

North Pacific Fishery Management Council

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Certified John G. Peterson
Date 1/19/89

MINUTES

84th Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
December 5-9, 1988
Sheraton Hotel
Anchorage, Alaska

The North Pacific Fishery Management Council met December 5-9, 1988 at the Sheraton Hotel in Anchorage, Alaska. The Scientific and Statistical Committee and Advisory Panel began meeting on Sunday, December 4. Members of the Council, Scientific and Statistical Committee, Advisory, staff and general public in attendance are listed below.

Council

John Peterson, Chairman
Bob Alverson
Joe Blum
Jim Brooks
Don Collinsworth
Larry Cotter
Oscar Dyson
Bob Mace for
Randy Fisher

John Winther, Vice Chairman
Bob Ford
Tony Knowles
Henry Mitchell
Capt. George White for
RADM Edw. Nelson
Guy Thornburgh

NPFMC Staff

Clarence Pautzke, Executive Director
Steve Davis, Deputy Director
Judy Willoughby
Denby Lloyd
Terry Smith

Dick Tremaine
Bill Wilson
Helen Allen
Peggy Kircher

Support Staff

Dale Evans, NMFS-AKR
Craig Hammond, NMFS-AKR
Steve Hoag, IPHC
Craig O'Connor, NOAA-GC
Jay Ginter, NMFS-AKR
Mark Pedersen, WDF
Rebecca Baldwin, NMFS-NWAFRC

Ron Berg, NMFS-AKR
Jessie Gharett, NMFS-AKR
Loh-Lee Low, NMFS-NWAFRC
Jim Balsiger, NMFS-NWAFRC
Bob Otto, NMFS-Kodiak
Carl Roser, NMFS-AKR

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Scientific and Statistical Committee

Richard Marasco, Chairman
Don Rosenberg
Larry Hreha
Don Bevan
Dana Schmidt

Doug Eggers, Vice Chairman
Bill Clark
Terry Quinn
Jack Tagart
Bill Aron

Advisory Panel

Nancy Munro, Chair
Arne Aadland
Terry Baker
Al Burch
Lamar Cotten
John Crowley
Edwin Fuglvog
Pete Granger
Ron Hegge

Pete Isleib
Rick Lauber
Dan O'Hara
Ron Peterson
Jon Rowley
Richard White
Dave Woodruff
John Woodruff
Fred Zharoff

General Public

An estimated 200 people attended the Council meeting. Names of those who registered are listed below.

VADM Clyde Robbins, USCG, Pacific Region Commander

Paul Clampitt, Washington
Mark Edward Springer, City of Hooper Bay
Chris Hansen, Northern Deep Sea Fisheries
Richard Moores, Fishery Products Int'l
Bo Bricklemyer, Greenpeace USA
Arni Thomson, ACC
CDR Doug Smith, USCG, Juneau
Jeff Ingman, Seattle
Mark Walatka, North Star Maritime
Edward Budzinski, Polish Peoples Republic
E.H. Zeaser, Mrs. Paul's Kitchens
D.K. Hammona, Mrs. Paul's Kitchens
Collin Martens, Petersburg
Stephen B. Johnson, Seattle
James Salisbury, American Embassy, Tokyo
DeeDee Jonrowe, Kemp Pacific Fisheries
Li Shanxun, China National Marine Fisheries
Bill Rotecki, Ketchikan
Jackie Lindauer, Aleutian Eagle
Brad Matson, National Fisherman
Robert Miller, Seattle
Mary Truitt, Alaska Maritime
Oliver Holm, Kodiak
Grzegorz Stanislawczyk, AMERPOL
Chris Blackburn, Alaska Groundfish Data Bank
Paul Gilliland, Alaska Pacific Int'l
Del Allison, Sea Captain's Choice Inc.

Steve Grabacki, Graystar
John Henderschedt, MRCI
LeRoy Cossette, Kodiak
Ron Rogness, NFI
Tim Wilkie, Anchorage
John Roos, PSPA
Ross Anderson, Seattle Times
Charels Christensen, PVO
Vic Horgan, Jr., Ocean Beauty
Pete Gee, Homer
Joe Smatlan, Washington
Dwight Riederer, Pelican
Brad Tischer, Kodiak
Bill Hayes, Seattle
Jon Zuck, BSFA
Dennis Hicks, Sitka
Jeff Stephan, UFMA
Steve Hughes, NRC
Leslie Watson, ADF&G-Kodiak
Roy Jones, Anchorage
Kurt Byers, Fairbanks
Alice Puster, Anchorage Times
Dan Zantek, Anchorage
Linda Kozak, KLVOA
Bill Orr, Golden Age Fisheries
Dave Allison, Juneau
Dave Carlile, ADF&G-Juneau

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Patricia Phillips, Pelican
Jonathan W. Smee, Kodiak
Chris Gates, Seward
William Tillion, Homer
Drew Scalzi, Homer
Mark Snigaroff, Atka
Waltur Kuhr, Washington
Perfenia Pletnikoff, Jr., St. Paul Island
Michael R. Zacharof, St. Paul Island
Joo Sik Kang, Gae Yang Heung San Co. Ltd.
Iliodor Philemonof, Anchorage
George Anderson, Seward
Shari Gross, Seattle
Alan Zurawski, Washington
Raymond R. Krause, Minnesota
Barry Collier, PSPA
Jerome Selby, Kodiak
Jack Hill, Kodiak
Mike Storey, Oregon
Brad A. Resnick, Aleutian Dragon Fisheries
Craig Larson, Harvester Fisheries
Alexander Galanich, St. Paul Island
Scott Morgan, SnoPac Products
Frank Stuart, Washington
Dick Jacobsen, Sand Point
Bill Arterburn, Alaska
Dean Paddock Bristol Bay Driftnetters Assn.
Michael Holman, Ketchikan
D.G. Osborne, Anchorage
Ray Gillespie, Kenai
Joe Plesha, Seattle
David Willmore, Alaska Joint Venture Seafoods
Z. Yamamota, Tokyo
R.F. Morgan, Oceantrawl, Inc.
Ted Painter, Jr., Oregon
Del Clark, Arthur Young & Co., Seattle
John Strasburger, Short Cressman & Burgess
Terry Thomas, Arctic Ventures
CAPT L. Schowengerdt, USCG
John Daly, Alaska World Trade
Peder Block, Northern Deep Sea Fisheries
Mike Atterberry, Alyeska Ocean, Inc.
Erling A. Skaar, Star Offshore
Kathy Shepard, Don Joint Venture Fisheries
Frank Crawford, Alberta, Canada
Jim Johnson, NorPac Pioneer Inc.
Helen Woods, Anchorage
R.D. Dearborn, Sea Grant, UAF
Brenda Huber
Grace Pleasants, Anchorage
Kate Graham, UFA

Ken Castner, Homer
Beth Jacobson, Seattle
James Phillips, Pelican
Brad Dickey, Homer
Alan Parks, Homer
Scot Land, Seattle
Mark Lundsten, Seattle
Ted Evans, AFTA
Vern Hall, Kodiak
Neil Shuckerow, Kodiak
Tom Reuter, Anchorage
Mike Clemens, Seward
Hugh Reilly, Seattle
Ron Pauley, Homer
John Bruce, Washington
Robert Luckley, Petersburg
Richard Wood, ProFish
Mike Mayo, Sitka
Dave Harville, Kodiak
Mike Heidner, Anchorage
Kenneth Allread, Kodiak
Sandra Iamann, Anchorage
Steve Smith, Seattle
Ben Hogevoll, Oregon
Fred Kirkes, Seattle
Mel Monsen, AFDF
Robert Dolan, SEFC
Alec Brindle, Seattle
Jim Hilt, Seattle
Mick Stevens, ProFish Int'l
Spike Jones, Oregon
Stuart Lutton, Kodiak
Einar H. Pedersen, Washington
S. Y-0-Shik, KWT, Korea
Jay Hastings, Seattle
Vince Curry, AFTA
Bernt O. Bodal, Seattle
Erling Johnsen, Cordova
William LeBow, Seattle
Loretta Lure, AFDF
John Gilbert, Seattle
Dick Green, Anchorage
Matthew Doherty, Kodiak
John Jacobsen, RDC
Doug Dixon, Seattle
Elaine Welch, KMT, Kodiak
Roger Woods, Anchorage
R. Storrs, Unalaska
Dutch Harbor, Alaska
Erling Skaar, Seattle
Mark Banham, F/V TOPAZ

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Kwang-Yul Choi, Sajo Industrial Co.
Phil Chitwood, Arctic Alaska Fisheries Corp.
K. Nagao, Japanese Consulate, Anchorage
Daniel Saddler, Anchorage Times

Frank Bohannon, AHSFA
G. Lyeu, Oregon
Robert Wolverton, Dutch Harbor
Kelly Kurta, JFA, Canada

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

Chairman John Peterson called the Council to order at 10:34 a.m. on Monday, December 5. The agenda was modified to allow public testimony on halibut issues earlier in the meeting to accommodate plane schedules. The Finance Committee meeting was cancelled, a meeting of the MFCMA Reauthorization Committee was announced for Thursday at noon, and the Council decided to hear the NMFS and ADF&G reports as time permitted. The agenda was approved with these modifications.

Larry Cotter moved adoption of the September 1988 Council meeting minutes as distributed. The motion was seconded by Oscar Dyson and carried with no objection.

B. REPORTS

B-1 Executive Director's Report

The Council was briefed on the New Council Member orientation scheduled in Washington, DC. in February, MMPA amendments, and the October Council Chairmen's Meeting to discuss MFCMA amendments.

The Council was also advised that IPHC Commissioners have requested a meeting with the Council to discuss options for long-term management of the halibut fishery. Council members agreed to host this meeting during the January Council meeting. The January Council meeting will begin on Monday, the 16th, to accommodate the meeting with IPHC and to allow for discussion of the Future of Groundfish issue by those Council members who need to go to the Pacific Salmon Commission meeting later in the week. The Executive Director was asked to arrange the agenda accordingly.

B-2 NMFS Management Report

The National Marine Fisheries Service reported that domestic processed harvests (DAP) as of November 30 were 125,694 mt in the Gulf of Alaska and 555,505 mt in the Bering Sea/Aleutian Islands. They estimate an additional domestic harvest of 141,400 mt for both areas by the end of 1988, an increase of as much as 102% over 1987. At least 60 catcher/processors reported landings in 1988, up from 36 in 1987, with another ten reportedly ready to enter the fishery in the near future, and a possible additional 25 vessels by the end of 1989.

As of November 19 joint venture landings were 1,276,687 mt, all but 3,718 mt from the Bering Sea/Aleutian Islands. This is a decrease of almost 100,000 mt from last year. During May, 124 U.S. harvesters delivered to joint venture processors, 13% more than the previous monthly record set in June 1987.

There was some discussion on reporting requirements for discards. It was reported that although the information is required on reporting forms it is not generally provided and NMFS has not pursued the issue because without observers they feel the information would not be reliable. Larry Cotter asked that this issue be put on the January agenda for further discussion.

B-3 Domestic Fisheries Report by ADF&G

The Council received a written report giving preliminary forecasts and projections for 1989 for Alaska salmon and herring fisheries.

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

VADM Clyde Robbins, Coast Guard Commander for the Pacific Area, joined the Council on Thursday, December 8. Admiral Robbins reviewed his efforts to divert resources to the North Pacific to help improve fisheries monitoring and enforcement.

Capt White reported on Coast Guard enforcement efforts in Alaska between September 15 and November 15. Their enforcement emphasis was directed to detection of illegal foreign fishing in the U.S. EEZ, primarily in the western Bering Sea and Aleutian Islands and monitoring joint venture fisheries in the Bering Sea and Aleutians, high seas squid driftnet fisheries and the transfer support operations by foreign vessels in the EEZ, and domestic fisheries. Violations detected during this period included improper logging procedures, fishing without a federal permit, and violations in connection with the October 3-4 halibut fishing period.

The Coast Guard also announced the following operational goals for 1989 to maximize their enforcement efforts:

1. One cutter on patrol in the Aleutian Island and southern Donut Hole boundary areas year-round;
2. One cutter on patrol in the Western Bering Sea and eastern and northeastern Donut Hole boundary areas year-round;
3. One cutter on patrol in the Eastern Bering Sea and Gulf of Alaska year-round;
4. One cutter on patrol in the North Pacific Ocean high seas driftnet fisheries area from May through October of each year;
5. Daily long-range air surveillance flights to support cutter patrols and provide coverage when cutters are not available in an area (30 flights/240 hours per month); and
6. Boardings of every foreign joint venture processor, U.S. mothership processor, and catcher/processor at least once every 60 days they are within the EEZ.

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C. NEW OR CONTINUING BUSINESS

C-1 AP, SSC and Plan Team Memberships

The Council approved the following new appointments to the Advisory Panel for 1989: Phil Chitwood, Paul Clampitt, Dave Fraser, John Gilbert, Stephen Smith, Harold Sparck, and Lyle Yeck. The following members were reappointed for 1989: Arne Aadland, Al Burch, Lamar Cotten, Edwin Fuglvog, Ron Hegge, Pete Isleib, Rick Lauber, Nancy Munro, Dan O'Hara, Ron Peterson, Dave Woodruff, John Woodruff, and Fred Zharoff. Jack Tagart was appointed to the SSC, and Bill Clark will replace Bud Burgner who has retired. All other SSC members were reappointed for another year.

The Council also approved a change in the AP and SSC policies. Members will be reimbursed only for those days their panel is meeting. Also, the term for SSC members was changed from two years to one.

The Council reviewed the membership of the two groundfish plan teams and approved appointments of Bill Wilson to the Gulf of Alaska plan team and Jeremy Collie and Grant Thompson to the Bering Sea plan team. These three individuals replaced Steve Davis, Jack Tagart, Vidar Wespestad, and Ole Mathisen who now have other responsibilities.

C-2 Central Bering Sea Fisheries

The Council was provided with a written report on several meetings dealing with the Central Bering Sea. There was no discussion.

C-3 Halibut Management

At the September meeting the Council forwarded two management proposals to the Halibut Management Team for analysis. The first requested a series of short openings in Area 4B, within a catch limit of 500,000 pounds, before the usual season openings established by the IPHC. The second requested that the existing trip limit of 10,000 pounds applicable during the first half of the season in Area 4C (Pribilof Islands) be extended to apply until 80% of the area catch limit is taken.

The Council was also scheduled to discuss the annual halibut management cycle and discuss halibut allocation objectives. However, because of time constraints these two items were deferred until the January Council meeting.

Don McCaughran, Director of IPHC, told the Council that the Commission is planning to implement the earlier season openings for Area 4B, including the existing check-in/check-out regulations.

Dr. McCaughran also told the Council that the Commission is quite concerned about the problems associated with the short 24-hour openings in other regulatory areas and would very much like to meet with the Council to discuss possible management alternatives.

Report of the Scientific and Statistical Committee

The SSC reviewed the EA/RIR/IRFA for the proposals and found the analysis of the various activities to be reasonable. However, they did not make any recommendations to the Council on the proposals.

Report of the Advisory Panel

The AP recommended that the Council request the IPHC to provide a series of five one-day openings prior to the July opening in Area 4B to allow for a fishery by Atka fishermen. They recommended the Council retain the status quo in Area 4C.

The summary of Public Testimony on this agenda item is not yet complete. When complete it will be on file with the final minutes in the Council office.

COUNCIL DISCUSSION AND ACTION

Area 4B Proposal

Joe Blum moved to refer action on the Area 4B proposal to the IPHC and to indicate to the IPHC that the intent of the Council is to provide additional openings to the residents in the area. The motion was seconded by Bob Mace and failed, 7 to 4, with Alverson, Blum, Mace and Peterson voting in favor.

Council members felt that, although the IPHC has indicated that they plan to implement the proposal anyway, the Council should take formal action to ensure that the proposal is implemented.

Larry Cotter moved to adopt Alternative 2 of the EA/RIR: to implement early season openings as proposed by the Atka Fishermen's Association, but that the Council would defer action to the IPHC on the actual opening dates. The motion was seconded by Henry Mitchell.

Bob Alverson moved to amend the motion to include a 150,000 pound trip limit and a 2-year sunset clause; the motion was seconded by Joe Blum but failed with Alverson, Blum, Mace and Peterson voting in favor. The sunset provision was subsequently added through a friendly amendment to the main motion.

The main motion carried with no objection.

Area 4C Proposal

It was pointed out that if the Council takes no action, the current management regime will continue: a 10,000 lb. trip limit applied to the first 50% of the catch limit, and a 20,000 trip limit for the remainder of the catch limit. The current proposal by Pribilof Island residents is to extend the 10,000 lb. trip limit until 80% of the catch limit is achieved.

Bob Alverson moved to accept the Advisory Panel's recommendation to retain the status quo. The motion was seconded by Joe Blum and carried, 9 to 2, with Knowles and Mitchell voting against.

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Council members asked the Executive Director to indicate to the IPHC that they wish to retain the same type of regulatory scheme for Area 4C in 1989 as was used in 1988.

Tony Knowles moved to defer Council discussion and action on the remaining two halibut agenda items to the January meeting. The motion was seconded by Joe Blum and carried with no objection.

C-4 Sablefish Management

At this meeting the Council was to decide which management alternative to adopt and forward to the Secretary of Commerce for implementation. The alternatives were: (1) status quo--continued open access management; (2) multispecies longline fishery; (3) IFQs; (4) license limitation; (5) a combination system.

Report of the Scientific and Statistical Committee

The SSC had no additional comments on this agenda item.

Report of the Advisory Panel

The Advisory Panel could not come to a consensus on any one management system. They did agree, on a motion of 9 to 6, that open access was unacceptable for sablefish management in the Gulf of Alaska. By a vote of 12 to 4 they recommended that the Council establish, by emergency rule, a one-year moratorium on entry into the sablefish fishery effective December 31, 1988. They also recommended that in order to qualify to fish in 1989 a vessel must have delivered 5,000 pounds in any one year from 1985 through 1988. During 1989 they recommend that the Council establish a committee to design an alternative management system for sablefish.

The summary of Public Testimony on this agenda item is not yet complete. When complete it will be on file with the final minutes in the Council office.

COUNCIL DISCUSSION AND ACTION

The Council asked Craig O'Connor to discuss the timing and documentation that would be required to implement a moratorium or limited entry system.

Mr. O'Connor said that a moratorium is a form of limited entry and that the Council would essentially have to meet all the requirements for a limited entry proposal if they decided to implement a moratorium. John Peterson asked whether the existing EA/RIR would meet those requirements. Mr. O'Connor said that for the purpose of public review of the options it was adequate but to submit it to the Secretary for implementation of a limited entry program there would have to be more analysis of the impacts on the segments of the industry that would be affected.

During discussion Council members expressed the general concern that the status quo is not acceptable. There were several suggestions of how to proceed including deferring any action until the Future of Groundfish Committee can address the groundfish complex as a whole, developing the IFQ system in more detail, and adopting a license limitation program.

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Joe Blum moved that the Council finds that the status quo for sablefish is an unacceptable form of management. The motion was seconded by Bob Alverson and carried, 6 to 5, with Collinsworth, Cotter, Dyson, Mace and Peterson voting against.

Bob Alverson moved that the Council choose a license limitation alternative for transferable licenses for 1984-87 participants w/nontransferable licenses for 1988. Further, that the Council staff would analyze different poundage levels that would be presented at the April Council meeting that would range up to 50,000 lb. deliveries for 45 ft. vessels and over and 15,000 lb. deliveries for vessels less than 45 ft.; that the Council staff would reanalyze the lengths that were presented; the transferable issues would be revisited and analyzed; and the bare boat charter issue and other such issues would be reanalyzed for a final decision at the April Council meeting. The motion was seconded by Henry Mitchell for discussion purposes.

Larry Cotter moved to amend the motion to set aside a specific percentage of longline sablefish quota designated for an open access fishery for vessels less than a specified length and limiting the annual catch by those vessels participating in the open access portion to no more than 5,000 lbs per year. The motion to amend was seconded by Tony Knowles and failed, 6 to 5, with Alverson, Collinsworth, Cotter, Knowles and Mitchell voting in favor.

Jim Brooks moved to amend the main motion to insert the words "and nontransferable" in the first sentence after "transferable". The motion to amend was seconded by Bob Alverson and carried, 8 to 3, with Mace, Peterson and Winther voting against.

Henry Mitchell moved to amend the motion to allow the Council to possess and have the ability to transfer up to 100 permits for the purposes of coastal community development. The motion was seconded by Larry Cotter for discussion purposes. The motion to amend carried, 6 to 5, with Alverson, Blum, Brooks, Mace, and Peterson voting against.

The main motion, as amended, failed 8 to 3, with Alverson, Mitchell and Winther voting in favor.

Larry Cotter moved that the Council indicate its directional preference for the potential adoption of an IFQ system for sablefish in the Bering Sea and Aleutian Islands and the Gulf of Alaska and that a committee of Council members be appointed to define the areas of concern and options that might accompany such a system and report back to the Council in January so that the Council then can indicate to what extent it would like those options to be fully analyzed in preparation for a final decision at the June Council meeting. The motion was seconded by Don Collinsworth.

During discussion of this motion several additions were suggested but no formal amendment made. Some of those additions were to include license limitation, include non-transferable permits as well as those in alternative 4, and a provision to include some kind of community development share.

... Bill moved that the Council should...
unacceptable form of... The motion was seconded by Bob Alvison and
carried 8 to 5, with Collinson, Carter, Alvison, and Peterson voting
against.

... Bill moved that the Council should...
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Subsequently, a substitute motion was offered:

Don Collinsworth moved that the Council indicate its directional preference for two options: an IFQ system similar to Alternative 3 in the EA/RIR, and license limitation similar to Alternative 4, for longline sablefish in the Bering Sea/Aleutian Islands and Gulf of Alaska; and that a committee of Council and staff members be formed to define the areas of concern and options that might accompany such systems to report back to the Council in January so that the Council then can indicate to what extent it would like those options to be fully analyzed in preparation for a final decision at the December 1989 Council meeting. The motion was seconded by Joe Blum and carried with Henry Mitchell objecting.

The Sablefish Management Committee will consist of the following:

Joe Blum, Chair
Bob Alverson
Don Collinsworth
Henry Mitchell
John Winther

Bill Robinson of the NMFS Northwest Region was also asked to help.

C-5/6 Review DAP/JVP for 1989

Carl Rosier, NMFS-Alaska Region, reported that 328 survey forms were sent out to industry. Eighty companies representing 124 processing facilities responded. Of the returns, 30 were from shoreside processors, 59 from floating processors currently operating, and 35 are new floating processors. Of the 35 new processors, 7 indicated they would be operating in the fishery this month, with the remaining 29 projected to enter the fishery in 1989. Results of the survey indicate a total of 2,456,858 mt groundfish needed for domestic processing in 1989 - 2,257,804 mt in the Bering Sea, and 199,054 mt in the Gulf of Alaska.

Public Testimony

Doug Gordon, American High Seas Fisheries Assn. He thinks the DAP estimates are the "death knell" for the joint venture industry. There will also be problems caused by the loss of data obtained by observers on joint venture vessels. He urged a more in-depth look at DAP needs to be sure they are realistic.

Hugh Reilly, AHSFA. The historical perspective of DAP needs has been mostly optimistic. The 1988 projection is around 650,000 mt and he feels that the 2 million ton projection for 1989 is too high.

Steve Hughes, Midwater Trawlers. His assessment of DAP needs on a vessel-by-vessel and shore plant-by-plant basis comes to about 900,000 mt. He doesn't feel that 2 million mt is realistic.

Fred Yeck, Oregon. The DAP figures are not accountable and they will have the effect of shutting down the joint venture industry beginning January 15. The need something to start with; then domestic harvests can be monitored to see if there is any excess.

Ted Smits, NPFVOA. He supports the previous testimony. Encouraged Council to take into consideration the history of DAP projections and assign some amount to JVP.

Vince Curry, AFTA. Supports DAP projections as presented by NMFS. The domestic fleet is growing and he feels the DAP requests represent their needs.

Walter Kuhr, Dona Joint Venture Fisheries. They need to have a season; the Council should allow them at least a year to prepare for phasing them out. They are already geared up and ready to fish in 1989.

Mike Storey, Joint Venture fisherman, Oregon. He already has his investors and is ready to go in 1989. Twenty-three days notice of being shut down is impossible. The observer program on joint venture vessels is invaluable.

COUNCIL DISCUSSION AND ACTION

All Council discussions and actions on 1989 apportionments are found under the Gulf of Alaska and Bering Sea/Aleutian groundfish agenda items, D-1 & D-2.

Foreign Permits

Council members discussed a request to reduce the number of foreign support vessels by 10% to encourage use of domestic support services. Council members felt that it would be difficult to determine which vessel permits to approve or deny and decided instead to encourage foreign countries to use domestic services.

The Council recommended approval of all foreign vessel permits except the Korean processor SHIN YANG HO which has a serious violation that has not yet been settled.

The Council voted to recommend to the Secretary that all permits carry the following restrictions:

1. No support activities involving transshipment of fish harvested in the donut should be allowed inside 200 miles;
2. Joint ventures are to be prohibited from operating in the Gulf of Alaska until September 15; and
3. The industry bycatch steering committee and restrictions used in the Bering Sea and Aleutian Islands areas in 1988 should be continued in 1989.

C-7 Foreign Allocations

No action required as there should be no TALFF in 1989.

C-8 Other Business

The issue of domestic observer programs and the need for gathering data in the domestic fisheries were discussed on several occasions throughout the meeting.

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The Council is very concerned about the lack of data needed to make management decisions now that the foreign and joint venture fisheries are almost phased out.

Mr. Collinsworth suggested the Council issue a strong declaration to the Secretary which might read as follows:

At this time the North Pacific Fishery Management Council has concluded that the lack of observer data and oversight prevents the council from meeting its obligations under the MFCMA to prepare management plans which will provide on a continuing basis the optimum yield from the fisheries in the Gulf of Alaska and the Bering Sea and Aleutian Islands under its jurisdiction.

Mr. Collinsworth suggested following that declaration by an appeal to the Secretary to provide the Council with the information and services needed to carry out its obligations under the Magnuson Act.

John Peterson said he would like the Council's Domestic Observer Committee to come up with the following information, by the January meeting if possible:

1. What are the existing observer programs in place, in other words an inventory of what is going on; what will be the requirements of the marine mammal act; how they're funded, what fisheries are covered, the magnitude of them?
2. What fisheries are most critical -- where do we need to have observer coverage; what is the capability of the fleet to take observers; what are the logistics in each one of these fleets; what percentage of coverage is needed and how do we define coverage; what are the costs and liabilities?
3. Data -- not only look at the observer program, but what happens with the information that comes from that observer program, collection and transmission to whom, what's done with it; is there a capability of handling and analyzing those data when they come in?
4. Are there any options that the Council should consider?

Oscar Dyson, chairman of the Domestic Observer Committee said that it would be difficult to achieve this assignment by the January meeting. Don Collinsworth suggested that this would be more appropriately the work of NMFS who has the obligation to provide information to the Council.

Council members agreed that they need to pursue this issue when more time for discussion is available. Mr. Collinsworth's suggested declaration was distributed to Council members for review for the January meeting.

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In their review of research needs, the SSC made the following statement:

"The highest priority (research and data collection) priority program would be to provide for the domestic observer programs for the Bering Sea and Gulf of Alaska groundfish fisheries with the intent of providing statistically valid sampling of the commercial groundfish harvests. These data are essential for management of the groundfish species and bycatch of other commercial fisheries.

The Advisory Panel also noted in their minutes that it is becoming increasingly difficult to accomplish their task with information now available. They recommended the Council appoint a workgroup representing the various segments of the fishing industry and associated interests, to analyze the most cost efficient way, including industry-wide funding, an observer program can be established to provide the information needed to make critical management decisions.

D. FISHERY MANAGEMENT PLANS

D-1 Gulf of Alaska Groundfish FMP

Review Status of Stocks/Setting of ABC, Halibut PSC, TAC, DAP, JVP

The plan team concluded that given the uncertainty in the data on the pollock resource in the Western and Central regulatory areas they are unable to determine ABC for 1989. The team noted that a 1989 pollock TAC of 0-50,000 mt does not appear to significantly affect the projected biomass level in the near term. They also added that the Council may want to limit pollock harvests in Shelikof Strait during the spawning period and suggested 6,250 mt as a commercial harvest that would likely encourage fishermen to seek other spawning aggregations elsewhere in the Gulf.

The plan team's ABC recommendations are:

Pollock	W/C	Unknown
	E	3,400 mt
Pacific cod	W	13,500
	C	52,700
	E	5,000
Flounders	W	111,500
	C	384,300
	E	58,900
Sablefish		30,900
Slope rockfish	W	3,500
	C	6,500
	E	4,700
Pelagic shelf rockfish	W	500
	C	2,400
	E	400

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Demersal shelf (SE Outside) rockfish	Unknown	
Thornyhead rockfish	Gulfwide	3,800
Other species	Gulfwide	N/A

Report of the Scientific and Statistical Committee

Following is a summary of SSC comments. More detailed comments are found in the SSC minutes, Appendix I to these minutes.

POLLOCK

The SSC recommended an ABC of 60,000 mt for the Western and Central Gulf and concurred with the plan team's recommendation of a TAC of 6,250 mt in Shelikof Strait. Lacking new information for the Eastern Gulf pollock population, the SSC concurs with the team's recommended ABC of 3,400 mt.

PACIFIC COD

The SSC concurred with the plan team's recommended ABC of 71,200 mt divided among the areas as follows: Western - 13,500 mt; Central - 52,000 mt; Eastern - 5,700 mt.

FLOUNDERS

The SSC recommended that arrowtooth flounder be broken out of the flounder category in accord with the Bering Sea/Aleutian Islands groundfish plan and to prevent overexploitation of more commercially viable species. The SSC accepted the team's ABCs but cautioned that continued use of F_{max} is not wise because it may eventually reduce the populations below the level that produces MSY. Also, because of the potential for high halibut bycatch the SSC suggested the Council may elect to choose TACs lower than the ABCs for this complex. The SSC's recommended ABCs for arrowtooth flounder and other flounders are:

	<u>Arrowtooth flounder</u>	<u>Other flounder</u>
Western	38,051 mt	73,449 mt
Central	199,072	185,228
Eastern	37,494	21,406
TOTAL	<u>274,617</u> mt	<u>280,083</u> mt

SABLEFISH

The SSC concurred with the team's recommended ABC of 30,900 mt.

SLOPE ROCKFISH

The SSC recommended an ABC of 22,700 mt, midpoint of the range suggested by the plan team.

PELAGIC ROCKFISH

The SSC recommended an ABC of 6,600 mt.

DEMERSAL ROCKFISH

The SSC concurs with the plan team that very little is known about this species assemblage and that it is impossible now to estimate an ABC. This group of rockfish is managed under the FMP by ADF&G and they plan to propose that the 1988 harvest level be reduced 50-70% for 1989.

THORNYHEADS

The SSC concurs with the plan team's recommended ABC of 3,750 mt.

Report of the Advisory Panel

The Advisory Panel recommendations for Gulf of Alaska TAC, DAP & JVP for 1989 are (all in metric tons):

<u>Species</u>	<u>Area</u>	<u>TAC</u>	<u>DAP</u>	<u>JVP</u>
Pollock	W/C	50,000	50,000	0
	Shelikof	10,000	10,000	0
	E	200	200	0
	Total	60,200	60,200	0
Pacific cod	W	13,500	13,500	0
	C	52,000	52,000	0
	E	5,700	5,700	0
	Total	71,200	71,200	0
Flounder	W	3,200	3,200	0
	C	11,800	11,800	0
	E	1,000	1,000	0
	Total	16,000	16,000	0
Sablefish	W	3,770	3,770	0
	C	11,700	11,700	0
	W. Yakutat	4,550	4,550	0
	S/E/E. Yakutat	5,980	5,980	0
	Total	26,000	26,000	0
Rockfish	W	4,850	4,850	0
	C	7,100	7,100	0
	E	4,850	4,850	0
	Total (G/W)	16,800	16,800	0
Pelagic Shelf Rockfish	W	500	500	0
	C	2,400	2,400	0
	E	400	400	0
	Total	3,300	3,300	0

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Demeral Shelf	S/E Outside	420	420	0
Thornyhead	Gulfwide	3,800	3,800	0

The AP also recommended the Council retain the halibut bycatch cap of 2,000 mt.

The summary of Public testimony on groundfish items is not yet complete. When complete it will be on file with the final minutes in the Council office.

COUNCIL DISCUSSION AND ACTION

The Council discussed the recommendations of the plan team, SSC and Advisory Panel and began with a main motion for adoption. The main motion was then amended for some species. The final ABCs and apportionments adopted by the Council are found in Appendix II to these minutes.

ABCs

Bob Mace moved to adopt the ABC recommendations of the SSC. The motion was seconded by Henry Mitchell.

There was some concern about the pollock resource in Shelikof Strait. Council members discussed the precedent that may be set by moving away from the threshold concept in this particular case. It was suggested that the plan team and SSC be instructed to reconsider the issue of thresholds, not only with regard to pollock, but for all species. The Council felt that the record should clearly show that they were not abandoning the threshold concept at this point, but in the absence of better information, they were following the recommendation of the scientists with regard to the pollock ABC.

Jim Brooks moved to amend the motion to set the ABC for slope rockfish at 16,800 mt with the distribution as indicated under the TAC column. The motion to amend was seconded by Henry Mitchell and carried with no objection.

The main motion for ABCs carried as amended.

TACS

Bob Mace moved to adopt the TACS recommended by the AP. The motion was seconded by John Winther.

POLLOCK

Joe Blum moved to amend the motion, with regard to Shelikof Strait pollock, to set the TAC at 6,250 mt. The motion to amend was seconded by Henry Mitchell and carried with no objection.

Council discussion indicated that setting the TAC at this amount was an effort to encourage exploration outside Shelikof Strait. It was also stressed that the Council needs to have maximum flexibility to be able to respond to data that will be collected in any experimental research fishery in Shelikof and data acquired in other fisheries around Kodiak Island. Craig O'Connor told the Council that if new information is available during the year (the June

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Council meeting was mentioned) they would have two options. If the Council sets a range for the TAC and finds, upon receiving new data, that the TAC should have been lower, the Regional Director has the authority to lower it through inseason adjustments. Another option would be to rely upon the emergency authority to make changes in June if there are compelling reasons to do so.

Jim Brooks moved to add 3,750 mt pollock to the Western/Central area of the Gulf, making a total of 53,750 mt TAC for the Western/Central area. The motion was seconded by Oscar Dyson. The amendment carried with Alverson and Mitchell objecting.

FLOUNDER

Henry Mitchell moved to increase the TAC for flounder to a total of 36,000 mt (making the total in the Central Gulf 31,800 mt). The motion was seconded by Larry Cotter for discussion purposes and carried with Alverson and Cotter objecting.

The main motion for TACs carried with Cotter objecting.

DAP

Bob Mace moved to set DAP for all species in the Gulf to equal TAC, as recommended by the Advisory Panel. The motion was seconded by Oscar Dyson.

Don Collinsworth moved to amend the motion to adjust the Central Gulf flounder DAP to 21,800 mt. The motion to amend was seconded by Joe Blum and carried with no objection.

The main motion carried with no objection.

JVP

There was some concern about the bycatch needs for Pacific cod and pollock in the proposed flounder joint venture fishery in the Gulf. Don Collinsworth suggested that the Council recommend that the joint venture fishery only be allowed to proceed if there are bycatch species available.

Bob Mace moved to set a flounder JVP of 10,000 mt in the Central Gulf, with the proviso that no operation begin until September 15, 1989. The motion was seconded by Joe Blum and carried with no objection.

Halibut PSCs

Larry Cotter moved to set the halibut mortality cap in the Gulf of Alaska at 2,000 mt for 1989. The motion was seconded by Joe Blum.

There was extensive Council discussion for the need to have a better way of monitoring bycatch. The general consensus was that an observer program is the best way to accomplish this and allow the Council the flexibility needed to manage the fisheries. More discussion on observer programs is found under agenda item C-8.

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Adjustment of TACs

Following the setting of the halibut PSC, groundfish TACs were reviewed to accommodate halibut bycatch. Council members decided that reducing TACs at this time could be unnecessarily constraining on the fisheries with the information they have.

Larry Cotter moved that during 1989 NMFS apply the assumed bycatch and mortality rates against each of the target fisheries and in the event that during the course of the year a data gathering program is developed which provides substantially valid, verifiable information which would result in a reduction of the assumed bycatch rates that those rates would then be appropriately modified and that in any event the fishery will be closed when either the assumed bycatch mortality rate or the new modified rate times the harvest taken to date equals 2,000 mt of halibut mortality. The motion was seconded by Oscar Dyson and carried with Brooks abstaining.

It was further clarified that the bycatch rates referred to in the motion are those found in a table prepared by staff, "Assumed rates used in estimating 1989 Gulf of Alaska halibut bycatch by gear," as follows:

	<u>Bottom Trawl - All Areas</u>			<u>Midwater Trawl</u>		
				Western	Central	
DAP	4.50%			0.02%	0.06%	
JVP	5.15%			0.02%	0.06%	
TALFF	2.53%			0.02%	0.06%	
	<u>Pacific Cod Longline</u>			<u>Sablefish Longline</u>		
	Western	Central	Eastern	Western	Central	Eastern
DAP	5.23%	9.15%	9.15%	1.20%	1.20%	1.20%
JVP	5.23%	9.15%	9.15%	1.20%	1.20%	1.20%
TALFF	1.49%	4.97%	4.97%	1.20%	1.20%	1.20%

Final ABCs, TACs, DAP, JVP

Following the Council's preliminary actions on ABCs, TACs, DAP and JVP, staff prepared a final table of apportionments for approval.

Don Collinsworth moved to approve the apportionments as prepared by staff. The motion was seconded by Tony Knowles.

Joe Blum moved to amend the motion to increase the slope rockfish ABC, TAC and DAP to 20,000 mt, apportioned to the three regulatory areas as recommended by the plan team. The motion to amend was seconded by Henry Mitchell and carried, 9 to 2, with Alverson and Brooks voting against.

The main motion carried, as amended, with no objection.

PSCs for fully-utilized species

Bob Alverson moved to not take any action at this time, but to request that the Regional Director, using procedures outlined in the FMP, provide adequate PSC amounts to accommodate the joint venture fishery in the fall if it does take place. The motion was seconded by Joe Blum and carried with no objection.

Shelikof Strait District for Management of Pollock

The plan team suggested the Council consider setting a small TAC in Shelikof Strait to facilitate data collection on the resource. Defining a Shelikof District would provide the management flexibility to set TACs appropriate for the status of the stock both within and outside Shelikof Strait.

Don Collinsworth moved to adopt by emergency action, to be followed by a plan amendment, a Shelikof District as described in the chartlet submitted by the plan team (Appendix III to these minutes). The motion was seconded by Joe Blum and carried with no objection.

Craig O'Connor suggested that the Regional Director, through inseason authority to assure overfishing does not occur on the entire stock, may have the authority to constrain the total harvest within the Shelikof area to the level recommended by the Council. If the Regional Director could not implement this measure under that provision of the regulations, then the Council should have a recommendation in front of the Regional Director that the Secretary implement the restriction through emergency rule to assure the resource is not adversely impacted. Council members agreed with this suggestion.

D-2 Bering Sea/Aleutian Islands Groundfish FMP

Status of Stocks/Setting of ABC, TAC, DAP, JVP, PSCs

The final Resource Assessment Document was prepared and mailed to Council family members in November. Plan team recommendations for ABCs did not change substantially from those presented earlier, except for Greenland turbot and sablefish.

For Greenland turbot, the ABC was increased from 12,600 mt to 20,300 mt as a result of the SSC recommendation to use a different recruitment coefficient in the stock reduction analysis.

For sablefish, results from the 1988 longline survey indicated that biomass in the eastern Bering Sea is higher than earlier estimates, but that the biomass in the Aleutian Islands is lower. As a result, the recommended ABC in the eastern Bering Sea was increased from 1,500 mt to 2,800 mt and for the Aleutians it was decreased to 3,400 mt from 5,800 mt.

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The plan team's ABC recommendations are:

Pollock	EBS	1,340,000 mt
	AI	117,900
	Area 515	250,000
Pacific cod		370,600
Yellowfin sole		241,000
Greenland turbot		20,300
Arrowtooth flounder		163,700
Rock sole		171,000
Other flatfishes		155,900
Sablefish	EBS	2,800
	AI	3,400
Pacific ocean perch	EBS	6,000
	AI	16,600
Other rockfish	EBS	400
	AI	1,100
Atka mackerel		21,000
Squid		10,000
Other species		59,000

Report of the Scientific and Statistical Committee

POLLOCK

The SSC supports the team's recommended ABC of 1.34 million mt for the eastern Bering Sea shelf component and 117,900 mt for the Aleutian Islands. The SSC feels it is premature to set a separate ABC for Area 515.

PACIFIC COD

The SSC concurs with the plan team's ABC recommendation of 370,600 mt.

YELLOWFIN SOLE

The SSC concurs with the plan team's ABC recommendation of 241,000 mt.

GREENLAND TURBOT

The SSC concurs with the plan team's ABC recommendation of 20,300 mt. They noted that the population should decline over the next few years as recruitment has been low. They suggested the Council choose a TAC lower than ABC because of the lower recruitment.

ARROWTOOTH FLOUNDER

The SSC concurs with the plan team's ABC recommendation of 163,700 mt.

ROCK SOLE

The SSC concurs with the plan team's ABC recommendation of 171,000 mt.

OTHER FLATFISH

The SSC concurs with the plan team's ABC recommendation of 155,900 mt.

SABLEFISH

The SSC did not agree with the method used by the team to derive the exploitation rates (EBS - 11%, AI - 5%) for this species. The SSC recommended an exploitation rate of 9.1% for both areas which could allow for some rebuilding in the Eastern Bering Sea and provide a conservative approach for the Aleutian population.

PACIFIC OCEAN PERCH

The SSC concurs with the plan team's ABC recommendation of 6,000 mt for the eastern Bering Sea and 16,600 mt for the Aleutian Islands.

OTHER ROCKFISH

The SSC concurs with the plan team's ABC recommendation of 400 mt for the eastern Bering Sea and 1,100 for the Aleutian Islands.

ATKA MACKEREL

The SSC concurs with the plan team's ABC recommendation of 21,000 mt.

SQUID

The SSC concurs with the plan team's ABC recommendation of 10,000 mt.

OTHER SPECIES

The SSC concurs with the plan team's ABC recommendation of 59,000 mt.

Report of the Advisory Panel

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Advisory panel recommendations for TAC, DAP and JVP for the eastern Bering Sea and Aleutian Islands (in metric tons) are:

		TAC	DAP	JVP
Pollock	EBS	1,340,000	1,280,100	59,900
	AI	13,450	13,450	0
Pacific cod		209,025	190,425	18,600
Yellowfin sole		191,675	51,675	140,000
Greenland turbot		16,264	16,234	30
Arrowtooth flounder		6,000	6,000	0
Rock sole		80,762	79,462	1,300
Other flatfish		87,839	25,890	61,949
Sablefish	EBS	2,800	2,800	0
	AI	3,400	3,400	0
Pacific ocean perch	EBS	5,000	5,000	0
	AI	6,000	6,000	0
Other rockfish	EBS	400	400	0
	AI	1,100	1,100	0
Atka mackerel		20,285	20,285	0
Squid		1,000	1,000	0
Other species		15,000	15,000	0

COUNCIL DISCUSSION AND ACTION

ABCs

John Winther moved to approve the ABCs identified on the table entitled, "Anticipated Groundfish Apportionments" dated 12/5/88. The motion was seconded by Bob Mace and carried with no objection.

Those ABCs (in metric tons) are:

		ABC
Pollock	EBS	1,340,000
	AI	117,900
Pacific cod		370,600
Yellowfin sole		241,000
Greenland turbot		20,300
Arrowtooth flounder		163,700

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Rock sole		171,000
Other flatfish		155,900
Sablefish	EBS	2,800
	AI	3,400
Pacific ocean perch	EBS	6,000
	AI	16,600
Other rockfish	EBS	400
	AI	1,100
Atka mackerel		21,000
Squid		10,000
Other species		59,000

TAC, DAP, JVP

Rather than adopting a preliminary table of apportionments for TAC, DAP and JVP, Council members approached the setting of these figures through a work session format to develop their recommendations. Using the Advisory Panel's suggested apportionments, the following adjustments were made through discussion and informal motions.

POLLOCK

Joe Blum moved to apportion an additional 50,000 mt pollock to JVP in the Bering Sea. Henry Mitchell seconded, and the motion carried with John Peterson objecting. It was clarified that this would come out of DAP.

ROCK SOLE

Oscar Dyson moved to increase the TAC by 10,000 mt (directed + bycatch) rock sole, apportioning it to JVP, to commence on January 1. The motion was seconded by Bob Mace and carried with Alverson, Knowles, Mitchell and Peterson voting against.

GREENLAND TURBOT

Bob Alverson moved to set the Greenland turbot TAC at 8,000 mt. The motion was seconded by John Winther and carried with Don Collinsworth objecting. (Clarified to leave 30 mt in JVP; remainder in DAP)

Larry Cotter moved to adopt the AP's recommendations for all other species, with the exception of the "Other Species" category, which would be reduced by 2,000 mt. The motion was seconded by Tony Knowles and carried with Mace and Mitchell objecting.

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Staff was asked to prepare a printout of the apportionments, including reserves, for final approval.

Final TACs, DAP, JVP

Joe Blum moved to adopt the table of apportionments prepared by staff as a result of Council discussions. The motion was seconded by Henry Mitchell.

Henry Mitchell moved to amend the motion to increase Greenland turbot TAC to 10,000 mt. The motion to amend was seconded by Tony Knowles and failed, 9 to 2, with Knowles and Mitchell voting in favor.

Bob Mace moved to reduce JVP and TAC on Yellowfin sole from 119,000 mt to 110,000 mt and increase Pacific cod by the difference to reduce Other flatfish JVP from 52,656 mt to 40,000 mt, and increase Pacific cod by the difference. The motion to amend was seconded by Henry Mitchell and carried with Alverson and Blum objecting.

The main motion was unanimously approved as amended. The table of final apportionments is found in Appendix IV to these minutes.

Review Bycatch Limits Proposed for 1989

The Council reviewed their September action on bycatch limits for 1989 in the Bering Sea/Aleutian Islands. Staff prepared a discussion paper on the proposed bycatch control system and an analysis of anticipated impacts on groundfish harvests, costs, bycatch amounts and benefits. Terry Smith explained the model used in that analysis.

Craig O'Connor, NOAA-GC discussed several areas of concern with the system approved by the Council in September. He pointed out that in his opinion the Council did not have adequate information on which to base their decision, particularly on crab. He said the Council needs to view the situation within the context of the objectives of the groundfish FMPs, and must base their decisions on a cost-benefit analysis.

Report of the Scientific and Statistical Committee

The SSC commended Council and NWAF staff who developed the computer model. They noted that the effort shows that bycatch controls can have significant economic impacts on both groundfish fisheries and fisheries that target on species taken as bycatch, that benefit and cost estimates are sensitive to assumptions made in the analyses, and that there are serious voids in current data bases. The lack of DAP bycatch data and the limited understanding of those fisheries by scientists and managers make definitive statements about the benefits and costs of implementing the proposed 1989 bycatch caps impossible. The SSC told the Council that the foreign/joint venture data base has been stretched to its limits and the lack of domestic fisheries data is creating a crisis situation in the determination of groundfish stock status and the impact of management measures.

Report of the Advisory Panel

The AP recommended the Council reaffirm their September action concerning crab and halibut bycatch for 1989.

COUNCIL DISCUSSION AND ACTION

Don Collinsworth moved to reaffirm the Council's September decisions; however, Bob Alverson subsequently moved a substitute motion:

Bob Alverson moved to amend the previous action for halibut bycatch to reflect the suggestions of an industry group composed of trawl, crab, and longline interests. The motion was seconded by Joe Blum. The industry group's suggestions included the following:

- (1) For 1989 industry agrees to a 4,000 mt halibut mortality cap resulting from a total catch of 5,333 mt using appropriate mortality rates for DAP and 100% mortality in all joint venture fishing operations.
- (2) When the Bering Sea area-wide bycatch in all trawl fisheries reaches 4,400 mt catch/3,300 mt mortality, then Area 1 and Modified Area 2H will close for the remainder of the year to all bottom trawl pollock, cod and sole fisheries. Area 2H is newly defined as all waters of Area 513, south of 56°30'N latitude.
- (3) When the Bering Sea area-wide cumulative bycatch in all trawl fisheries reaches 5,333 mt catch/4,000 mt mortality, then the remainder of the Bering Sea will close for the remainder of the year to all bottom trawl pollock, cod and sole fisheries.
- (4) Individual bycatch rates for the various trawl fisheries will be used by NMFS to monitor each fishery with respect to the attainment of the overall cap. A team of experts comprised of representatives from NWAFC and IPHC with Council staff assistance will establish these rates for use at the beginning of the year based upon an average of 3 years or more recent representative data. Subject to these parameters the team of experts will have full discretion regarding the use of data to calculate these rates. By June 1, 1989, observed bycatch rates for the 1989 fisheries will be incorporated into subsequent rates to be applied for the remainder of the year. The motion carried unanimously.

Don Collinsworth moved to reaffirm the Council's September decision on red king crab. The motion was seconded by John Winther and carried, as amended, with Don Collinsworth objecting.

Larry Cotter moved to amend the motion to expand the closed area between 160° and 162° to 160° - 163° between March 15 and June 15. The motion was seconded by John Winther and carried, 8 to 3, with Brooks, Mace and Peterson voting against. It was Mr. Cotter's intent to include the current restrictions on the cod fishery wherein observers are required and a red king crab PSC limit of 12,000 crabs applies.

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Joe Blum moved to amend the motion to set the red king crab bycatch level at 200,000 crabs in Zone 1. The motion was seconded by Henry Mitchell and carried, 6 to 5, with Alverson, Collinsworth, Cotter, Dyson, and Knowles voting against.

The main motion carried, as amended, with Don Collinsworth objecting.

Don Collinsworth moved to reaffirm the Council's decision in September regarding the bycatch level and implementing strategy for bairdi Tanner crab. The motion was seconded by John Winther.

Larry Cotter moved to amend the motion to set the bairdi cap at 1,000,000 bairdi in Zone 1 and 3,000,000 bairdi outside Zone 1. The motion to amend was seconded by John Winther and carried, 10 to 1, with Alverson voting against.

The main motion carried, as amended, with no objection.

During public testimony on this agenda item Alaska Factory Trawlers Association offered to provide \$100,000 seed money to fund an observer program if other segments of the industry would match that amount. When the \$100,000 amount is matched, they also said they would match, on a dollar-for-dollar basis, additional contributions up to total AFTA contribution of \$500,000. The Council discussed the issue separately from the bycatch measures and requested an update on that effort during 1989.

Directed Fishing Definition for Sablefish

In September the Council acknowledged that an emergency exists regarding the bycatch of sablefish in the expanding domestic fisheries for other species of groundfish. The combination of high bycatch and reduced TACs for sablefish may limit or eliminate directed fishing for sablefish. For retainable harvests of sablefish to remain within the anticipated TACs, the current 20% definition of directed fishing will need to be changed.

Report of the Scientific and Statistical Committee

The SSC reviewed the issue paper on amending the definition of directed fishing for sablefish in the Bering Sea area. They felt the proposal to reduce the retention rate for sablefish does little to control the fishing mortality on sablefish. They also pointed out that the proposal has allocation implications that were not addressed in the analysis. In the absence of information on management goals, the SSC was unable to comment further on an appropriate change to the definition.

Report of the Advisory Panel

Considering bycatch needs and the low TAC for sablefish, the AP recommended that sablefish in the Bering Sea be considered primarily as a bycatch-only fishery. They recommended the Council redefine directed fishing for sablefish as when retention onboard exceeds 2% for all groundfish species, except Greenland turbot and Pacific ocean perch, where retention could be up to 10% of the Greenland turbot and Pacific ocean perch onboard.

Public Testimony

Linda Kozak, Kodiak Longline Vessel Owners Assn. They support the AP recommendation.

Paul MacGregor, Alaska Factory Trawlers Assn. He questioned whether or not there is an emergency. When the Council declared an emergency in September they thought the TAC for sablefish in the Bering Sea would be significantly reduced which is not the case. However, AFTA would support the AP recommendation.

COUNCIL DISCUSSION AND ACTION

The Council discussed whether the AP recommendation could be implemented by a regulatory amendment. Captain White suggested that variable bycatch rates by species would be difficult to enforce. The Council also discussed the nature of the emergency which includes the elimination of a directed fishery and the probability that unconstrained bycatch rates in other groundfish fisheries are high enough that the sablefish ABC will be exceeded.

Bob Alverson moved to take emergency action to redefine directed fishing for sablefish in the Bering sea as when retention onboard exceeds 2% for all groundfish species except Greenland turbot and Pacific ocean perch, where retention onboard would be allowed up to 10%. The motion was seconded by Henry Mitchell, and carried, as amended, with Jim Brooks voting against.

John Winther moved to amend the motion to change the 2% onboard retention limit to 1% for all groundfish species except Greenland turbot and Pacific ocean perch.. The motion to amend was seconded by Tony Knowles and carried with Jim Brooks objecting.

E. CONTRACTS, PROPOSALS AND FINANCIAL REPORT

None.

F. PUBLIC COMMENTS

No further public comment.

CHAIRMAN'S REMARKS AND ADJOURNMENT

Henry Mitchell called for an Executive Session at 4:45 p.m. on Friday, December 9, 1988, to discuss personnel. The Council meeting was recessed for the Executive Session and called back to order at 5:00 p.m. After announcing AP and SSC appointments, Chairman John Peterson adjourned the meeting at 5:07 p.m.