred the DEIS/FMP for Reef Fish to committee for appropriate consideration of the public comments.
- o The Council considered management measures to be included in the draft Shark FMP. A complex system of proposed regulations for foreign fishing was discussed. These proposed management measures were referred back to committee for further consideration.
- o Proposed management measures for the Groundfish FMP were considered by the Council. Decision elements were considered which incorporated the recommendations made by NMFS concerning the species to be included. Recommendations by the Council were remanded to committee for inclusion in the management plan. This completes the Council decision process and initiates the final preparation of the DEIS/FMP for Groundfish.
- o Upon recommendation of the Shrimp Steering Committee, the shrimp management plan was approved for submission to NMFS for approval to go to public hearings.

- o Extensions to some contracts for the preparation of DEIS/FMP's were approved by the Council. These extensions are at no additional cost to the Council and include an extension in the time for the Coral DEIS/FMP to be extended to December 31, 1979, and for the preparation of the DEIS/FMP for Sharks to be extended to August 31, 1979.
- o The Council reviewed and approved a policy for procedures to be followed by staff and the Chairman concerning travel authorization. Specific written guidelines are to be prepared which identify that travel which requires approval by the entire Council and travel which can be approved by Council Chairman and/or staff.
- o The Council reviewed management units for FMP preparation in FY 1980. The Council agreed to develop a regulatory assessment procedure for coastal herrings, to accept the management plan developed by the State/Federal Fisheries Management Board of the Gulf of Mexico Marine Fisheries Commission for Menhaden, to develop a profile for tropical coral associated reef fish at some time in the future to consider incorporating the management of coral associated reef fish as part of the coral plan already under preparation. The Council approved the development of a profile for squid in preparation of the development of a regulatory analysis under Executive Order 12044.
- o Council accepted the recommendations of the Personnel Committee to request that NOAA modify the regulations as recommended by the Department of Commerce audit of 1979. These include changing the final regulations concerning the number of working days an employee can accrue and to clarify authority for authorizing travel expenses.
- o The next Council meeting will be in Corpus Christi, Texas, August 7-9, 1979, at the Sheraton Marina Inn.

#### Pacific Council

- o During its July 12-13 meeting in Los Angeles, California, the Council approved the fiscal year 1980 budget for \$1,586K (administrative - \$829K and programmatic - \$757K) which includes an additional staff officer position to facilitate the Council staff working with NMFS personnel on environmental impact statements, regulatory analysis, and draft regulations for the various plans.
- o The Council reviewed its contributions to the draft Billfish FMP being prepared jointly with the Western Pacific Council. Representatives of both Councils are scheduled to meet in October to review and integrate the plan.

The Council's multi-year Anchovy FMP establishes a formula for determining optimum yield (OY) based on annual biomass estimates. The 1979 biomass estimate shows the resource to be much larger than last year. Under the OY formula, the U.S. reduction quota for the 1979-80 season will increase to 156,100 short tons, as compared to 58,333 tons for the 1978-79 season.

- o Further work on an FMP for Dungeness crab was suspended by the Council until further notice. Dungeness crab are predominately harvested inside 3 miles and the Advisory Subpanel, supported by the crab industry, felt that the states were adequately managing the fishery and there was no urgent need for an FMP.
- o U.S. District Judge Schwarzer has directed the Secretary of Commerce to close the ocean salmon troll fishery for chinook and coho salmon north of Cape Falcon, Oregon (approximately 25 miles south of the Oregon-Washington State line), to the U.S.-Canada border for a total of 18 days to provide more fish to the Treaty Indian tribes. The Judge also set an August 6 hearing date to review the closures and to determine whether additional restrictive measures are necessary. The court order does not affect the charterboat fishery. Prior to the Judge's decision, he had directed the Secretary of Commerce to show whether the existing ocean regulations would provide the numbers of fall chinook salmon to the Treaty Indian tribes under the Columbia River agreement and in light of the recent U.S. Supreme Court decision, and to recommend additional measures which might be needed to provide more fish to the Indian tribes. The Council had strongly urged the Secretary to maintain the existing season on the basis of its findings that the 1979 regulations met the treaty obligations. The Secretary concurred with the Council's findings and indicated to the Court that the ocean management regulations met her obligations to the tribes. As requested by the Court, the Secretary also submitted an alternative proposal but noted that it would have a de minimus impact on tribal fisheries and an extremely severe impact on nontreaty fisheries. Despite these representations, Judge Schwarzer ordered the closure of the ocean fishery.
- o The closure has resulted in large-scale fish demonstrations, port blockades, and fish-ins. The Coast Guard has assigned several cutters to enforce the emergency closure.

#### North Pacific Council

- o Revisions have been made in the conduct of the monthly Council meetings to expedite the discussion and decisions on the numerous agenda items which the Council considers.

Under the revised meeting format, routine agency reports (Alaska Department of Fish and Game, NMFS, U.S. Coast Guard, and Council) are scheduled for the period 8:30 a.m. to 11:00 a.m.

A public comment period is to be held from 11:00 a.m. to noon recess for all comments which do not address an agenda topic scheduled for the meeting or for those who can not stay to comment on an agenda item as it appears on the agenda.

At 1:30 p.m. the Council will start considering each agenda item in order. Reports will be received from the SSC and AP on the particular agenda item under discussion, plus whatever reports or associated information is needed from staff members of the Council Plan Development Teams, various working groups and special committees and consultants. Public comment will also be received on the item under discussion. The Council will then be in a position to take immediate action and move to the next item.

- o McKernan Memorial Fund - The establishment of a memorial fund at the University of Washington in memory of Prof. Donald L. McKernan has been announced by William T. Burke of the University, Chairman, McKernan Memorial Fund. With the approval of Mrs. McKernan, the purpose of the fund is to provide a living memorial in the form of scholarships for students, awards for research and teaching, and support in the general interdisciplinary area of marine studies. Money contributed will be tax deductible and will be used in ways that will continue to memorialize McKernan by associating his name with and encouraging new participants and projects in marine studies and affairs. Checks may be made payable to the Donald L. McKernan Memorial Fund, c/o Gift Processing Division, Office of Development, AI-10, University of Washington, Seattle, Washington, 98105.

#### Western Pacific Council

Council did not meet in July. The next Council meeting is scheduled for August 23-25, 1979, in Kailua-Kona, Hawaii.

- o Council member Louis K. Agard, Jr., testified for the Council at the Congressional Oversight Hearings on the FCMA. Hearings were held in Washington, D.C., July 10-11, 1979.
- o Members of the staff attended the NMFS-sponsored workshop on the Council Operations Handbook, held in Portland, Oregon, July 17-19, 1979.
- o John Carr, Deputy Director, Southwest Fisheries Center, NMFS, visited with Council members in Honolulu to discuss Center/Region budget.
- o Council requested a revision to the FY 1979 budget, and revision was approved by NMFS.

- o Council's request for \$24,000 in programmatic funds for development of Precious Coral, Billfish, Spiny Lobster FMP's was approved, and the Council has made Requests for Proposal.
- o Council approved two Taiwanese stern trawler applications to fish seamount fishery.
- o Mr. Fred Tokoro was appointed as the new Administrative Officer for the Council, and Ms. Kitty Simonds was appointed as the Assistant to the Executive Director. Recruitment efforts are underway for a secretary and resource economist.

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