

# North Pacific Fishery Management Council

Clement V. Tillion, Chairman  
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March 17, 1982

## DRAFT AGENDA

### 47th Plenary Session NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

March 23-25, 1982  
Westward Hilton Hotel  
Anchorage, Alaska

The North Pacific Fishery Management Council and the Alaska Board of Fisheries will convene at 9 a.m. on Tuesday, March 23, 1982 in the Alaska Room of the Westward Hilton Hotel, Anchorage, Alaska. The meeting will continue until approximately 5 p.m. on Thursday, March 25. If necessary, the Council may continue its meeting on Friday, March 26, in the Council's headquarters conference room. The main topics of discussion will be troll salmon management for 1982, king and Tanner crab management for 1982, and final action on Amendment #11 to the Gulf of Alaska Groundfish FMP.

The Council and Board will reserve most of Tuesday, March 23 for staff reports and public testimony on king crab, Tanner crab, and salmon management for 1982.

The SSC will convene at 9:30 a.m. on Monday, March 22, 1982, and continue on Tuesday, March 23, in the Council's headquarters Conference Room.

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

All meetings are open to the public.

## A G E N D A

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

### B. SPECIAL REPORTS

B-1 Executive Director's Report

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

B-3 Foreign Fisheries Report by National Marine Fisheries Service

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

B-5 Joint Venture Operations

B-6 Report on Observer Program by Robert French

B-7 Pacific Cod Status Report by the Northwest and Alaska Fisheries Center

B-8 Halibut Commission Report

### C. NEW OR CONTINUING BUSINESS

C-1 Policy for Appointment of SSC Alternates

C-2 Advisory Panel Appointments

C-3 Election of New Advisory Panel and SSC Officers

C-4 Halibut Limited Entry and Moratorium for 1982

C-5 Review of Permit Applications

One Soviet and two Japanese joint venture applications

C-6 Remaining 1982 Allocation Releases

C-7 Other Business

### D. FISHERY MANAGEMENT PLANS

D-1 Salmon FMP

The Council and Board will hear staff and Plan Maintenance Team reports on the resource and a special presentation by the Washington Department of Fisheries and Oregon Department of Fish and Wildlife on management procedures and problems for upper Columbia River brights. Discussion with Board on salmon management and harvest levels; final Council action on 1982 salmon management.

D-2 Herring FMP

Status report on Herring Plan.

D-3 King Crab FMP

Reports on the Fishermen's Conference, king crab walk-through in Washington, D.C., Council/Board hearing in Seattle and status of the FMP. Discussion of king crab management with the Board.

D-4 Tanner Crab FMP

Report of the Pot Storage Committee meeting; Council/Board discussion on pot storage and Tanner crab management. Discussion of information required from U.S. catcher/processors. Update on Tanner Crab Symposium, May 1982.

D-5 Gulf of Alaska Groundfish FMP

Council is scheduled to take final action on Amendment #11. Discussion of Regional Director's authority in resolving gear conflicts. Report on status of the FMP.

D-6 Bering Sea/Aleutian Islands Groundfish FMP

Discussion of U.S. Fishery Development Zone north of Unimak Pass and status of Amendment #1.

E. CONTRACTS, PROPOSALS, AND FINANCIAL REPORTS

E-1 Status of Contracts and RFP's

- (a) Report on Status of Contracts
- (b) Halibut Limited Entry RFP

E-2 Financial Status Report

Mid-year review of administrative and programmatic funding

F. PUBLIC COMMENTS

G. CHAIRMAN'S CLOSING COMMENTS AND ADJOURNMENT

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## DRAFT AGENDA

### SCIENTIFIC AND STATISTICAL COMMITTEE

January 21, 1982

The SSC will meet at 9:30 a.m. on Monday, March 22nd in the Council conference room. The meeting will continue on Tuesday, March 23rd as necessary to complete the agenda.

#### 1. Salmon FMP (E-1)

The SSC needs to make final recommendation to the Council on amendments to the Salmon FMP. The SSC salmon subgroup will be able to make a presentation on their meeting which will be held to further discuss some of the data which has been presented on the Columbia River "bright" upriver chinook problems. The subgroup may develop a rebuilding schedule for the chinook stocks on the Columbia, with some suggestions on measures to achieve that rebuilding.

Any new data on this issue received before the meeting will be passed on to the SSC members.

#### 2. Tanner Crab FMP (E-4)

The SSC will receive a presentation of the recommendations of the ad hoc crab pot storage committee which was held in Seattle on January 18. A status report on the FMP will also be presented.

#### 3. Gulf of Alaska Groundfish FMP (E-5)

Final SSC recommendations on Amendment #11 are needed at this meeting.

#### 4. Bering Sea/Aleutian Islands Groundfish FMP (E-6)

The SSC will receive a review of the amendments to the FMP. The PMT may present some problems with Amendment #1 for the SSC to discuss.

#### 5. Other Business

The SSC needs to discuss membership and officers. The terms of the current elected officers have expired. In addition to electing new officers, the SSC may wish to discuss the role of alternates to the SSC. In their January minutes, the SSC stated their belief that SSC members which represent primary agencies should be allowed to have alternates, and recommended Council approval of an alternate for John Clark. Since one SSC member from ADF&G already has an alternate, it may be appropriate for the SSC to re-examine their recommendation to the Council. The Council will be taking up the requested appointment at the March meeting.

6. Contracts and RFP's

The report for Contract 81-4 "Compilation and Evaluation of Data on Feeding Habits and Food Requirements of Marine Mammals in the Bering Sea" should be reviewed for final approval by the SSC. It will be mailed to members as soon as it is received by the Council.

The SSC will receive an update on the Crab Observer Program.

An RFP has been developed and will be mailed to the SSC on an evaluation of a hook and line limited entry system. This RFP will go to the Council to be approved for release for public response so any comments should be made at this meeting.

TENTATIVE AGENDA  
ALASKA BOARD OF FISHERIES MEETING  
Anchorage Westward Hilton - Anchorage, Alaska  
March 22 - April 4, 1982

The dates below are the estimated time schedule of topics. More current information on Board action and schedule changes during the meeting may be obtained by calling the Westward Hilton Hotel operator at 272-7411 and asking for the recorded message concerning the Board meeting.

- |                       |   |
|-----------------------|---|
| March 22<br>1:30 p.m. | I.    Introductory Business   |
|                       | II.   Kenai River Sportfish Guide Regulations                                     |
| March 23<br>9:00 a.m. | III.  Joint Session with North Pacific Fishery<br>Management Council to Consider: |
| March 24              | a. Troll salmon   |
| March 25              | b. Bering Sea/Aleutian king crab  |
|                       | c. Bering Sea tanner crab<br>Yakutat tanner crab pots                             |
|                       | d. Gulf of Alaska sablefish   |
| March 26              | IV.   Commercial and Subsistence Shellfish  |
| March 28              | a. Westward: shrimp<br>king crab<br>tanner crab                                   |
| March 29              | b. Southeast and Yakutat  |
|                       | c. Cook Inlet and Prince William Sound  |
|                       | d. Statewide  |
| April 1               | V.     Personal Use Fisheries   |
|                       | VI.    Miscellaneous Finfish  |
| April 3               | VII.  Foreign Processing  |
| April 4               | VIII. Other Business  |

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## MINUTES

### 46th Plenary Session NORTH PACIFIC FISHERY MANAGEMENT COUNCIL January 4-8, 1982 Juneau, Alaska

The North Pacific Fishery Management Council convened at 9:28 a.m. on Monday, January 4, 1982, in Room 117 of the Federal Building, Juneau, Alaska. Beginning on Tuesday, January 5, and continuing through Thursday, January 7, the Council met with the Alaska Board of Fisheries in the Gold Room of the Baranof Hotel, Juneau.

The Advisory Panel met from 9 a.m. to 5 p.m. on Monday, January 4, 1982, in the Gastineau Room of the Baranof Hotel.

The Scientific and Statistical Committee met on Monday and Tuesday, January 4 and 5, 1982, in the Capitol Room of the Baranof Hotel.

The Council conducted a public hearing on Amendment #11 to the Gulf of Alaska Groundfish Fishery Management Plan on Friday, January 8, 1982 at 9 a.m. in Room 117 of the Federal Building.

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

#### Council

Clement V. Tillion, Chairman	John P. Harville
Harold E. Lokken, Vice-Chairman	Joe Demmert, Jr.
Don Collinsworth, for Ronald Skoog	RADM Richard Knapp
Robert Mace, for John Donaldson	Keith Specking
Gene DiDonato, for Rolland Schmitt	Robert W. McVey
Leroy Sowl, for Keith Schreiner	Donald E. Bevan

#### Scientific and Statistical Committee

Donald Rosenberg, Chairman	Al Millikan
Richard Marasco, Vice-Chairman	William Aron
Bud Burgner	John Burns
John Clark	Larry Hreha
Steve Langdon	

### Advisory Panel

Robert Alverson, Chairman	Greg Baker
A. W. "Bud" Boddy, Vice-Chairman	Robert Blake
Larry Cotter	Richard Goldsmith
Eric Jordan	Joseph Kurtz
Richard Lauber	Raymond Lewis
Kristy Long	Ken Olsen
Jack Phillips	Jeffrey Stephan

### Board of Fisheries

Nick Szabo, Chairman	Jim Beaton
Chris Goll	Griffin Quinton
Herman Schroeder	Jimmy Huntington
Harry Sundberg	

### NPFMC Staff

Jim H. Branson, Executive Director	Peggy McCalment
Clarence Pautzke, Deputy Director	Judy Willoughby
Jim Glock	Steve Davis
Jim Richardson	Peggy Hough
Rebecca Wetzler	

### Support Staff

William G. Gordon, NMFS	Ron Naab, NMFS
Phil Chitwood, NMFS	Patrick Travers, NOAA
Mark Miller, ADF&G	Fred Gaffney, ADF&G
CDR Pete Busick, USCG	Bill Robinson, NMFS
Lew Queirolo, NMFS	James Brooks, NMFS
Milstead Zahn, ABoF	Kris Hauschild, ABoF
Ken Petersen, ADF&G	Steve Pennoyer, ADF&G
Mike Fraidenberg, WDF	

### General Public

Colleen Stansbury, Elfin Cove  
Norman A. Cohen, Nunam Kitlutsisti, Anchorage  
Philip R. Fuller, Fishing Ventures International, Seattle  
Don Martens, Office of the Canadian Consulate, Seattle  
Bob Steinbock, Government of Canada, Fisheries and Oceans, Ottawa  
Bill Fields, Mrs. Paul's Kitchens, Philadelphia  
Hugh Reilly, Corde Madera, CA  
Jay R. Hastings, Japan Fisheries Association, Seattle  
Levi George, Yakima Indian Nation, Toppenich, WA  
Paul MacGregor, Japanese North Pacific Longline and Gillnet  
Association, Seattle  
Sig Mathiesen, Petersburg Vessel Owners Association, Petersburg  
Tom Stewart, Petersburg Vessel Owners Association, Petersburg  
Edwin Fugelvog, Petersburg Vessel Owners Association, Petersburg  
Joseph C. Gnagey, Steuart Fisheries, Everett, WA  
Charles J. Miller, Pan-Alaska Fisheries, Seattle



Donald P. Swisher, Japan Deep Sea Trawlers/Hokuten Trawlers  
 Association, Seattle  
 John Schmeidtke, Nordstern, A.G., Seattle  
 Sean Kelly, Hendricks and Associates, Anacortes, WA  
 Ed Zyblut, Government of Canada, Fisheries and Oceans, Vancouver, B.C.  
 Charles M. Jones, Craig Fish and Game Advisory Committee, Craig,  
 Terrance Pardee, Haines Fish and Game Advisory Committee, Haines  
 Jean Sewell, Nordic Marine, Juneau  
 Dick Myhre, International Pacific Halibut Commission, Seattle  
 Kate Tosar, Office of Rep. Ben Grussendorf, Juneau  
 Gordon Williams, Angoon Fish and Game Advisory Committee, Angoon  
 Gil Gunderson, Juneau  
 Richard D. Hofmann, Jr., Juneau  
 John A. Farleigh, Alaska Trollers Association, Juneau  
 Richard W. Lundahl, Pelican Fish and Game Advisory Committee,  
 Pelican  
 Jeri Museth, Elfin Cove Fish and Game Advisory Committee, Elfin Cove  
 Walter Hanson, Yakutat Fish and Game Advisory Committee, Yakutat  
 Bill Stokes, Sitka Handtroll Association, Sitka  
 Leo A. Land, Alaska Native Brotherhood  
 Gale Good, Juneau  
 Laird A. Jones, THFDC, Juneau  
 Ben A. Wright, THFDC, Juneau  
 Chuck Porter, Juneau  
 Walt Pasternak, Sitka  
 Gordon Pederson, Hoonah  
 Vivian Lovaas, Juneau  
 Maurice Ingman, Ketchikan  
 Jim Ferguson, Pelican Cold Storage, Pelican  
 Geoff Widdows, Yakutat  
 Mark Albert Beltz, Anchorage  
 Bill Thomas, Ketchikan Fish and Game Advisory Board, Ketchikan  
 Denny Kimmel, Halibut Producers Coop  
 William Phillips, Office of Senator Ted Stevens, Washington, D.C.  
 Bill Sheffield, Anchorage  
 Jim Burry, Juneau  
 Representative Ben Grussendorf, Sitka  
 Stephen Waste, Haines  
 Reva Lafavour, Alaska Department of Fish and Game, Juneau  
 Terry Whitehall, Juneau  
 Victor Lane, Juneau  
 Bill Dunn, Juneau  
 John W. Enge, Icicle Seafoods, Inc.

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

The meeting was called to order by Chairman Clem Tillion, who welcomed William G. Gordon, Assistant Administrator for Fisheries, National Marine Fisheries Service, Washington, D.C., to the Juneau Council meeting.

Chairman Tillion called for approval of the agenda. John Harville requested a brief Council review of certain Pacific

Marine Fisheries Commission resolutions from their November 1981 annual meeting.

*Bob Mace moved that the agenda be adopted with the inclusion of a discussion of the PMFC resolutions; seconded by Harold Lokken. There being no objection, it was so ordered.*

B. SPECIAL REPORTS

B-1 Executive Director's Report

The Executive Director advised that charters for both the SSC and Council will expire on April 13 and must be renewed for another two years. If no changes are necessary, the Council should advise NMFS to proceed with the renewals.

*The Council instructed the Executive Director to advise NMFS that no changes are necessary and that the SSC and Council charters may be renewed.*

The Council received letters of resignation from Lewis Schnaper and Truman Emberg from the Advisory Panel. These two and the resignation of Charles Parsons prior to the December meeting leave three interim vacancies on the AP.

*It was the consensus of the Council that it should issue a formal call for Advisory Panel nominations, reactivate the AP Nominating Committee, and make interim appointments effective with the March 1982 meeting.*

John Clark, head of fisheries research for the Alaska Department of Fish and Game and a member of the Scientific and Statistical Committee, asked the Council to allow Phil Rigby to serve as his alternate on the SSC. The Council policy has been not to appoint permanent alternates for SSC members, but it has approved alternates on a short-term basis when primary SSC members have been involved in research or travel programs which preclude their attendance for two or three meetings.

Council discussion and action on this subject was initially deferred until later in the meeting; *however, time constraints made it necessary to postpone final action until the March 1982 Council meeting.*

At the December meeting the Council asked the Alaska Trollers Association to submit a resume for a representative of ATA to serve on the Salmon Plan Development Team. The Council received the resume of Earl Krygier and sent it to the SSC for review.

The SSC recommended that plan development team membership be kept to a minimum and that teams be composed only of scientists from the management agencies. The SSC, therefore, did not recommend increasing the Salmon Plan Development Team's membership. The SSC reviewed the resume of Earl Krygier and found his qualifications suitable for plan development team membership.

*Due to time constraints Council action on this agenda item was deferred until the March 1982 Council meeting.*

The Executive Director recommended that the Council amend its meeting schedule policy set at the December 1981 meeting to provide that three-day meetings will run on Wednesday, Thursday, and Friday rather than Tuesday, Wednesday, and Thursday because of conflicts with the SSC when both groups meet on Tuesday.

*It was the consensus of the Council that three-day meetings should be held on the fourth Wednesday, Thursday, and Friday of meeting months.*

#### B-2 Update on Polish Joint Venture for 1982

William Fields, representing Mrs. Paul's Kitchens of Philadelphia, Pennsylvania, described a proposed joint venture for 1982 between Mrs. Paul's Kitchens and the Polish company Rybex Szczecin. Official permit applications had not been received by the Council from the State Department at the time of the meeting. The companies proposed to take about 16,000 mt of pollock and 1,500 mt of Pacific cod from the Bering Sea and about 6,000 mt of pollock and 800 mt of Pacific cod from the Gulf of Alaska, employing four to six U.S. catcher boats. About 50% of the catch is expected to be processed for American standard fillet and will be delivered to the U.S. for further processing. The remainder will be marketed in Poland. All of the Polish vessels involved have also applied for directed fishing permits. Mrs. Paul's will be the agent and principal contact with the U.S. vessel owners.

In the 1981 joint venture fishery, three Polish ships processed approximately 2,200 mt out of a total allocation of 15,000 mt between June 22 and the end of September. Mr. Fields noted that Mrs. Paul's Kitchens does intend to participate in the joint venture even if no direct allocation is made to Poland.

Bill Gordon asked Mr. Fields if additional joint venture allocations would be requested to make up for a loss in direct allocations should Poland fail to receive a direct allocation this year. Mr. Fields confirmed that additional joint venture allocations would be necessary in that case. Mr. Gordon encouraged Mr. Fields to keep the Council apprised of additional requests which may be necessary.

The Council discussed with Mr. Fields the probability that if additional pollock allocations are requested, a corresponding percentage increase in Pacific cod allocations would also be needed to compensate for by-catch in the pollock fishery. Mr. Fields confirmed that the relationship of cod to pollock in the initial allocation request would likely be maintained in any additional requests.

## Council Action

*Bob Mace moved that the Council grant the Executive Director authority to approved the Polish joint venture permits when they are received from the State Department if the terms and conditions of the fishery are consistent with the preliminary request; seconded by Keith Specking. There being no objection, it was so ordered.*

Bob McVey suggested that it is highly possible, due to the current situation in Poland, that this joint venture is in jeopardy. He said that if the Council supports this joint venture, it should make a clear statement to the Administration to that effect. He felt that the Council's actions could influence the Administration's decision on Polish fishing privileges.

*Bob McVey moved that a letter signed by the Chairman be forwarded to the Administration, plainly stating that the Council supports this Polish joint venture; seconded by Don Bevan. There being no objection, it was so ordered.*

### C. OLD BUSINESS

#### C-1 Capital Construction Fund

At the December meeting staff economist Jim Richardson was asked to find out what impediments exist to prevent fishermen having existing Capital Construction Funds from investing those funds in shorebased processing facilities. Under present legislation this is not allowed.

The NMFS Regional Office in Juneau estimated that as of December 1981, Capital Construction Funds associated with Alaska fishery accounts totaled \$50-55 million. With the present distressed status of the crab fisheries in the Bering Sea and other areas of Alaska, some Council members felt there would be minimal interest by Alaska fishermen in using the accumulated CCF accounts to purchase new vessels or renovate existing vessels. There is, however, some interest in investing these accumulated accounts in shore based processing facilities.

There is currently a bill before Congress, HR 3668, which would accomplish this objective. It was introduced by Congressman Breau in May 1981 and referred to the Merchant Marine and Fisheries Committee and the Ways and Means Committee. Until now the bill has received little attention and is not scheduled to go before Congress when it reconvenes in January. NMFS General Counsel and Financial Services in Washington, D.C. do not expect the bill to receive approval by Congress without strong support.

*Harold Lokken moved that the Executive Director be instructed to write a letter to Congressman Breau and the West Coast Congressional delegation in support of HR 3668; seconded by Bob Mace. There being no objection, it was so ordered.*

## C-2 Draft Guidelines for Framework FMPs

The Executive Director recommended that the Policy and Planning Workgroup, comprised of Council members Bevan, Campbell, Eaton, Harville, Lokken, McVey, Skoog, and Tillion and SSC members Miles and Rosenberg be delegated the assignment to review the draft guidelines for framework FMP's distributed at the December Council meeting and forward their comments to NMFS.

*Bob Mace moved to accept the Executive Director's recommendation that authority to review and comment on the draft guidelines for framework FMP's be delegated to the Policy and Planning Workgroup; seconded by Keith Specking. There being no objection, it was so ordered.*

## C-3 Other Old Business

The Council received a letter from Sig R. Mathieson, president of the Petersburg Vessel Owners Association in Petersburg, Alaska, who testified at the meeting in support of the share system for limited entry in the halibut fishery off Alaska. Canada expects to implement a limited entry system based on fishermen shares system for the 1982 halibut season. They believe a major benefit will be a longer season so more of the catch will go to the fresh market at better prices. Mathieson contended that a major problem now for domestic fishermen is that the total catch is landed within the space of a few days and is, for the most part, frozen when it reaches the market. If the Canadians develop an expanded fishing season, U.S. fishermen will be placed at an economic disadvantage. The Petersburg Vessel Owners Association urged implementation of a limited entry system based on fishermen shares as quickly as possible, preferably for the 1982 season.

### Public Testimony

Edwin Fugelvog, Petersburg Vessel Owners Association member, testified in favor of the proposed share system and pointed out again the economic disadvantage to American fishermen when their catch is landed within a very short time period and must enter the market as frozen product.

Thomas Stewart urged the Council to do something as soon as possible to limit entry into the halibut fishery.

### Council Action

The Advisory Panel asked the Council to promote a moratorium on entry into the halibut fishery in 1982 or 1983, and asked for a schedule for implementing a limited entry system or moratorium at the March 1982 meeting. The Advisory Panel voted 10 to 1 that the Council send regulations protecting halibut nursery grounds in the pot sanctuary out for public comment, (made a part of these Minutes, as Appendix I).

The Council's Limited Entry Workgroup has scheduled a meeting to refine an RFP to evaluate the share system, insuring that proposals will mesh with current Alaska law. The Workgroup will report to the Council at the March meeting.

The Executive Director said that there doesn't appear to be any way the Council can have a limited entry system in place for the 1982 fishery, but could save a great deal of time by deciding at the March meeting what type of limited entry system it wants to use.

D. NEW BUSINESS

D-1 Demonstration of ADF&G Data Reporting System

No action taken; information only.

D-2 Other New Business

Japanese Joint Venture Applications

Jay Hastings, representing the Japan Fisheries Association, asked for Council approval of two Japanese joint ventures proposed for 1982. Taiyo Fishery Company, Ltd., of Tokyo applied for a permit for the factory trawler ZUIYO MARU NO. 3 to work with Fishing Ventures International, Inc., of Seattle. They expect to catch and process about 9,500 mt of pollock and 500 mt of Pacific cod and other by-catch species in the Bering Sea and Gulf of Alaska and will employ two or three large mid-water trawlers. The fish will be processed into surimi, fish meal and oil as determined by market conditions. All products will be aimed for and marketed in Japan. Prices to U.S. fishermen were still under negotiation at the time of the meeting.

Nippon Suisan Kaisha, Ltd., of Tokyo applied for a permit for the factory trawler KONGO MARU to work in a joint venture with Universal Seafoods of Redmond, Washington. Final negotiations had not been completed at the time of the meeting, but the venture expects to catch and process about 9,075 mt of pollock and 925 mt of other species in the Bering Sea and Gulf of Alaska using two to four large bottom/mid-water trawlers. The fish will be processed into surimi, frozen round, fillet, headed and gutted, roe, fish meal, and fish oil. Quantities by type of product will depend on market conditions and will be sold by Nippon Suisan, primarily for Japanese consumption.

In 1981 Taiyo took 5,315 mt of pollock and cod, 76% of the 7,000 mt JVP allocation. Nippon Suisan harvested 100% of its 7,000 mt JVP allocation in its operation with Universal Seafoods.

Mr. Hastings reported that Hoko and Kyokuyo Fishing Companies were also anticipating joint ventures in 1982, but specific details were not available.

Council members questioned Mr. Hastings on the probability of other Japanese joint ventures in 1982, expressing their disappointment in projected totals of only 40,000 mt. Mr. Hastings responded that Japanese fishing companies are interested in steadily increasing joint venture development rather than making sudden large increases.

Bill Gordon said that NMFS has advised foreign governments to look at the relative share of fishery products they expect to take from the U.S. FCZ in 1982 and has made it plain that NMFS expects joint ventures to be used to maintain those relative shares. They have also stressed the importance of satisfying contractual arrangements made with U.S. partners in the fisheries.

*Bob Mace moved that the Council approve the two Japanese joint venture permits; seconded by Keith Specking. There being no objection, it was so ordered.*

#### Norwegian Permit Request

The Council received an application from the Norwegian vessel SJOEVIKTRAL to catch and process 4,600 mt of Pacific cod and an unspecified amount of by-catch in the Bering Sea. The U.S. firm, Union Fish Company Ltd. of Seattle, expects to start production on January 1, 1982 with a capacity of 2,000-3,000 mt of salted and dried fish. The fish will be exported to Latin America. The Norwegian factoryship was willing to accept American trainees on board; two Americans have already been trained on the vessel in Norwegian waters.

*Bob Mace moved that the Council recommend denial of the Norwegian request for a directed fishery permit and encouraged the Norwegians to submit a joint venture proposal; seconded by Keith Specking. The motion carried with Don Bevan in objection.*

#### Clarification on Taiyo/Pan-Alaska Joint Venture

Charles Miller of Pan-Alaska Fisheries, Inc., Seattle, presented a letter to the Council to clarify Pan-Alaska's association with Taiyo Fisheries in its 1981 joint venture operation. Pan-Alaska did not participate in the fishery, but recruited two American catcher boats to work with Taiyo. The joint venture contract was made directly between Taiyo and the American fishermen. The boats recruited were not under corporate influence, and neither of the vessels has fished for Pan-Alaska, either before or after the joint venture. Pan-Alaska did not market, assist in marketing, or purchase any of the product.

E. FISHERY MANAGEMENT PLANS

E-1 Salmon FMP

Confederated Tribes vs. Baldrige

Bert Larkins and Bob McVey, Directors of the NMFS Northwest Region and Alaska Region, respectively, are responsible for preparing the response to the Court in the Confederated Tribes vs. Baldrige case. Because of the broad range of management alternatives for 1982 amendments which will be before the Council and Board for final action in March, Bob McVey moved that the Council authorize the North Pacific Inter-Council Salmon Coordinating Committee, comprised of Council members Bevan, Skoog, and Demmert, to work with the Pacific Council's Inter-Council Salmon Coordinating Committee to review the available regulatory options, attempt to coordinate regulatory measures, and report to the Council at the March meeting. The motion was seconded by Don Bevan, who noted that a similar motion has been passed by the Pacific Council. There being no objection, it was so ordered.

Report of the Technical Committee

Bill Robinson, NMFS, summarized the technical committee's evaluation of the reductions needed from the various ocean fisheries to increase Columbia River upriver "bright" runs from the 1981 level of 63,900 to 80,000 and 100,000 brights. Major conclusions of the report were:

1. The Washington Department of Fisheries has estimated the minimum run size necessary to achieve the spawning escapement goal of 40,000 fish at McNary Dam with no in-river harvest is about 100,000 brights, assuming the 1981 interdam loss rate.
2. Total closure of the FCZ off both Alaska and Washington-Oregon, north of Cape Falcon, is estimated to return less than 7,000 - 11,000 additional brights to the Columbia River after a full brood cycle.
3. The maximum achievable run size from total closure of all United States ocean fisheries north of Cape Falcon is estimated to be 91,000 brights.
4. Significant reductions in the British Columbia ocean fisheries must also occur in order to achieve a return to the Columbia River in excess of 100,000 brights.
5. A return of 80,000 brights to the river can be achieved by a 67% reduction in the Alaska catch with no change to the Washington-Oregon seasons north of Cape Falcon, or by a 54% reduction in the Alaska catch combined with total closure of the Washington-Oregon fishery north of Cape Falcon, assuming the 1981 level of Canadian fisheries.



6. The most recent analysis of the long-term distribution of the bright catch shows there has been a 14% reduction in the catch from British Columbia and a 35% reduction in the catch from Alaska. The reductions are the consequence of a smaller run size, but the greater magnitude of the Alaska reduction is most certainly a result of applying 1981 management measures in the simulation.

These estimates result from application of the regulatory regime for a full brood cycle. The most recent analyses still rely on tag recoveries from the 1975 brood, which culminated in 1980, adjusted for the actual 1981 terminal run size and fishing seasons. Tag recoveries from the 1981 fisheries will not be available for comparison with this analysis until March.

Mr. Robinson concluded that if the 1981 interdam loss rate continues and if Canada does not also reduce its catch of brights, there is no level of reduction in the U.S. ocean fisheries that would achieve a return of brights to the Columbia River large enough to meet spawning escapement needs, even without an in-river harvest.

The technical group also concluded that, although it is still perhaps the best information available, the WDF model is extremely limited in its application to chinook stocks because it holds constant over the brood cycle several factors which normally can vary annually.

#### 1982 Troll Salmon Amendments

In July the Council issued a request for proposals for 1982 Southeast Alaska troll salmon regulations. The proposal period, originally scheduled to end in late September, was extended until the January Council/Board meeting. The Council received several public proposals for amendments. Several proposals received by the Board would also affect management in the FCZ.

The Salmon Plan Maintenance Team determined that proposals requiring joint consideration by the Council and Board were:

1. Chinook salmon harvest guideline/optimum yield range.  
Alaska Board of Fisheries proposals #109 (staff), 111, 112  
NPFMC OY proposals #2 through 8
2. Open area west of Cape Suckling to trolling.  
Alaska Board of Fisheries proposal #128  
NPFMC area proposal #2
3. Treble hooks.  
Alaska Board of Fisheries proposal #127  
NPFMC gear proposal #7
4. Retention of tagged, undersized salmon.  
Alaska Board of Fisheries proposal #130 (staff)  
NPFMC size limit proposal #2

5. Number of lines.  
Alaska Board of Fisheries proposals #120, 121, 122, 125  
NPFMC gear proposals #2, 3, 4, 6
6. Definition of FCZ Management Unit.  
Alaska Board of Fisheries proposal #133  
NPFMC area proposals #3, 4

The Council and Board were scheduled to select preferred options for the 1982 salmon proposals after hearing staff reports on the resource and take final action at the March Council/Board meeting so the fishery can be opened by emergency order on May 15 as in 1981.

### Staff Reports

#### Report on the 1981 Southeast Alaska Troll Season

Al Davis of the Alaska Department of Fish and Game, Southeast Region, reported that 247,000 chinook salmon, 861,000 cohos, 576,000 pinks, 9,000 chums, and 7,600 sockeye were harvested in the 1981 troll fishery. Seventy-two percent of the 1981 troll catch of chinook was taken in coastal State and offshore Federal waters, with 26% of the catch reportedly taken in the FCZ.

During 1981 the Alaska Commercial Fisheries Entry Commission issued 973 power troll permits and 2,150 hand troll permits; preliminary estimates of gear actually fished during the 1981 season are 850 power troll and 1,150 hand troll units. Hand troll permits accounted for approximately 13% of the chinook troll catch and 21% of the coho troll catch.

Winter and summer seasons were established for the purpose of maintaining the traditional winter troll fishery and to facilitate enumeration of catch statistics. The winter troll season was established as October 1 through April 14. To provide maximum benefit to depressed Alaskan chinook stocks, the Board closed the troll fishery from April 15 to May 14 and the summer season was established as May 15 through September 20.

The 1981 troll fishery was managed to insure that the chinook salmon catch did not exceed the guideline harvest level established by the Board (272,000 to 288,000 fish). By June 15 it was apparent that catch levels at that date were above three of the four most recent year's catches. Had catch patterns continued season at those levels the guideline harvest level would have been reached by late July. Therefore, the troll fishery was closed for nine days, June 26 through July 5. Following the re-opening of the troll fishery on July 5, chinook and coho catches were monitored on a weekly basis. By the first week of August it appeared that the chinook harvest was comparable to previous years and catch projections indicated that the catch would reach the guideline harvest level by the first week of September. Coho returns to inside areas were poor and below the ten-year average, while coho catches by the troll

fishery in outer areas were relatively strong compared to recent years. The troll fishery was closed again on August 10 for ten days to allow more coho to reach inside areas. NMFS issued a similar regulation for the FCZ, but did not re-open the FCZ to trolling for the remainder of the 1981 season because projections indicated that the Council's OY ceiling of 272,000 chinooks would be achieved and significant hook and release mortality could be expected if a coho-directed fishery were re-opened.

The fishery re-opened on August 20 and continued until September 4 when all areas were closed to the taking of chinooks and districts 5, 6, 7, 8, 10, 15, and portions of districts 9 and 12 were closed to protect weak coho runs. Between September 4 and September 10 the Department made a concerted effort to collect all outstanding fish tickets from remote buyers and landing ports to tabulate the chinook catch. Preliminary figures at September 10 indicated that the chinook catch was at the low end of the Board's guideline harvest range. In order to prevent hook/release mortality of chinook salmon during the ongoing coho fishery, the troll fishery was re-opened to the taking of chinook in those areas still open to coho fishing. The fishery remained open in those areas until the close of the summer season on September 20.

Preliminary estimates of the total chinook catch by all gear, including that portion of the winter troll fishery from October 1 to December 31, 1980, indicate a harvest of approximately 268,100 fish. This total includes approximately 19,500 fish taken incidentally in net and trap fisheries.

Chinook escapements to the Taku, Stikine, and Alsek Rivers showed significant improvement over 1980. In the southern portion of Southeast Alaska, however, escapements to the medium-sized streams in Behm Canal were mixed. The Blossom and Keta Rivers escapements were approximately twice the 1980 escapements, but the Unuk River escapement was less than 1980 and the Chikamin River escapement showed little improvement.

Preliminary estimates of coho escapements in 1981 appear to have improved over recent years. The primary reasons for the improvements were the August 10 - 20 troll closure and late season net gear restrictions.

#### Report on Chinook Salmon Studies in Southeast Alaska

Gary Sanders, Alaska Department of Fish and Game, Sport Fish Division, reported on the chinook salmon research project which is used to determine the status of chinook stocks native to Southeast Alaska. Annual operations include escapement surveys in the major and medium producing systems, collection of biological information from spawners (age, length, and sex composition data), and microwire tagging of juveniles and smolts to determine ocean migration patterns, areas of harvest, and other life history information.

## Report on Spring 1981 Research Troll Fishery

Mike Bethers reported that a troll research fishery was conducted in northern Southeast Alaska waters from April 16 to May 11, 1981. During the fishery 764 chinook salmon were tagged, eleven stocks of chinooks in the study area were identified, and a study of efficiency and hook-induced mortality of single and treble hooks was conducted.

As of September 30, 1981, 45 disc tagged fish with complete information had been recovered. Chinook salmon tagged in outside areas were recovered at nearly three times the rate of fish tagged in inner Icy Strait. The percentages of Alaskan and non-Alaskan recoveries tagged in outer areas were 28.6% and 71.4%, respectively, as compared to 80.6% and 19.4%, respectively, for fish tagged in inner Icy Strait. Overall, 29 tag recoveries (64.4%) were made in Alaskan waters and 15 (35.6%) were made in non-Alaskan waters. Of the nine coded wire tagged chinook salmon caught, six had been released from hatcheries in Southeast Alaska, one from British Columbia, and two from Oregon. No coded wire tagged wild Alaskan chinook salmon were caught.

Hook performance data suggested that the hooking rate for treble hooks is significantly higher than for single hooks, and that treble hooks could be expected to produce an 18% higher catch. The study indicated that a lower hook injury rate occurs with treble hooks than single hooks; however, additional data would be required to determine whether the difference is statistically significant.

### Other Reports

Mike Fraidenberg, technical representative from the Washington Department of Fisheries, presented various reports on the concerns of management agencies from Alaska to California regarding coastwide chinook salmon stocks and an evaluation of 1981 management measures related to attaining minimum escapement goals and rebuilding the depressed Upper Columbia River "bright" fall chinook stocks. Using the National Bureau of Standards/Washington Department of Fisheries salmon model, WDF attempted to evaluate the effectiveness of management measures taken along the Pacific Coast for the purpose of increasing spawning escapements to the Columbia River. Of the regulatory options considered in the model's simulation, only complete closure of the Southeast Alaska/northern British Columbia troll fisheries or coho-only fisheries in Southeast Alaska to central British Columbia, plus additional coastwide June closures in all other areas, would yield terminal run sizes within the range of objectives.

### Plan Maintenance Team Report

The Plan Maintenance Team reviewed the most recent data on catch, distribution, effort, and escapements and, recognizing that additional and revised information which may influence tentative conclusions will be available by the March meeting, summarized the status of chinook stocks coastwide as follows:

1. Columbia River -- record low runs; predicted lower for 1982.
2. Washington coastal stocks - near escapement levels.
3. Oregon coastal stocks - stable at recently improved levels.
4. British Columbia - a 50-60% decline in Georgia Straits and Fraser River escapements over the last ten years.
5. Southeast Alaska - stable at depressed level with some rebuilding begun.

The PMT concluded that the 1981 regulatory regime contributed to the improvement in Southeast Alaska runs, noting less positive improvement to other stocks.

It was the consensus of the PMT that major natural chinook stocks on a coastwide basis (Columbia River to Cape Suckling, Alaska) are still viable but currently achieving escapements far below optimum or even minimum escapement goals. The PMT did not reach a consensus that an amendment to the FMP is necessary to address this problem.

The PMT suggested that the Council proceed on the assumption that an amendment may be necessary so that implementation requirements can be met, and suggested that the following alternatives be addressed:

Alternative 1: Status quo, harvest guideline of 272,000.

Alternative 2: Status quo, harvest guideline of 243,000.

Alternative 3: Total closure of the FCZ as part of a time/area approach to reducing catch and redistributing catch, or used in conjunction with other options.

Alternative 4: No directed fishery for chinook salmon in S.E. Alaska. The possibility of an incidental catch allowance while coho and pink fishing should be considered.

The factors considered for each of the four alternatives are included in the report of the Plan Maintenance Team, made a part of these Minutes as Appendix II.

#### Report on Canadian Troll Catch

Garnet Jones of the Division of Oceans, Government of Canada, reported that preliminary British Columbia troll catches in 1980 were down from previous years. Figures for the 1981 catch were not yet available, but Mr. Jones hoped to have them for the March meeting. North Coast troll catches in 1980 totaled 243,000 fish, compared to the 1971-1980 period high catch of 358,000 in 1972. The British Columbia ocean troll catch, not including Georgia

Straits, was 722,000 fish in 1980, compared to a 1971-1980 period high of 1,005,000 in 1974. Mr. Jones noted that Canada has no directed net fisheries on chinooks.

Ken Petrie, also with the Division of Oceans of the Government of Canada, said that Canada has taken many steps to get the troll fishery into shape and halt its expansion. They have implemented gear restrictions, such as the use of barbless hooks only and a maximum of six lines, a later season opening date for cohos (July 1 rather than June 15) to reduce the overall exploitation rate coastwide, and a shortened troll season, April 15 to September 30 rather than April 15 to October 31. In 1981 they began monitoring juvenile chinook areas and closed one major chinook area from April 15 to May 15, re-opened it for seven days, and then closed it again until July 1. This resulted in a major savings of legal size chinooks. Area restrictions imposed in the Georgia Straits reduced the number of boats in that area from 1,000 to 345.

Changes were also made in the recreational fisheries. The size limit for chinooks was raised from 12" to 18", the bag limit was reduced, and the Fraser River was closed entirely to recreational fishing.

Mr. Petrie said that final tabulation of 1981 harvest figures is a high priority item and will be provided to the Council as soon as they are available.

#### Report of the SSC

After reviewing the report of the Plan Maintenance Team and various reports on the status of stocks contributing to the Alaska troll fishery, the SSC developed the following recommendations.

Optimum Yield and Seasons. The SSC found that the conservation issue identified last year seems to have been addressed by the current management regime. Preliminary escapement data for the major Southeast Alaska streams indicates that escapement levels have increased. The total increase is estimated to be between 10,000 and 15,000 fish. The 15-year rebuilding plan proposed last year provided for an estimated average increase of 7,500 fish annually during the first five years. The SSC concluded that the 1981 management measures are meeting the needs of Southeast Alaska chinook stocks and the rebuilding plan.

The SSC found that a conservation issue exists for natural stock escapement levels of Columbia River bright chinook stocks (21,000 fish in 1981) compared to the 1981 minimum escapement goal of 40,000 fish established by the Washington Department of Fisheries. The SSC recommended that this conservation issue be addressed in a manner similar to that for the Southeast Alaska chinook stocks and that a plan for rebuilding the stocks to an identified escapement goal be developed and adopted. The formulation of this rebuilding plan would require active and

cooperative participation from all management and user groups. A combination of the following courses of action could be used to increase escapement:

- (1) Reduction of interdam loss;
- (2) Reduction of in-river harvest;
- (3) Reduction of Oregon/Washington coastal harvest;
- (4) Reduction of British Columbia harvest;
- (5) Reduction of Alaskan harvest;
- (6) Increased survival of downstream migrants.

In selecting the desirable combination of actions, avoidance of major social and economic disruption should be the determining factor.

The SSC examined the effects of several of these courses of action on the escapement of Columbia River bright chinook stocks and concluded that neither the North Pacific Council nor the Alaska Board of Fisheries, either singly or in combination, has the ability to completely resolve this conservation issue without the cooperative support of other agencies, including but not limited to the Canadian Government, the Pacific Fishery Management Council, Washington Department of Fisheries, enforcement officials in Washington State, Oregon Department of Fish and Wildlife, Bonneville Power Authority, Corps of Engineers, the treaty tribes, and others.

Based on available data and analysis, the SSC recommended that the 1982 optimum yield be maintained at 243,000 to 272,000 fish and that the Council take an active role in developing the proposed rebuilding plan.

The SSC recommended that the PMT/PDT be directed to develop an amendment to the FMP for the 1983 season which will allow OY to be adjusted annually to account for Southeast Alaska hatchery stock production.

Area. The SSC recommended that the PMT be instructed to make sure that the FMP is clear regarding which waters are covered by the Plan.

Size Limit. The SSC supported the Alaska Department of Fish and Game proposal to allow the retention of chinook salmon under 28 inches which have a tag attached or a fully healed, clipped adipose fin, with the understanding that these salmon may not be sold.

In-Season Management. The SSC reviewed Board proposal 112, which would close specific areas during the coho season rather than closing the entire management zone, and determined that the

Regional Director currently has this authority and, therefore, no plan amendment is required. The SSC found Board proposal 113, providing for no in-season closures during the troll season, contrary to the requirements of the rebuilding plan adopted last year.

Gear. The SSC recommended that the status quo be maintained for all gear regulations.

Foreign Fisheries. The SSC recommended that the Gulf of Alaska PDT consider, as part of the rewrite of the Gulf FMP, the use of time and area trawl closures when high concentrations of salmon are observed.

### Report of the Advisory Panel

Optimum Yield. The Advisory Panel endorsed the PMT alternative harvest guideline of 272,000 chinook for 1982 and suggested that it would be difficult to justify additional cuts in the Southeast Alaska optimum yield without some assurance of a reduction in Canadian interceptions and resolution of the question of inter-dam losses of both returning fish and juvenile fish. The Advisory Panel felt that last year's reductions by the Council contributed to the improvement of Southeast Alaskan stocks, and that additional restrictions on the troll fishery would place undue hardship on the fishery's participants.

Seasons. The AP voted to maintain the status quo for chinook and coho seasons, i.e., chinook - May 15 to September 20 and coho - June 15 to September 20. The Advisory Panel suggested that the Regional Director be granted authority to close specific areas within the FCZ during coho season, rather than the entire FCZ to achieve management goals.

The Advisory Panel voted to maintain the status quo for the number of lines fished by power trollers; to repeal the ban on treble hooks; to adopt a single management system over the waters of Alaska by reconciling the State's definition of the FCZ; and to maintain the status quo for non-FCZ hand and power troll allocations.

### Public Testimony

A summary of public testimony received on the 1982 salmon management proposals is made a part of these Minutes as Appendix III.

### Council Session, Wednesday, January 6

Chairman Tillion suggested that the Council ask the Board to match the Council's OY range of 243,000 - 272,000 fish set last year. The Council could then recommend that the NMFS Regional Director hold the troll catch in the FCZ to the lower end of the range, subject to final action taken on 1982 salmon proposals at the March Council meeting. Holding the catch to the lower end of OY would result in additional chinook savings of about 9% over last year.



Don Bevan moved that the Council ask the Board to match its OY range of 243,000 - 272,000 chinook salmon and that the Council grant authority to the the Regional Director to implement whatever closures may be necessary to hold the troll catch in the FCZ to the lower end of the range, subject to changes which may result from final Council action on the troll salmon proposals at the March meeting; seconded by Keith Specking.

Gene DiDonato favored the motion, saying that the Washington Department of Fisheries would prefer not to have preferred options designated at this time, but that final decisions be made in March after all data are in and discussions with the Canadians have been completed.

Mr. Collinsworth spoke against the motion, citing the need for demonstration of reciprocity from the Canadians before taking further cuts in the Southeast Alaska troll fishery.

Upon roll call vote, the motion passed 7 to 3, with Council members Collinsworth, Mace, and DiDonato in objection.

Don Bevan then moved for reconsideration of the motion after discussions with the Board; seconded by Harold Lokken. There being no objection, it was so ordered.

#### Council/Board Action

##### Optimum Yield

Vice-Chairman Lokken explained the Council's actions to the Board and asked them to consider adopting the Council's range for optimum yield and to withhold final action on the 1982 troll salmon regulations until the March Board meeting. Don Collinsworth explained the Council's decision to maintain an OY range of 243,000 - 272,000 fish and asked the Board to consider taking complementary action.

Vice-Chairman Lokken encouraged the Board to adopt the Council's OY range as visible evidence to the Court in the Confederated Tribes case that the Council and Board are working together to address the conservation problems facing upper Columbia River chinook stocks. The purpose for deferring final action until the March meeting is to allow for changes which may be substantiated by data on the coastwide troll fisheries still being compiled and to see what concessions Canada is willing to make in the government-to-government negotiations scheduled for February.

Don Bevan explained that the Council is asking the Board to set the numbers for their OY range at 243,000 - 272,000 fish, but not necessarily to also manage to the lower end of that range.

Nick Szabo said that the Board's OY range for 1981 (272,000 - 288,000 fish) afforded improvement to the stocks in accordance with the 15-year rebuilding plan established last year, and felt that rebuilding is right on or ahead of schedule.

Bob McVey countered that the benefits to Southeast Alaskan stocks were notable, but benefits to the Columbia River and other Pacific Coast stocks were far below even the minimum goals. He explained that adopting the 243,000 - 272,000 optimum yield and managing to the lower end of the range would provide an additional reduction of 9% from the 1981 catch level and place the State of Alaska in a better bargaining position with Judge Craig when he renders his preliminary decision on the Confederated Tribes case in February.

Gene DiDonato said that the majority of stocks contributing to the Southeast Alaska troll fishery originate in British Columbia and from the Columbia River south. Southeast Alaska stocks make up only a portion of the stocks contributing to the fishery, and the decline in British Columbia and southern stocks must be halted. This is a coastwide concern which must be addressed by all the participants involved, including Canada.

John Harville agreed, suggesting that the Council and Board address the issue as a coastwide problem in an attempt to pressure others with joint responsibility for the fishery to do likewise. Continuity between the Council and Board will send a signal to the Canadians that they must do their part to contribute to the solution.

#### Board Action

Jim Beaton moved that Board proposal 109 be amended to read:

"5 AAC 35.365 SOUTHEASTERN ALASKA-YAKUTAT CHINOOK AND COHO SALMON TROLL FISHERIES MANAGEMENT PLAN.

"(b) The Board recognizes ... The department shall make inseason adjustments to limit salmon fishing seasons, periods, and areas for conservation purposes and to limit the total commercial king salmon harvest by all gear types to a range of 243,000 to 288,000 fish."

The motion was seconded by Harry Sundberg. Upon call for the question, the motion to amend proposal 109 carried by a vote of 5 to 0.

It was then moved and seconded that the Board adopt proposal 109 as amended. The motion carried by a vote of 6 to 0.

Board Chairman Szabo asked the Canadian officials present to submit their report to the Board as soon as possible on the the 1981 sport, troll, and net catches by statistical area by week; their analysis of the 1981 fishery; and a description of their plans for the 1982 fishery and the benefits they expect to derive from these measures.

### Proposal to Extend the Troll Fishery West of Cape Suckling

Board proposal 128, submitted by the Pelican and Elfin Cove Advisory Committees and Alessandro T. Hill, would open the area west of Cape Suckling to trolling. Their justification in support of the proposal was that it would reduce effort and harvest on Southeast Alaska stocks and provide economic advantages to the westward areas.

#### Board Action

It was moved and seconded that the Board adopt proposal 128 to open the troll fishery to areas west of Cape Suckling. Upon call for the question, the motion failed by a vote of 0 to 7.

#### Council Action

*Don Bevan moved that the Council concur with the Board's decision not to open the troll fishery west of Cape Suckling; seconded by Bob Mace. The motion was unanimously adopted.*

### Treble Hooks

Board proposal 127, submitted by the Alaska Trollers Association and the Elfin Cove, Ketchikan, and Pelican Advisory Committees, would repeal the ban on treble hooks adopted by the Board in 1981. Justification for the proposal was that existing studies on single hooks versus treble hooks show no significant difference in mortality rates.

#### Board Action

It was moved and seconded that the Board adopt proposal 127 to repeal the ban on treble hooks. Upon call for the question the motion failed by a vote of 3 to 4.

Board member Chris Goll suggested that the ADF&G staff clarify the regulation to specifically state that only single hooks may be used in the troll fishery.

#### Council Action

*Bob Mace moved that the Council concur with the Board to continue the ban on treble hooks; seconded by Don Collinsworth. Upon call for the question, the motion carried with Joe Demmert in objection.*

### Retention of Tagged Undersized Salmon

Board proposal 130, submitted by ADF&G staff, would allow tagged, undersized salmon and those with fully healed adipose fin clips to be retained; require that the tags and heads be submitted to the Department along with the date and location of the catch; and prohibit the sale of troll-caught chinook salmon under 28 inches in length. The Council's Troll Salmon FMP would require amendment to allow retention of these salmon.

### Board Action

It was moved and seconded that proposal 130 be amended by striking the words "fully healed". Upon call for the question, the motion to amend the proposal passed by a vote of 7 to 0.

It was then moved and seconded that the Board adopt proposal 130 as amended. The motion passed by a vote of 7 to 0.

### Council Action

*Don Bevan moved that the Council amend the fishery management plan to provide for the retention of tagged, undersized chinook salmon in the troll and sport fisheries in the FCZ; seconded by Don Collinsworth. The motion was unanimously adopted.*

### Number of Lines

Board proposal 120, submitted by Chuck Porter, would allow trollers to have more than one legal limit of gear on board. Proposal 121, submitted by David R. Carlson, would reduce the number of gurdies allowed on power troll vessels from six to four north and west of Cape Spencer. Proposal 122, submitted by the Angoon Advisory Committee, would allow the use of four lines on hand troll vessels. Proposal 125, submitted by Chuck Porter, would allow the use of down riggers by hand troll vessels.

### Board Action

It was moved and seconded that the Board adopt proposal 120. The motion failed by a vote of 0 to 7.

It was moved and seconded that the Board adopt proposal 121. The motion failed by a vote of 0 to 7.

It was moved and seconded that the Board adopt proposal 122. The motion failed by a vote of 1 to 6.

It was moved and seconded that the Board adopt proposal 125. The motion failed by a vote of 2 to 4.

### Council Action

*Bob Mace moved that the Council concur with the Board to maintain the status quo for hand and power troll gear, insofar as possible under the National Standards; seconded by Don Collinsworth. Upon call for the question, the motion carried with Don Bevan in objection.*

### Definition of the FCZ

Board proposal 133, submitted by the Ketchikan Advisory Committee, would clarify the boundaries of state and federal waters as follows:

"(d) State trolling regulations shall apply in those waters described in 5 AAC 33.200 and those waters of the coastal fishing zone within three miles due west and seaward of the surfline."

The Ketchikan Advisory Committee suggested that confusion resulting from the FCZ closure in August 1981 may be dispelled by maintaining traditional "inside" areas during FCZ closures.

Bob McVey told the Board that the Council must work within the federal definition of the FCZ from which there can be no deviations. NMFS hopes to avoid this problem in 1982 by stating specifically to which waters a given closure will apply.

#### Net-Marked Salmon

The Council and Board received numerous reports of net-marked salmon caught in the 1981 troll fishery and inspected two net-marked specimens brought to the meeting by members of the public.

*The Council asked Bob McVey to prepare a report for the March meeting on the problem of net-marked salmon to give the Council and Board direction for further investigation of the problem.*

#### Scheduling for March Meeting

*The Council and Board agreed that the first day of the March joint session will be reserved for staff reports and public testimony on the 1982 salmon proposals.*

#### E-2 Herring FMP

In September the Council voted to withdraw the Herring FMP from Secretarial review so the PMT could make wording changes to clarify certain sections, improve management flexibility, and ensure that the formulas worked as they were intended. In December the Team brought their suggestions to the SSC and Council for preliminary review. The SSC asked the Team to re-evaluate certain suggestions, explain their rationale, and answer a series of questions posed by the SSC. The Team's response to those questions is made a part of these Minutes as Appendix IV. The Council also received the Team's recommended wording changes to the FMP, modified to include alternatives.

The Council received a report on the status of major world herring stocks by Vidar Weststad of the Northwest and Alaska Fisheries Center.

The Council reviewed a letter from the Alaska Department of Fish and Game and the Alaska Board of Fisheries urging the Council not to resubmit the Herring Plan to Secretarial review. The Board and ADF&G consider an offshore fishery on mixed stocks to be

inconsistent with the State's goal of full utilization of the resource through inshore fisheries managed on a discrete stock basis. The FMP would permit an offshore fishery only if a surplus is determined to exist after the inshore fishery takes place. The State contended that the existing inshore fishery is fully capable of harvesting the biological surplus and felt that the FMP's definition of optimum yield and the potential for a surplus that could be used offshore was inappropriate.

### SSC Report

The SSC reviewed the proposed revisions to the Bering/Chukchi Sea Herring FMP and the PMT's response to the SSC's questions on the Plan and offered the following comments and recommendations.

Subsistence Stocks. The SSC concurred with the Team's recommendation that subsistence stocks be included in biomass estimates as originally stated in the FMP which was submitted to the Secretary.

Spawning Biomass Estimates. The Plan Maintenance Team identified the need for alternative procedures to estimate biomass if aerial survey data are not available and proposed several general alternatives to accomplish this. The SSC suggested that a specific, quantitative procedure is necessary as an alternative to aerial survey data.

The SSC recommended that, in the event that aerial survey estimates are unavailable, a preliminary biomass estimate be calculated by applying standard virtual population analysis techniques using the previous year's aerial survey estimate as a base. This preliminary estimate should be revised in-season as more definitive data on stock size, recruitment, and age composition become available. The Team agreed that such a procedure could be written into the Plan.

Maximum Exploitation Rate. The Team recognized the deficiency of the original FMP in failing to establish an upper limit to the herring exploitation rate and proposed an upper limit of 39%, derived from a yield per recruit analysis. The SSC felt that the 39% maximum exploitation rate is too high in light of uncertainty in biomass estimates, natural fluctuations, forage needs, and other considerations and recommended a maximum exploitation rate of 20%.

Allowable Incidental Catch (AIC). The AIC maximum proposed by the Plan Maintenance Team is 3,000 mt per year. This AIC assures a low level of incidental herring catches but also incorporates a degree of subjectivity in setting annual levels below the maximum and does not accommodate necessary adjustments should an AIC above 3,000 mt be justified. The SSC recommended that AIC be set by the following formula:

$$\text{AIC} = \overline{\text{IR}}_{79-81} \times \text{Groundfish Allocations}$$

The SSC was concerned, however, that on a long-term basis the formula may need to be revised to provide additional flexibility for management, and recommended that the Team consider modifications which could improve the AIC formula for later incorporation into the Plan as an amendment.

Resubmission to the Secretary. The SSC recommended, subject to incorporation of their recommendations into the Plan, that the Council resubmit the Plan to the Secretary.

Other. The SSC discussed the "use it or lose it" aspects of the Plan and issued the following statement:

"The SSC recognizes that management measures could affect the competitive relationship that exists between fishermen and processors. It is not clear at this point in time how management measures proposed for the herring fishery will affect this relationship. When information is provided on this matter, the SSC will re-examine the issue."

#### Public Testimony

Henry Mitchell, executive director of the Bering Sea Fishermen's Association, said he was upset by reports that substantial amounts of herring (in the range of 30,000 mt) have shown up on the Japanese market in the last month. He suggested that the Plan include a method to account for illegal harvest, and asked the Council not to resubmit the Plan until this issue has been addressed.

Bob McVey told Mr. Mitchell that it is the opinion of the National Marine Fisheries Service that illegal herring catches of that magnitude are not possible from Alaska's waters. Ron Naab said that the American Embassy in Tokyo and the Japanese government are each investigating these reports, but reports are not yet available. He suggested that herring catches in the range of 30,000 mt would more likely come from the Soviet side of the Bering Sea.

CDR Peter Busick of the U.S. Coast Guard said that a total of 21 boardings have been conducted this fall on vessels which were suspected of illegally taking herring in the Bering Sea; no herring was found on any of the vessels boarded.

Norm Cohen, representing Nunam Kitlutsisti, testified in support of the Board's letter to the Council. He opposed the use of an AIC formula after September 30; favored a maximum exploitation rate of 20%; and urged a moratorium on any kind of high seas herring fishery until the inshore fishery has had a chance to work out its problems.

Denny Kimball, president of the Halibut Producers Cooperative, suggested that all foreign vessels leaving Alaska be instructed to report their departure from the U.S. zone and be inspected before they are allowed to leave. He favored the use of economic disincentives to discourage prohibited species catches.

### Council Action

*Don Bevan moved that the Council accept the recommendations of the SSC and, after having incorporated these recommendations into the FMP, resubmit the Plan to Secretarial review; seconded by Gene DiDonato.*

Don Collinsworth opposed the motion in light of the reasons cited by the Board and ADF&G in their letter to the Council. He said that under current circumstances there is no need for a Herring Plan; however, if the Council feels compelled to submit a plan, the State would propose that it take the form of a "contingency plan." Mr. Collinsworth contended that a single year's surplus should not automatically call forth a new fishery. He said that the existing inshore fishery is capable of harvesting any surplus which may occur.

Don Bevan defended his motion, stating that there are no conservation issues involved, only emotional issues. For two of the last three years the inshore fishery has not harvested what it said it would. Dr. Bevan felt that the information gathered from the offshore fishery will be useful for future management decisions, and urged the Council to adopt the motion.

*Upon roll call vote, the motion passed by a vote of 6 to 3 with Council members Collinsworth, Demmert, and Specking in objection.*

*The Council instructed the Executive Director to have the staff look into the concept of multi-year adjustments to the Herring FMP and report to the Council as soon as possible.*

### E-3 King Crab FMP

The Bering Sea/Aleutian Islands King Crab FMP, DEIS, RIR, and minority report were submitted to the the Central Office to begin NEPA and Secretarial review on December 15. Due to the innovative management concepts presented in these documents, the Council felt it would be advantageous to conduct a "walk-through" of the Plan with the Central Office review staff to hasten the review process.

Bill Gordon said that the Plan Review staff would complete its preliminary review in late January and suggested that the walk-through be scheduled for the week of February 8.

After lengthy discussion on the make-up of the delegation, Bob Mace moved that the Chairman appoint the delegation for the king crab walk-through; seconded by Joe Demmert. Upon call for the question, the motion carried with Harold Lokken in objection.



#### E-4 Tanner Crab FMP

Plan Coordinator Steve Davis reported that problems still exist with pot storage in Bristol Bay. Prior to the beginning of the 1981 king crab season, 30 citations were issued by the Alaska Department of Public Safety for the storage of crab pots outside designated pot storage areas. There have also been reports of gear conflicts with foreign trawlers in pot storage areas. Mr. Davis suggested that the Ad Hoc Pot Storage Committee meet with ADPS enforcement personnel to review the problems with the current storage areas and develop alternatives.

*A meeting of the Ad Hoc Pot Storage Workgroup was set for January 18, 1982, in Seattle. Proposals formulated at that meeting will be submitted to the Alaska Board of Fisheries for inclusion in their shellfish proposals to be considered at the spring Board meeting.*

#### E-5 Gulf of Alaska Groundfish FMP

The Executive Director asked the Council to consider adding a provision to Amendment #11 which would allow the NMFS Regional Director to issue field orders to adjust time and/or area restrictions on foreign fisheries for conservation reasons. This provision is currently included in the FMP as Section 8.3.1.1(H), but applies only to domestic fisheries.

*The Council instructed the Executive Director to include in Amendment #11 the provision for Regional Director field order authority to restrict foreign fisheries for conservation reasons.*

#### Public Hearing on Amendment #11

The Council held a public hearing on Amendment #11 on Friday morning, January 8, 1982, in Room 117 of the Federal Building in Juneau. The comment period for Amendment #11 ends on February 8.

A summary of testimony presented at the hearing is made a part of these Minutes as Appendix V.

*As a result of hearing testimony requesting that the comment period be extended due to the introduction of new data in a report by Barry Bracken, the public comment period for Amendment #11 was extended to 5 p.m. on March 5, 1982.*

#### E-6 Bering Sea/Aleutian Islands Groundfish FMP

Council staff review of Amendment #4 to the Bering Sea/ Aleutian Islands Groundfish FMP disclosed the need for several modifications before the amendment is sent to Secretarial review. The staff suggested that the NMFS Regional Director be given authority to issue field orders to adjust time/area closures for conservation reasons, thus enabling immediate response to unanticipated stock conditions. This field order authority would apply to both the foreign and domestic fisheries. Other

inconsistencies which need to be corrected pertain to Maximum Sustainable Yield (MSY) for sablefish and Allowable Biological Catch (ABC) and Optimum Yield (OY) for Other Species.

*The Council instructed the Executive Director to make whatever changes are necessary to correct these deficiencies before submitting Amendment #4 to Secretarial review.*

F. CONTRACTS, PROPOSALS, AND FINANCIAL REPORTS

F-1 Status of Contracts and RFP's

Contract 80-4

The SSC Review Group for Contract 80-4, "To Expand and Enhance the Domestic Commercial Fisheries Catch Data Reporting System Off Alaska," visited ADF&G's offices to review the operation of the Data Reporting System which was developed under this contract. Test runs could not be observed during the review because the system was down, but based on a review of the documentation available and printouts of actual runs on the system, the SSC recommended that the Council approve the contract for final payment.

*Upon the recommendation of the SSC, the Council approved Contract 80-4 for final payment.*

King and Tanner Crab Observer Program

The SSC reviewed the study proposal, "Determination of the Feasibility of a Crab Observer Program in Providing Specific Data Needs for the Management of the King and Tanner Crab Fisheries," and recommended that the Council proceed with the necessary steps to acquire funding to implement the study. The SSC noted that this study is an expansion of the existing Alaska Department of Fish and Game dockside sampling program and suggested that ADF&G be retained as sole source to conduct the study.

*Upon the recommendation of the SSC, the Council instructed the Executive Director to request funding for the King and Tanner Crab Observer Program.*

Fishermen's Conference

*The Council approved funding of up to \$4,000 for a meeting of the Crab Observer "Fishermen's Conference" in Seattle on January 19.*

G. PUBLIC COMMENTS

No further public testimony was presented to the Council.

H. CHAIRMAN'S CLOSING COMMENTS AND ADJOURNMENT

There being no further business to come before the Council, the 46th Plenary Session of the North Pacific Fishery Management Council adjourned at 5:25 p.m. on Thursday, January 7, 1982.

LIST OF APPENDICES

- Appendix I: Advisory Panel's Proposed Regulations for Bristol Bay Pot Sanctuary
- Appendix II: Report of the Salmon Plan Maintenance Team
- Appendix III: Summary of Public Testimony on Salmon Proposals
- Appendix IV: Response of the Herring Plan Maintenance Team to Questions of the SSC
- Appendix V: Summary of Public Testimony, January 8, 1982  
Public Hearing on Gulf of Alaska Amendment #11

# North Pacific Fishery Management Council

Clement V. Tillion, Chairman  
Jim H. Branson, Executive Director

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## MINUTES

### 45th Plenary Session NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

Westward Hilton Hotel  
Anchorage, Alaska  
December 7-9, 1981

The North Pacific Fishery Management Council convened at 9:10 a.m. on Monday, December 7, 1981, in the Alaska Room of the Westward Hilton Hotel, Anchorage, Alaska. The meeting continued until 3:20 p.m. on Wednesday, December 9, 1981. On Tuesday and Wednesday, December 8 and 9, the Council met with the Alaska Board of Fisheries to discuss issues of mutual concern and listen to staff reports and public testimony on the herring fishery in western Alaska.

The Scientific and Statistical Committee met in Anchorage on December 2 and 3, 1981 at the Council's headquarters conference room.

The Advisory Panel met from 10:30 a.m. to 7:30 p.m. on Sunday, December 6, 1981, in the Alaska Room of the Westward Hilton, Anchorage.

Council members, Scientific and Statistical Committee members, Advisory Panel members, and general public in attendance are listed below:

#### Council

Clement V. Tillion, Chairman  
Harold E. Lokken, Vice-Chairman  
Ronald O. Skoog  
Robert Mace, for John Donaldson  
Gene DiDonato, for Rolland Schmitt  
Chris Dawson, for Ray Arnaudo  
Leroy Sowl, for Keith Schreiner  
Donald E. Bevan

James O. Campbell  
John P. Harville  
Joe Demmert, Jr.  
RADM Richard Knapp  
Keith Specking  
Robert W. McVey  
Douglas B. Eaton

#### Scientific and Statistical Committee

Donald Rosenberg, Chairman  
Richard Marasco, Vice-Chairman  
William Aron  
John Burns

Al Millikan  
Larry Hreha  
Bud Burgner

### Advisory Panel

Robert Alverson, Chairman  
Robert Blake  
Larry Cotter  
Richard Goldsmith  
Joseph Kurtz  
Raymond Lewis  
Don Rawlinson  
Jeffrey Stephan

Greg Baker  
Alvin Burch  
Jesse Foster  
Weaver Ivanoff  
Richard Lauber  
Kristy Long  
Lewis Schnaper

### NPFMC Staff

Jim H. Branson, Executive Director  
Clarence Pautzke, Deputy Director  
Jim Glock  
Jim Richardson  
Peggy Hough

Peggy McCalment  
Judy Willoughby  
Steve Davis  
Jeff Povolny  
Rebecca Wetzler

### Alaska Board of Fisheries

Nick Szabo, Chairman  
Jim Beaton  
Griffin Quinton  
Herman Schroeder

Harry Sundberg  
Chris Goll  
Jimmy Huntington

### Support Staff

Ron Naab, NMFS  
Mark Miller, ADF&G  
Fred Gaffney, ADF&G  
Milstead Zahn, ABoF  
Ken Peterson, ADF&G  
Kirk Beiningen, ODF&W  
Steven Pennoyer, ADF&G  
Vidar Wespestad, NWAFC  
Craig Whitmore, ADF&G

Phil Chitwood, NMFS  
Patrick Travers, NOAA  
CDR Peter Busick, USCG  
Kris Hauschild, ABoF  
Carl Rosier, NMFS  
Guy Thornburgh, ADF&G  
Charles Meacham, Jr., ADF&G  
Steve Fried, ADF&G  
Robert Simon, CFEC

### General Public in Attendance

J.H. Lim, Korea Wonyang Fisheries  
Tim Tapping, F/V MUIR MILACH, Port Townsend, WA  
Charles J. Miller, Pan-Alaska Fisheries  
Don Martens, Office of the Canadian Consulate, Seattle  
Brent Whitmore, Seward Chamber of Commerce, Seward  
T. Shinya, Japanese North Pacific Longline and Gillnet Association  
Charles A. Lehn, Fish Producers Associates, Vancouver, WA  
Charles Jacobsen, Fish Producers Associates, Vancouver, WA  
Kit Adams, J.V. Fisheries, Ltd., Seattle  
Jim Saltiof, Bellingham Cold Storage, Seattle  
C. Y. Hwang, Korea Deep Sea Fisheries Association, Seoul, Korea  
J. C. Kim, KJFOC, Seoul, Korea  
C. H. Lim, Korea Wonyang Fisheries, Seoul, Korea  
K. Y. Lee, Korea Deep Sea Fisheries Association, Seoul, Korea

Tuck Bonney, Jonah Seafoods, Kodiak  
 John Schmiedtke, Nordstern, A.G., Seattle  
 Donald P. Swisher, Japan Deep Sea/Hokuten Trawlers Assn., Seattle  
 Philip R. Fuller, Fishing Ventures International, Inc., Seattle  
 Hugh Takagi, Japan Fisheries Association, Tokyo  
 Paul MacGregor, Japanese North Pacific Longline and Gillnet  
 Association, Seattle  
 Jay Hastings, Japan Fisheries Association, Seattle  
 A. P. Nielson, International Fisheries, Sitka  
 Kelly Roth, Office of the Consulate of Japan, Anchorage  
 Konrad S. Uri, F/V ARCTIC TRAWLER, Seattle  
 Leweth Lee, Columbia River Inter-tribal Fish Commission,  
 Pendleton, OR  
 Henry Mitchell, Bering Sea Fishermen's Association, Anchorage  
 Atti Remme, A.F.C., Anchorage  
 Don Mitchell, Alaska Federation of Natives, Anchorage  
 Jeff Hendricks, Jeff Hendricks and Associates, Anchorage  
 Bill Bittner, Anchorage  
 Michael Jones, Pribilof/Highly SeaProducts, Inc., Anchorage  
 Ed Naughton, Kodiak  
 Nathan Jim, Columbia River Inter-tribal Fish Commission, Warm  
 Springs, OR  
 Wilbur Johnson, Sr., Columbia River Inter-tribal Fish Commission,  
 Warm Springs, OR  
 Chip McConnaha, Columbia River Inter-tribal Fish Commission,  
 Portland, OR  
 Mick Stevens, Marine Resources Company, Seattle  
 Howard G. Arnett, Warm Springs Tribes, Bend, OR  
 Norman Cohen, Nunam Kitlutsisti, Anchorage  
 Lin Shwarz, Nome  
 Lewis Schnaper, Alaska Troll Legal Trust, Juneau  
 Ed Philemenof, Pribilof/Highly SeaProducts, Anchorage  
 Mel Monsen, Bering Sea Fishermens Association, Anchorage  
 Dave Hamille, Kodiak  
 Toru Fukui, Japan Deep Sea Trawlers Association, Tokyo  
 John B. Branson, Lake Clark, AK  
 Sid Nelson, Delta Junction, AK  
 Ryoza Kaminokado, Office of the Consulate of Japan, Anchorage  
 Hang Suck Chae, KMIDC, Seoul, Korea  
 O. K. Kim, Daiho Industries, Seoul, Korea  
 Edward Wojcek, Alaska Trollers Association, Juneau  
 Frank Steuart, Steuart Fisheries, Everett, WA  
 Odin E. Bendickson, East Point Seafoods, Seattle  
 Dennis Petersen, Ocean Spray Fisheries, Seattle  
 Bob Whitman, F/V ALASKA STAR, Sitka  
 George Matsuo, Anchorage  
 Jim Knudslay, Tanana Chiefs, Fairbanks  
 Phil Hanson, Dutch Harbor  
 Harvey Joe, Hooper Bay  
 Joe B. Perry, Cheevak  
 Chip Thoma, Juneau  
 Melvin Doehl, Anchorage  
 Jay Cherrier, Anchorage  
 John Stone, Cheevak

Vaughan Kruger, Denali Seafoods, Seattle  
Joe Mein, Nulato, AK  
Roy D. Painter, Nulato, AK  
T. Morehouse, Anchorage  
Joe McGill, Bristol Bay Herring Marketing Cooperative  
William Aihfson, Bristol Bay Herring Marketing Cooperative  
Rofauer Vance, Unalakleet  
Terry Hoeffferle, Bethel  
Karl Ohls, Alaska Fisherman, Juneau  
Roehl Koru, King Cove  
Paul Tubs, Unalaska  
Dave Herrnsteen, Kodiak  
Dr. Lee Alverson, Natural Resources Consultants, Seattle  
Jude Henzler, RuralCap, Anchorage

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

The meeting was called to order by Vice-Chairman Harold Lokken, who introduced Admiral C. Y. Hwang, President of Korea Deep Sea Fisheries Association; Hang Suck Chae, representing KMIDC; and J. H. Lim, of Korea Wonyang; Mr. Mitsuyoshi Murakami, representative of the Japan Fisheries Agency, Tokyo; Mr. Hugh Takagi, representing the Japanese Fisheries Association, Tokyo; Don Martens, of the Office of the Consulate of Canada, Seattle; and new Advisory Panel members Kristy Long and Greg Baker.

Vice-Chairman Lokken called for approval of the agenda and the minutes of the two September Council meetings. *Bob Mace moved that the agenda be adopted; seconded by Keith Specking. There being no objection, it was so ordered.*

*Bob Mace moved that the minutes for both the September 10-11 meeting in Kodiak and the September 24-25 meeting in Anchorage be approved as submitted; seconded by Ron Skoog. There being no objection, it was so ordered.*

B. SPECIAL REPORTS

B-1 Executive Director's Report

The Executive Director reported that amendments to the MFCMA based on Council testimony had been introduced in both the House and Senate. Though he had not been able to thoroughly review the bills, they seemed to respond to almost all the requests made by the Councils. A more detailed report will be available at the January meeting.

The Department of Commerce and U.S. Congress have asked nations fishing off the U.S. to increase, by several orders of magnitude, their over-the-side purchases of raw fish from American fishermen in 1982. Proposals range from as much as 20% of a foreign allocation being available only for over-the-side purchases, in

addition to whatever JVP is established for the fishery, to suggestions of several hundred thousand tons of over-the-side purchases by single countries.

Five appointments were recently made to the National Advisory Committee on Oceans and Atmospheres (NACOA). They are Carl Brady of Anchorage; John E. Knauss, chairman appointee; S. Fred Singer, appointed vice-chairman; Fitzgerald Beemis; and Vernon Scheide. One vacancy on the Committee still exists. Lee Alverson is a candidate for that position, but the appointment is not expected to be announced for several months. Six positions which will be available in July 1982 are being advertised in the Federal Register at this time.

Three appointments were recently made to the Marine Mammal Commission: James Nofziger, a mariculture consultant from California; Donald K. McCallum, a professor of anatomy at the University of Michigan; and Robert Weeden from the University of Alaska.

The Executive Director told the Council that Charles Parsons of Homer has resigned from the Advisory Panel.

The proposed foreign fee schedule for 1982 was included in the briefing books and showed substantial increases in fees charged for fish taken by other nations in the FCZ.

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

Mark Miller reported that Alaskan groundfish landings are up more than 250% over 1980, with total landings through the end of October of 237.1 million pounds. Eleven percent of the catch was processed by domestic operations; 89% by joint venture processors. About 81% of the catch was landed in the Bering Sea.

The 1981 king crab fishery continues to be depressed with a total Alaska catch of 76 million pounds as of November 15. This compares to the 1980 total catch of 186 million pounds. Prices vary from \$2.25/pound in Kodiak to \$2/pound in Dutch Harbor.

Tanner crab catches off Alaska are down about 15% from 1980 with a total catch through October of approximately 105 million pounds, compared to 121.7 million pounds at the same time last year. Most of the 1981 landings came from the Bering Sea.

The preliminary final catch of salmon off Alaska for 1981 was 109,872,300 fish, compared to landings of 110,283,100 fish in 1980. A complete report on 1981 salmon landings will be given at the January meeting in Juneau.



B-3 Foreign Fisheries Report by the National Marine Fisheries Service

Phil Chitwood reported that just over 79%, or 1,173,000 mt of the 1,480,000 mt Bering Sea TALFF, had been caught by foreign nations fishing off Alaska as of November 14. Japan has taken 82% of its 1,181,000 mt allocation; South Korea 81% of its 180,000 metric tons; Poland 64% of its 74,000 metric tons; West Germany 39% of its 23,000 mt allocation; and Taiwan 19% of its 21,000 mt allocation. Bering Sea catches were 79% pollock, 13% flatfish, 2% Pacific cod, 1% Atka mackerel, and 5% other species.

Running slightly behind last year's Gulf of Alaska catches, about 56% or 208,000 of the 374,000 mt Gulf of Alaska TALFF, had been taken as of November 14. Japan has taken 86% of its 219,000 mt allocation; South Korea 84% of its 88,000 mt allocation; and Poland 39% of its 64,000 mt allocation.

Mr. Chitwood noted that percentage species composition of joint venture catches has changed drastically since the first joint venture fisheries off Alaska. In 1979 the total joint venture catch was 1,507 mt, of which 47% was cod, 38% pollock, and 15% other species. By 1981 the catch had grown to 95,408 mt with 62% pollock, 23% flounders, 10% Pacific cod, and 5% other species.

Ron Naab reported that since the last Council meeting the number of foreign vessels fishing off Alaska has fallen from 249 to 128 on November 28, 1981. This sharp decline can be partially attributed to the final departure of the Japanese factoryship fleet and the decline in activity by the Polish fleet fishing for pollock. He noted that the Gulf of Alaska was closed to bottom trawls as of December 1. Only one Japanese trawler remained in the Gulf, reportedly using pelagic gear. Sixty Japanese stern trawlers and seven longliners were active in the Bering Sea fishing for pollock and flounders. Seven Japanese stern trawlers and one longliner fished the Aleutians.

Sixteen Polish stern trawlers and two support vessels fished for pollock west of Kodiak in the Gulf of Alaska. Two Polish vessels operated in the Bering Sea for pollock, one fishing alone and one in a joint venture.

South Korean activity included eleven vessels in the Bering Sea fishing for pollock and flounders, one of which was involved in a joint venture, and two vessels in the Gulf of Alaska fishing for pollock and Atka mackerel.

The West German vessel FRIEDRICH BUSSE fished for pollock north of the Shumagins in the Bering Sea. As of November 28 there were no Soviet vessels operating off Alaska.

A comparison of vessel days for 1980 and 1981 showed that foreign effort was down throughout the year with the exception of March, which was approximately the same as in 1980.

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

CDR Pete Busick reported that since the last Council meeting the Coast Guard issued seven citations and nine reports of violation to three Japanese, one Taiwanese, and four South Korean vessels. Infractions included underlogging, failure to properly maintain readability of vessel international radio call signs, failure to provide a safe boarding ladder, failure to minimize catch of and improper discarding of prohibited species, and failure to fully maintain daily cumulative catch logs and prohibited species disposition logs. Through the end of November the Coast Guard had made 273 boardings off Alaska, 22% of which resulted in detection of infractions.

B-5 Joint Venture Operations

Following are reports on 1981 joint venture operations off Alaska. Reports of Council action on 1982 joint venture requests are contained in section D-1, Review of Permit Applications.

Marine Resources Company

Mick Stevens reported that the Marine Resources Company yellowfin sole joint venture ended on September 29 with a total catch of 31,855 mt. Approximately 54% of the catch was food grade flounder, 18% food grade Pacific cod, and 28% fishmeal. The fishery lasted 150 days and employed eight to nine U.S. catcher vessels and five to six Soviet processors. Mr. Stevens said that MRC is planning a similar fishery in 1982.

Korean Joint Venture

Admiral Hwang, president of the Korea Deep Sea Fisheries Association, and attorney Hong K. An reported on the 1981 joint venture with Fish Producers Associates and their plans for 1982. In 1981 the venture took about 30,000 mt, 39% of their original JVP request of 77,500 mt. They said they realized there were many problems with operations in 1981 and assured the Council that the 1982 fishery would be handled in a more businesslike manner.

Kit Adams of Joint Venture Fisheries, LTD., James Talbot, owner of Bellingham Cold Storage, and J. C. Lim, President of Dong Wan Industries, explained their 1982 joint venture proposal to the Council.

Charlie Jacobsen of Fish Producers Associates reviewed the problems between U.S. and Korean partners in the 1981 joint venture. He said that FPA is negotiating for a 1982 joint venture with the Koreans in the Bering Sea.

Frank Bohannon submitted written testimony outlining problems in the Korean joint venture in 1981. A copy of his letter is made a part of these Minutes as Appendix I.

### West German Operations

John Schmeidtke of Nordstern, A.G. reported that the FRIEDRICH BUSSE ended its operation in the Bering Sea on September 1, 1981 after purchasing about 3,000 mt of U.S.-caught fish. Their original JVP request was 26,020 mt (17,000 mt in the Bering Sea/Aleutian Islands, 8,000 mt in the Gulf of Alaska, and 1,020 mt miscellaneous).

### Taiwan/St. George Tanag

Mike Jones of Pribilof-Highly SeaProducts and Ed Philemonoff of St. George Tanag Corporation reported that about 4,464 mt of groundfish were taken in the 1981 joint venture between St. George Tanag and Highly Enterprises of Taiwan. The lower than expected catch was attributed primarily to mechanical failures on the Taiwanese vessels. Extensive repairs have been made to the GOLDEN DRAGON and Highly Enterprises intends to commit its newer vessel, HIGHLY 301, to the 1982 operation.

Mr. Jones reviewed problems with the 1981 training program and outlined steps to be taken next year to alleviate some of these problems.

### Taiyo/Pan-Alaska Fisheries

Hugh Takagi, representing Japan Fisheries Association, Tokyo, and attorney Jay Hastings reported that the 1981 Taiyo joint venture harvested 5,315 mt of pollock and cod from April 11 to June 1. This catch was 76% of the 7,000 mt JVP allocation requested.

Their plans for 1982 involve four Japanese companies. Mr. Takagi said that they expect the 1982 joint venture permits to come before the Council in January, but specific details on the proposed operations were not yet available.

### Public Testimony

Dick Goldsmith, Executive Director of the North Pacific Fishing Vessel Owners Association, read excerpts of his November 6, 1981 letter to Deputy Assistant Secretary for Oceans and Fisheries Affairs Ted Kronmiller, outlining the need for large trawler-crabbers to become involved in joint ventures in 1982. Mr. Goldsmith suggested that the urgency of the situation is attributable to the low king crab harvest in the Bering Sea this year.

Hank Ostrosky said that he was troubled because western Alaska has no true representation on the North Pacific Council.

Larry Cotter, representing the International Longshoremen's and Warehousemen's Union, testified on the uncertain future of joint ventures off Alaska and asked the Council to undertake a complete analysis of the merits of joint ventures. A copy of Mr. Cotter's comments are made a part of these Minutes as Appendix II.

John Durkin, 20-year salmon fishermen, said that enforcement efforts must be increased to protect U.S. fishermen.

Dr. Lee Alverson of Natural Resources Consultants, Seattle, reported that preliminary U.S. expectations for 1982 cod landings total 59,000 mt, compared to actual landings of 35,300 mt in 1981. Approximately 24,000 mt is expected to be taken in joint ventures; 18,000 mt in the salt cod fishery; 15,000 mt by U.S. factory trawlers; 1,000 mt for bait; and 1,000 mt for fresh fish. Seven vessels processing on-board expect to work in the salt cod fishery in 1982. Four shoreside salt cod processors will be supplied by as many as 20 additional catcher vessels.

Dr. Alverson endorsed Larry Cotter's proposal for an analysis of the future of joint ventures off Alaska.

#### B-6 AP and SSC Reports on Non-Agenda Items

At the request of Council staff the SSC reviewed the operation of the plan maintenance team concept. Extensive discussion which resulted during this review between Council staff, members of PMT's, and the SSC led the SSC to conclude that confusion does exist regarding the role and duties of these teams. The SSC recommended that the Council appoint a subcommittee to review the status of and recommend changes to the make-up and charge of these teams. They suggested that the subcommittee be composed of representatives of the Council, the staff, the SSC, the AP, and the teams, and recommended Bill Aron, Al Millikan, and Don Rosenberg as SSC representatives.

The SSC recommended that the Council staff provide a draft document for the subcommittee to review during the January meeting, with final review during the March meeting and implementation of any changes by April.

*The Council appointed William Aron, Don Rosenberg, Ron Skoog, Robert Alverson, Robert McVey, and Jim Branson to serve on the workgroup to explore the role and composition of plan maintenance teams and report to the Council at the March meeting.*

#### C. OLD BUSINESS

##### C-1 King and Tanner Crab Observer Program

This agenda item is addressed under E-4, Tanner Crab FMP.

##### C-2 Update Council Workgroups

The Executive Director asked Council members to give their requests for changes in membership on Council workgroups and/or subgroups to Council staff members. The total list will be updated and distributed in a Council mailing.

### C-3 Free Port Status

At the September Council meeting John Schmeidtke of Nordstern, A.G., asked the Council to consider establishing a free port in Alaska for foreign vessels to offload their catches for further transshipment. The first requirement for establishing a free port is to identify the specific port to be opened so port security and other sensitive issues may be evaluated at higher levels in the Department of State.

#### Public Testimony

Brent Whitmore, representing the Seward Chamber of Commerce, thanked the Council for their recommendation to the State Department that Seward be designated as an R&R port for the Polish fleet.

Larry Cotter, representing the International Longshoremen's and Warehousemen's Union, told the Council that the Dutch Harbor City Council adopted a resolution encouraging further study into establishing a foreign trade zone in the Dutch Harbor area. If established, a foreign trade zone may be able to attract products from joint venture operations.

Mick Stevens of Marine Resources Company, Seattle, noted that one advantage to establishing a foreign trade zone in Dutch Harbor would be the availability of technical services in an area easily accessible to fishermen. He felt the idea was worth further study.

The Advisory Panel heard a report from Larry Cotter citing potential gains in employment if a free port were opened in Alaska. The Advisory Panel decided not to take a position on this issue until additional information is available.

The Council took no formal action toward investigating free port status at the December meeting.

### C-4 Foreign Processing in State Internal Waters

The current issue of foreign processing in State internal waters first came to the Council's attention in April of 1981 when John Gissberg reported on the Bering Sea Herring Marketing Association's lawsuit to enjoin the State from prohibiting foreign processing in State internal waters. This subject was debated at length at the June 1981 Council chairmen's meeting in Homer in light of Senator Stevens' draft enabling legislation which would, for 1981, leave the determination whether or not to allow foreign processors into State internal waters to the discretion of the governor of the state involved, with Secretarial concurrence. The chairmen were unable to agree and therefore no position was taken.

The general stance of the North Pacific Council, though never specifically stated for the record, has been that foreign

processing in State internal waters may be allowed with the concurrence of the governor of the state concerned. Council member Don Bevan testified to this effect before the House Subcommittee for Fisheries and Wildlife Conservation and the Environment on September 24 in Washington, D.C. He explained that historically foreign processors have been allowed into Alaska's internal waters at times when domestic processing capacity has been insufficient to handle unexpectedly large runs of salmon and herring.

The State established a task force to deal with this issue and develop draft legislation for submission to the U.S. Congress.

Ron Skoog reported on the task force's November 30 meeting at which the State had hoped to formulate its final position. Commissioner Skoog noted that there is currently no federal law covering this problem unless State regulations are in place. State regulations would probably not stand up in a U.S. court. He said there must be a federal law applicable to the problem and outlined two options for consideration:

- (1) that there be no foreign processors from three miles in to shore; or
- (2) that the State may have the option to invite foreign processors in when a demonstrated surplus of any species cannot be processed by domestic processors. This action would have to be taken by the governor of the state.

To effect the second option, the governor of the state must certify that the volume of fish exceeds processing and transporting facilities; that no practical opportunity for U.S. processors to utilize the surplus exists; that there is likelihood of wastage; that granting the exception will have no adverse effects on the U.S. industry.

Commissioner Skoog reported that the task force is currently trying to arrive at a consensus between fishermen and processors so that enabling legislation can be finalized. The two groups are now somewhat amenable to the second option above if it applies only to Alaska. He said the staff for the Subcommittee for Fisheries and Wildlife Conservation and the Environment feels that an "Alaska only" position will meet with considerable opposition in Congress. A unified position between the State and Council may be beneficial in securing an "Alaska only" remedy.

The Advisory Panel chose not to take a position on this issue until they had received a briefing on the November 30 task force meeting and reserved the right to comment after hearing such report.

*Don Bevan moved that the Council reserve comment at this time on exact language for the enabling legislation, but approve in principle the concept of allowing foreign processing in internal*

waters when, upon approval of the governor in consultation with the Secretary of Commerce, domestic processing capacity is insufficient to handle the demands of the fishery; seconded by Ron Skoog. The motion carried unanimously.

#### C-5 Other Old Business as Appropriate

Don Bevan suggested that a small committee be formed to review the final draft national standard guidelines.

*It was the consensus of the Council that the Chairman and Executive Director should set up a National Standards Guidelines Review Committee to be activated for Council review upon publication of the draft guidelines in the Federal Register.*

#### D. NEW BUSINESS

##### D-1 Review of Permit Applications

##### Polish Permit

The Council received a permit request from the Polish vessel ANDROMEDA to fish in the Gulf of Alaska and Bering Sea for pollock, Atka mackerel, Pacific cod, and other species. In 1981 the ANDROMEDA was charged with a 9,206 mt underlogging (27%) of its catch of pollock. A Notice of Violation and Assessment in the amount of \$25,000, civil penalty, was issued by the NOAA general counsel's office. Final settlement of the case is pending.

The Permit Review Committee recommended that no permit be granted until the pending case is settled, and if the vessel is found guilty of the charges, that Poland's allocation be reduced by the average annual expected catch for a vessel of that type.

The Advisory Panel suggested that if substantial fines are assessed against the owners of the ANDROMEDA as a result of the 1981 violation, the 1982 permit be revoked.

Bob McVey acknowledged that underlogging is one of the most serious problems in the foreign fisheries off Alaska, but was concerned that the Permit Review Committee's recommendation might, in fact, be equivalent to suspending a permit before the case is settled. He suggested that the Council make no recommendation on the permit request or stipulate that the permit may be issued with the proviso that the Council will recommend revocation if guilt is proven.

The Council discussed the question of withholding a permit before guilt is proven. Admiral Knapp felt that recommending denial of the permit would be the most reasonable solution from an enforcement standpoint. Keith Specking felt this action may encourage the Polish government to settle the case as quickly as possible.

*Bob Mace moved that the Council recommend that no permit be granted to the ANDROMEDA until the case is settled and, if the vessel is found guilty of the charges, that Poland's allocation be reduced by the average annual expected catch for a vessel of that type; seconded by Harold Lokken. Upon call for the question, the motion carried with Don Bevan and Robert McVey in objection.*

#### Soviet/Marine Resources Company Joint Venture

The U.S.S.R. applied for a vessel permit for the processor SULAK to work in the joint venture operation of Marine Resources Company in 1982. Marine Resources expects to catch and process 38,000 mt in the Bering Sea and 20,000 mt in the Gulf of Alaska, primarily pollock, Pacific cod, and Atka mackerel. The same eight U.S. catchers will participate in both the Bering Sea and Gulf of Alaska fisheries. They expect to operate from January 15 until December 31, weather permitting. Prices to be paid for U.S.-harvested fish are still under negotiation and the fish will be processed into rounds, headed and gutted, and fillet products and sold by MRC in the international export market.

Mick Stevens of Marine Resources Company reported that in 1981 MRC harvested about 48,000 mt, or 66% of the JVP allocation originally requested. MRC's winter/spring pollock fishery in the southeastern Bering Sea caught 16,164 mt (83% food grade pollock, 6% Atka mackerel, 5% Pacific cod) and their yellowfin sole fishery in the Bering Sea caught 31,855 mt (54% food grade flounder, 18% food grade Pacific cod, and 28% fishmeal).

The Permit Review Committee noted that the Soviet allocation request for the Bering Sea included 5,000 mt of Pacific herring. The Committee recommended approval of the permit with the availability of Pacific herring dependent upon the provisions of the Herring FMP or a similarly-implemented PMP. Any existing surplus would not be available until the fall of 1982.

The Advisory Panel recommended approval of the joint venture permit for the SULAK with the deletion of their request for 5,000 mt of Pacific herring.

*Don Bevan moved that the Council approve the permit application for the mothership SULAK with the stipulation that the availability of Pacific herring as requested by MRC will be dependent upon the provisions of the Herring FMP or a similarly-implemented PMP and will not be available until the fall of 1982; seconded by Bob Mace. There being no objection, it was so ordered.*

#### West German Permits

West Germany requested vessel permits for two stern trawlers, the FRIEDRICH BUSSE and the REGULUS, to operate alone and in joint ventures in the Bering Sea and Gulf of Alaska in 1982. In conjunction with these permits, Hochseefischerie Nordstern, A.G., anticipates a joint venture harvest of 10,000 mt in the Bering



Sea and 4,500 mt in the Gulf of Alaska, mostly pollock and cod. West Germany also requested direct allocations of 22,000 mt and 5,000 mt in the Bering Sea and Gulf of Alaska, respectively, to keep the factory trawlers operating when U.S.-caught fish are not available. Operations are expected to last from February through September and Nordstern expects to pay approximately 11¢/pound for Pacific cod, 7¢/pound for pollock, and 1.5¢/pound for fish for fishmeal. The products would be marketed primarily in Europe with samples possibly going to U.S. markets.

For 1981 Nordstern requested 63,200 mt but was allocated only 21,481 mt in the Bering Sea and 1,200 mt in the Gulf of Alaska. As of October 24 they had taken 42% of their Bering Sea allocation and none of the Gulf allocation. Nordstern purchased about 3,000 mt in joint venture operations that ended September 1, 1981.

During 1981 the FRIEDRICH BUSSE was involved in three alleged violations with assessed combined penalties of \$237,500. All three cases are pending.

The Permit Review Committee recommended approval of only the joint venture permits for the FRIEDRICH BUSSE and the REGULUS and recommended that no directed fishery permit for the BUSSE be granted until the pending cases are settled. Further, if the FRIEDRICH BUSSE is found guilty of the charges, they suggested that West Germany's allocation be reduced by the average annual catch for that type of vessel.

Both the Advisory Panel and Council heard comments from John Martin of Alaska Foods who originally signed a contract with Nordstern for the purchase of bottomfish. Alaska Foods was generally displeased with the lack of purchases by Nordstern. John Schmeidtke, representing Nordstern, countered that Alaska Foods' packaging procedures were inadequate and that Alaska Foods had not responded to Nordstern's suggestion that a Nordstern representative supervise the packaging process.

The Advisory Panel recommended that the applications for the BUSSE and the REGULUS be approved pending the outcome of the allegations against the FRIEDRICH BUSSE, but if serious violations are substantiated, that the permits be revoked.

Jeff Hendricks and Sean Kelly of Jeff Hendricks and Associates testified in favor of the West German joint venture applications. Four of their company's vessels expect to work in the 1982 joint venture with the FRIEDRICH BUSSE and the company has gone to great expense to convert the vessels for use as trawlers.

*Ron Skoog moved that the Council recommend approval for the joint venture permits only, and that no directed fishery permit be granted to the BUSSE until the pending cases are settled; and if the FRIEDRICH BUSSE is found guilty of the charges, that West Germany's allocation be reduced by the average annual catch for*

that type of vessel. The motion was seconded by Bob Mace. Upon call for the question, the motion passed with Don Bevan and Robert McVey in opposition.

#### Korean Joint Venture Permits

Chris Dawson, Department of State representative, delivered applications for 27 Korean vessels expecting to participate in 1982 joint ventures. None of the vessels had violation records and all but three had already received direct fishing permits. The Korean vessels requested JVP allocations of 30,700 mt for Korea Wonyang Fisheries and 16,500 mt for Joint Venture Fisheries, Ltd., primarily pollock, Pacific cod, and flounders. The Koreans also asked that up to 20% of the joint venture allocation be granted for direct fishing when U.S. catchers could not provide sufficient amounts of fish in areas which would normally be closed to foreign fishing.

In 1981 the South Korean joint venture caught about 30,000 mt, or 39% of their original request of 77,500 mt.

The Permit Review Committee recommended approval of the 27 Korean joint venture applications but did not act on the request for 20% of the joint venture allocation to be designated for directed fishing in areas which would normally be closed to foreigners. This action could only be addressed in an amendment to the plan.

*Bob Mace moved that the Council recommend approval for the 27 Korean joint venture permits; seconded by Ron Skoog. The motion carried unanimously.*

#### Soviet Tanker Permit

The Council received a 1981 permit application for the Soviet tanker RAUMA to bunker fishing vessels of the Polish People's Republic authorized to operate in joint ventures in the Bering Sea and Gulf of Alaska groundfish fisheries.

The Permit Review Committee recommended approval of the permit for the RAUMA and recommended that the Council give the Executive Director authority to approve permits such as this for tankers wishing to support vessels of other nations fishing off Alaska.

*Harold Lokken moved that the Council accept the recommendation of the Permit Review Committee; seconded by Bob Mace. The motion was unanimously adopted.*

#### St. George Tanaq/Taiwanese Request

St. George Tanaq asked the Council to endorse an allocation to Taiwan in the same amount as their 1981 allocation so the Pribilof-Highly SeaProducts operation can be continued. Taiwan's 1981 allocation was 19,607 mt, of which only 4,464 mt were taken. St. George Tanaq wants to continue to develop a fishery for the residents of the Pribilofs and offer at-sea training for island residents aboard the Taiwanese vessels.

The Permit Review Committee recommended that the Council endorse the Taiwanese allocation request, making it clear that the Council expects significantly more of the allocation to be utilized in 1982 in order for a similarly large allocation to be recommended again.

*Bob Mace moved that the Council accept the recommendation of the Permit Review Committee; seconded by Ron Skoog. There being no objection, it was so ordered.*

#### Council Policy for Utilization of Joint Venture Allocations

The Permit Review Committee recommended that the Council develop a policy stating what is expected as a minimum level of utilization for joint venture allocations requested.

*It was the consensus of the Council that a draft policy outlining reasonable performance standards on joint venture allocations be presented for Council consideration at a future meeting.*

#### D-2 Revisions to SOPPs

On August 19, 1981 the Council's Statement of Operating Practices and Procedures, approved at the July Council meeting, were sent to the Central Office of NMFS for publication in the Federal Register. In a letter dated October 15, Robert Crowell, Deputy Executive Director of NMFS, suggested changes he believes are necessary before the SOPPs can be published in the Federal Register. His suggestions referred to page 7 of the SOPPs, General Rules of Procedure, and page 11, Conduct of Plan Development Team Meetings.

Pat Travers, NOAA general counsel, told the Council that GCF believes that PDT's and PMT's are not advisory committees and, therefore, are not subject to the provisions of the Sunshine Act. PDT's and PMT's function in the same manner as staff meetings so long as the PDT or PMT does not make specific recommendations for action to the Council.

*It was the consensus of the Council that the original language in the July 1981 SOPPs be confirmed. The Council instructed the Executive Director to write a letter to Mr. Crowell asking him to publish the SOPPs in the Federal Register as submitted.*

#### D-3 Review of Model Draft GIFA

On November 6 the Department of State forwarded a model draft GIFA text to be used in upcoming GIFA renegotiations for the Council's review and comment.

The Executive Director reviewed the model GIFA and noted that it puts heavier emphasis on tariff or other restrictions on market access of United States' fish and general cooperation with the United States in advancing opportunities for fisheries trade than

have previous GIFAs. The extent to which fishing vessels of other nations traditionally engaged in fishing in the U.S. FCZ is much further down the list of factors governing allocations than previously.

The Executive Director suggested two changes to the text. On page 1, Article I, second line, the words "optimum yield" should be dropped so that the sentence reads: "The purpose of this agreement is to insure effective conservation and rational management ...."

On page 2 he suggested removing the conjunction "and" between "recreational" and "economic", replacing it with the word "or". This would allow the sentence to read that recreational and economic characteristics are indissolvably mixed and that all five of the characteristics listed, that is, "... geographical, scientific, technical, recreational, or economic ..." must be present before a stock of fish can be treated as a unit.

RADM Richard Knapp agreed with the changes suggested by the Executive Director and suggested that the second paragraph of page 1 should also be changed to read: "Considering their common concerns for the rational management and conservation of fish stocks off the coast of the United States; ...."

*It was the consensus of the Council that the Executive Director write a letter to Deputy Assistant Secretary Kronmiller suggesting the changes to the text noted above.*

#### D-4 Other New Business as Appropriate

##### Capital Construction Funds

Bart Eaton suggested that the Council staff economist research the possibility that fishermen having existing capital construction funds may invest those funds in shore-based processing facilities rather than using them to purchase or renovate vessels. Mr. Eaton felt this may be a way to provide access to capital for shoreside operations.

*Staff economist Jim Richardson was asked to find out what, if any, impediments exist to prevent the use of Capital Construction Funds for shore-based operations and report to the Council at the January meeting.*

##### Recognition of Council Appointments

Jim Campbell presented Certificates of Appointment to Harold Lokken and Keith Specking in honor of their recent appointments to the North Pacific Council by Secretary of Commerce Malcolm Baldrige.

## E. FISHERY MANAGEMENT PLANS

### E-1 Salmon FMP

#### Report on Washington Department of Fisheries/National Bureau of Standards Salmon Interception Model Workshop

The salmon interception model workshop was held in Seattle on October 20-21. Fred Johnson of the National Bureau of Standards reviewed the development of the model and described its function in detail. Washington Department of Fisheries personnel described the model's application and the stocks currently included in the program. There was considerable discussion about the mechanics of the model, but the emphasis was on input data and use of the output. There was general agreement that the model is mechanically and mathematically sound. There was disagreement about the validity of certain assumptions and the appropriateness of certain input parameters. The model is being modified to overcome its limitations in handling "steady state" problems, i.e., the fact that population changes can be evaluated only over a four-year period rather than annually.

The Scientific and Statistical Committee made the following recommendations for future use of the model:

1. That the documentation of the model and the data sources be completed;
2. That sensitivity analysis be undertaken on the model;
3. That pre-processors and post-processors be developed and documented for the model; and
4. That guidelines for updated maintenance of the model be established.

The SSC plans to continue their discussion with the Pacific Council SSC to develop specific recommendations to implement the conclusions of the workshop.

#### PDT/PMT Membership for Tribal Representative

The Columbia River Inter-tribal Fish Commission petitioned the Council to put a member of their scientific staff on the PDT and PMT for salmon. They submitted the resume of Willis "Chip" McConnaha, fishery biologist, for SSC and Council review.

The Advisory Panel voted against allowing tribal representation on the Salmon PDT/PMT. Their reasons were:

1. That treaty Indians are only a subset of Oregon and Washington user groups and, as such, have no special status before the North Pacific Council;

2. That the recent Craig decision did not require this action; and
3. That it would be unfair to include the treaty Indians on the Plan Development Team since no other Alaska, Washington, or Oregon user groups are represented.

The SSC reviewed the concepts regarding the makeup and duties of the Plan Maintenance Team with specific reference to the Salmon PMT. Membership on the teams was to be from the primary agencies who have responsibility for fisheries management off Alaska. For the Salmon FMP they are the Alaska Department of Fish and Game and the National Marine Fisheries Service. The SSC recommended that the various management agencies in the Washington and Oregon region have one representative on the team, currently Mike Fraidenberg from the Washington Department of Fisheries. The SSC recommended that PMT membership be kept to a minimum and be limited to primary management agencies. They recommended that the team not be expanded to include another member. The SSC also reviewed the status of the current PDT for the Salmon FMP and felt that this team should also be kept as small as possible and recommended no increase in membership.

The SSC reviewed the resume submitted by the Columbia River Inter-tribal Fish Commission and found the individual nominated to be suitable as a team member.

Bob Mace asked Pat Travers if tribal representation on the PDT/PMT was stipulated as a requirement in Judge Craig's order of August 4. Pat Travers responded that the order made no requirement one way or the other on this point. The tribes have implied, however, that they will ask the Judge to appoint a member to the PDT/PMT if the Council does not do so voluntarily. He added that voluntarily appointing a tribal representative may have some effect as a visible demonstration of good faith on the part of the Council.

*Bob Mace moved that Willis "Chip" McConnaha be appointed to the Salmon PMT and PDT as a representative of the Columbia River Treaty tribes; seconded by Gene DiDonato.*

The Council discussed the applicability of nominating a tribal representative to both the PDT and PMT, particularly in light of the fact that the PMT concept is currently under review by a Council workgroup.

*Both the mover and second agreed to amend the motion to call for tribal representation only on the Salmon Plan Development Team at this time.*

#### Public Testimony on the Motion

Lewis Schnaper, representing the Alaska Trollers Legal Trust, testified against appointing a tribal representative to the PDT. He said that the Alaska Trollers Association has been struggling

for years even to attend PDT meetings. He said the tribes are just another user group. He had no objection to opening up membership on the PDT to all the various user groups, but not just to the Indians.

Howard Arnett and Chip McConnaha, representing the Columbia River Inter-tribal Fish Commission, said they supported the Council's motion to appoint tribal representation only to the PDT because the PMT concept is unclear at this time. They said that if the PMT will be involved in decision-making capacities, they would want to be involved.

#### Vote on the Motion

*Upon call for the question, the motion carried with Bart Eaton in objection.*

*Ron Skoog moved that the Council acknowledge the Alaska Trollers Association request for representation on the Salmon Plan Development Team and asked the Alaska Trollers Association to submit a resume for their nominee for PDT membership for consideration at the January meeting; seconded by Don Bevan. There being no objection, it was so ordered.*

#### Update on Confederated Tribes v. Baldrige

Pat Travers reviewed the status of the Confederated Tribes v. Baldrige case. The technical working group will develop a set of alternatives for review by the Plan Development Team before the January meeting. The Plan Development Team will prepare a set of proposals and/or analyses of the technical group's report for the Council at the January meeting.

Plan Coordinator Jim Glock suggested that the Council plan to hold public hearings and select preferred options at the January meeting, with final approval of the amendment in March, opening the season by emergency order as was done last year.

#### E-2 Herring FMP

The Alaska Department of Fish and Game presented a report on the Pacific herring stocks and fisheries in the Eastern Bering Sea in 1981. A total of 17,652 mt of Pacific herring and 207.1 mt of spawn-on-kelp were harvested in the Eastern Bering Sea commercial fishing districts during 1981. This was the second highest Pacific herring harvest and the highest spawn-on-kelp harvest recorded since these fisheries began in the 1960's. Estimated total value of the harvest to fishermen was \$6.2 million. Subsistence fishermen representing 138 families from the Yukon-Kuskokwim Delta villages harvested an estimated 70 mt of herring. Average roe recovery from commercially harvested herring was 8.9%. Approximately 10% of the total estimated herring biomass of 182,500 mt was harvested. Age four herring (1977 year class) comprised 50% of the total run and 46% of the total catch. Season openings in Togiak, Security Cove, and

Goodnews Bay Districts were regulated through emergency orders during 1981. This provided for an orderly fishery, high roe content recovery, and minimal wastage. It also insured a normal onshore migration of herring resulting in extensive spawn deposition and allowed the Department to make periodic reassessments of the resource. Due to the large recruitment of young herring, the Department anticipates harvestable surpluses of herring will be available in all districts in 1982. Management strategies for 1982 will be similar to those in 1981.

Aerial surveys were flown throughout the herring spawning season in all fishing districts except Cape Romanzof to determine relative abundance, distribution, and biomass of herring schools. Occurrence and extent of milt, numbers of fishing vessels, and visibility factors affecting survey quality were also recorded. A total of 204 hours were spent in aerial surveys, the most intensive aerial coverage ever achieved. Weather and sea conditions were generally better than past years, but storms and turbid water hampered survey coverage during portions of the season in most districts.

Contracted purse seine vessels provided data on tonnage per unit surface area for twelve herring schools within the Togiak district. Test fishing with variable mesh gillnets and sampling of all commercial landings was conducted in all fishing districts to determine age, size, and sexual maturity of herring and to estimate occurrence and abundance of other schooling fishes. A limited number of ground surveys were conducted in most districts to obtain information on the extent and density of herring spawn-on-kelp.

#### Public Testimony

Ray Lewis, representing Alaska Packers Association, testified that the Board's guidelines under which ADF&G fishery managers must operate are too narrow and restrictive. He said that Alaska Packers took 1,700 short tons of herring in the 1981 Togiak fishery, but had intended to take as much as 4,000 short tons had the fish been available.

Lee Alverson, representing Natural Resources Consultants of Seattle, made a point of clarification regarding the age of maximum biomass. ADF&G reported that this was at approximately five years. Mr. Alverson said that the age of maximum biomass is approximately three years. There is much deterioration after the three to five year period and maximum recruitment is at age five in mature fish in the reproductive state.

Harold Sparcks, representing Nunam Kitlutsisti, said that federal funding cutbacks will encourage more villagers to engage in the subsistence herring fishery. He asked the Council and Board to come up with a plan which will protect the biomass, protect subsistence harvests, and where feasible, have a commercial fishery, but restrict entirely any high seas herring fishery in the Bering Sea.



Art Neilson, representing International Fisheries, Sitka, stressed the continuing importance of the subsistence herring fishery.

John Stone, Joe Paniak, and Harvey Joe of Cheevak, Hooper Bay and Cape Romanzof, testified in support of area registration for the Cape Romanzof district in order to help local fishermen pay back money borrowed from Alaska Renewable Resources.

Weaver Ivanoff, Paul Johnson, and Caleb Dotermaine, representing the Norton Sound Fish Coop and Bering Straits Native Corporation, testified in favor of exclusive registration for the Norton Sound district. They opposed Board proposal 8, which would establish a maximum vessel length of 30 feet for herring gillnet vessels in the Norton Sound District.

Paul John, representing the United Villages, said that the villagers need all the herring available to feed their families.

Mark Tom of Liptuk asked the Council and Board to give serious consideration to Nelson Island stocks, upon which his people rely so heavily for food. They have no interest in a commercial fishery.

Peter Matthew of Cheevak testified that the issue of subsistence should always come first in the herring fishery.

Jack U. Williams, Sr. of Mekoryuk testified in opposition to Board proposal number 2, which would open the Nunivak Island area to herring fishing and allow the use of seines. He stressed the need for subsistence to take priority over all other fisheries because the natives of western Alaska depend on it to feed their families.

Richard Goldsmith, Executive Director of the North Pacific Fishing Vessel Owners Association, testified in opposition to Board proposals 1, 3, and 7, which would establish exclusive registration areas in Security Cove, Goodnews Bay, Cape Romanzof and the Norton Sound districts.

He testified in favor of Board proposal 44, submitted by the North Pacific Fishing Vessel Owners Association, to allow a high seas trawl fishery in the Bering Sea. Mr. Goldsmith testified that the Association believes that management of the herring resource by the North Pacific Council and the State of Alaska should be coordinated. Allowing a domestic offshore trawl fishery will meet the Council's objectives to promote full utilization of the herring resource by domestic fisheries, to encourage development of herring fisheries in western Alaska, and to provide, to the extent possible, a unified management regime between federal and state jurisdictions. He felt an offshore trawl fishery would provide much needed information on herring behaviour and abundance, herring's interactions with other fish, and the origins and distributions of herring stocks in offshore waters.

Mick Stevens, representing Marine Resources Company of Seattle, said that in 1981 Marine Resources purchased 81,000 mt of fish from American fishermen, 41,000 tons of which came from the Alaska region. He said that MRC had been denied a joint venture high seas herring fishery for the third consecutive year culminating with the Council's actions at the September 24-25 meeting in Anchorage. In a letter to Assistant Administrator for Fisheries William Gordon, Walter T. Pereyra, vice president and general manager of MRC, alleged that the State of Alaska's management policies in the herring fishery favor the inshore fishery and offer greater opportunities to Alaskans. Mr. Stevens testified in support of Board proposal 44 to allow a Bering Sea trawl herring fishery to take the existing surplus. He said that in all probability MRC would not be able to offer to purchase U.S. fish (pollock) without being allowed to also buy herring because the herring makes the fishery economically viable. He suggested that the Council and Board commission a joint study on the economic advantages of inshore/offshore fisheries. He felt that an offshore fishery could provide the opportunity to add to the much needed data base for the herring species.

Henry Mitchell, Executive Director of the Bering Sea Fishermen's Association, testified in support of exclusive registration for the Norton Sound, Cape Romanzof, Security Cove, and Goodnews Bay districts. He said that exclusive registration is absolutely necessary to protect the local economies. He also testified in favor of Bristol Bay Herring Cooperative's proposal to set a quota for herring gillnet fisheries in Togiak. He opposed opening the purse seine fishery off Nunivak Island because it would interfere with existing subsistence harvests and opposed Board proposal 44 by the NPFVOA for a Bering Sea herring trawl fishery offshore.

Norman Cohen, representing the villages of western Alaska, reviewed the major differences in Council and Board management strategies for the herring resource. He felt that the PMT's suggested maximum exploitation rate of 39% was much too high and noted that the Board's maximum exploitation rate is less than 20%. He suggested that the Council take another look at the PMT's determination of OY to allow for escapement, exploitation of northern stocks and socioeconomic considerations. He testified in favor of exclusive registration as a method to develop local economies and establish the priority of subsistence fisheries.

Steve Braun, anthropologist who worked with Dames and Moore on the 1978 Council document, "Assessment of Spawning Herring and Capelin Stocks at Selected Coastal Areas in the Eastern Bering Sea," explained the evolution of the western Alaskan's dependence on herring as a source of food. He said that early natives were part of a nomadic culture which moved their settlements as their food sources moved. With the influence of Russian missionaries, schools and villages gradually became localized. Since that time the natives have been forced to use the food sources of their local areas and have lost easy access to their traditional winter

food supplies. He stressed the fact that some of the natives of western Alaska are totally dependent on herring.

#### Council/Board Discussions

Chairman Tillion explained to the Board the Council's reasons for allowing an offshore harvest when a surplus exists. Under the Herring Plan a surplus would be available for offshore harvest only if the inshore harvest falls short. The main question involved is not the existence of the surplus, but rather the overall approach to allowing an offshore fishery. He stressed the fact that the Plan gives first priority to the inshore fishery. Chairman Tillion pointed out that as long as the Board prohibits fishing in the northern Bering Sea, only a joint venture fishery to take any existing surplus would be legal; a strictly U.S. operation would not be possible.

John Harville asked Steve Pennoyer how feasible it would be to bank a surplus of herring for one year in hopes that it may make up a shortfall in the next year. Mr. Pennoyer replied that most herring fisheries in Alaska depend upon a single age class. Banking a single year class might sustain the fishery for three, four, or five years, but the Plan's exploitation rate seems to take that into account. Mr. Pennoyer suggested that the policy questions over the existence of a surplus and how the surplus will be utilized must be addressed by the Council and the Board.

Bob McVey suggested that the Board set a quota for the northern Bering Sea herring fishery. Domestic trawlers have said that they would adhere to any such quota that the Board might set. The observer data taken in a domestic trawl fishery would be better than foreign observer data that is currently being gathered.

#### Herring PMT Recommendations

In September the Herring PMT suggested that the FMP be withdrawn from Secretarial review so that certain sections could be amended and/or clarified. The Team met with members of the original Plan Development Team and made a series of recommendations. New language for the FMP had not been finalized at the time of the meeting, but the intent of the PMT/PDT had been clarified. The PMT majority recommended that:

1. Stocks utilized exclusively for subsistence not be included in determining exploitation rates and total harvest (OY) by the commercial fisheries. This refers primarily to the Nelson and Nunivak Island stocks.
2. When spawning biomass survey data are not available, a specific backup system be used based on the previous year's data.
3. The maximum exploitation rate will not exceed 39%. (This 39% level would occur only when the biomass estimate reaches 470,000 mt, almost twice the MSY biomass.)

4. The AIC formula should be replaced with a range. AIC would equal 1,500 to 3,000 mt and would be adjusted using changes in the groundfish OY and herring biomass as guidelines rather than specific elements in a formula.

Plan coordinator Jim Glock said that the language for the body of the FMP is being edited to reflect these changes and other minor points of clarification. The new text should be ready for final Council approval at the January meeting.

#### AP and SSC Reports

The Advisory Panel discussed the proposed closure of the herring savings area to domestic trawl activity. The AP defeated a motion by a vote of 9 to 5 recommending that the Council voice a change in policy so as not to limit domestic fishing by a herring AIC.

The SSC reviewed the proposed changes to the text developed by the Team and heard a presentation by the Team and various groups on the proposed changes. The SSC provided a list of questions to the PMT for their consideration, made a part of these Minutes as Appendix III. The SSC plans to make its final recommendation to the Council upon receipt of the answers to these questions.

#### Council Action

*The Council asked the staff to provide a review of the status of the various major worldwide herring stocks at the January meeting.*

#### E-3 Bering Sea/Aleutian Islands King Crab FMP

The Bering Sea/Aleutian Islands King Crab FMP, Draft Environmental Impact Statement, and Regulatory Impact Review were submitted to NMFS for a regional review on October 9. The package is scheduled to be forwarded to Washington to begin NEPA and Secretarial review in mid-December.

As provided in the Joint Statement of Principles between the Council and the Alaska Board of Fisheries, a joint public hearing will be held annually in Seattle to provide all interested persons and agencies the opportunity to comment on the management of the fishery. The Council and Board discussed proposed dates for the joint public hearing.

*It was agreed that the joint public hearing would be held on March 13, 1982 in Seattle. Specific details on time and location will be made public as soon as available.*

## E-4 Tanner Crab FMP

### Status of Amendments 6 and 7

The regional office of NMFS informed the Council that higher levels of the Department of Commerce and the Office of Management and Budget will not approve some of the regulations submitted with Tanner Crab Amendment #6. The regulations proposed by the Council parallel those currently in effect by the State and include the reporting of deadloss on fish tickets, registering Tanner crab vessels prior to scheduled season opening dates, registering for specific districts, changing registration from district to district, transportation of Tanner crab through a district in which the vessel is not registered, and requiring operators of floating processing vessels to report their intended area of operation prior to commencing operations. The amendment was apparently held up for two reasons. First, DOC is attempting to restrict the number of new regulations it approves in order to comply with the desires of the current Administration. Second, OMB tends to veto regulations that parallel existing State regulations or add any reporting requirements to the industry or the public. OMB cites the Paperwork Reduction Act as the basis for this policy. The regional office of NMFS asked the Central Office to delete the reporting requirements from Amendment #6 at this time so the remainder of the package can be implemented. The Council asked the Central Office to give formal notification of the rationale for its decision concerning the regulations in the amendment. Amendment #6, minus the reporting requirements, was implemented on November 18.

Amendment #7 which would establish new C. bairdi OY's and eliminate the C. opilio TALFF was published in the Federal Register on September 3 as a Proposed Rule. The amendment has undergone public review and is currently being reviewed by the Department of Commerce. Publication as a final rule is expected in early January, 1982.

### Discussion of Pot Storage Area Problems

Problems still exist with pot storage in Bristol Bay. Numerous citations have been issued for the storage of crab pots outside designated pot storage areas. A series of chartlets illustrating king and Tanner crab concentrations and distribution of a variety of groundfish species in Bristol Bay was provided to the Council and Board. An overlay illustrating the federal and state pot storage areas was included with the package.

The Advisory Panel suggested that the Ad Hoc Crab Storage Workgroup hold a meeting to discuss the pot storage problem and invite appropriate NMFS enforcement and ADF&G personnel.

*It was the consensus of the Council and Board that the question of Bering Sea pot storage areas be placed on the agenda for the joint Council/Board meeting in March. An Ad Hoc Crab Pot Storage Workgroup meeting was scheduled for January 18 in Seattle.*

## King and Tanner Crab Observer Program

The SSC received a report of the King and Tanner Crab Observer Program Workgroup and will make its recommendation to the Council at the January meeting. If the Council decides to go ahead with the program, it will advise the Alaska Department of Fish and Game that it intends to fund the program if and when money is available.

### E-5 Gulf of Alaska Groundfish FMP

The Gulf of Alaska Plan Maintenance Team presented its report on Amendment #11, made a part of these Minutes as Appendix IV. The Team proposed three options for sablefish OY: 500 mt Gulf-wide; 3,500 mt Gulf-wide; and 8,200 mt Gulf-wide. The PMT received three new documents prior to their meeting which were considered in formulating the three proposed options. These reports were "Interim Report on the Results of Sablefish (anaplopoma fimbria) Tagging Experiments in Southeastern Alaska 1979-1981" by Barry Bracken, ADF&G; "Relative Abundance and Size Composition of Sablefish in the Coastal Waters of Southeast Alaska 1978-1981" by Harold H. Zenger, Jr., NWAFC; and "A Simulation Model for Sablefish in the Gulf of Alaska" by Joseph Terry and James Balsiger, NWAFC. Because the PMT report and the three new documents had not been reviewed by the public, the Team recommended that the Council extend the public comment period for Amendment #11.

Jim Balsiger and Joseph Terry explained that their simulation model was developed to estimate how alternative management strategies would affect the Gulf-wide domestic longline fishery. The model was used both to determine how sensitive the estimated effects of alternative strategies are to values of the biological and economic parameters used in the model and to provide information that can be used to rank a large number of alternatives with a variety of criteria. The strategies were defined in terms of alternative fishing mortalities and minimum size restrictions for the simulation period 1981-1985.

The model was found to be relatively sensitive to several parameters for which the actual values are not known. Using what is thought to be an appropriate set of values the model indicated that the current level of harvest is too high to permit sablefish resources to be rebuilt to a level which will encourage domestic utilization of the Gulf-wide sablefish resources. The level of resource abundance necessary to encourage such utilization may be possible by 1985 if yields are severely limited during 1982 through 1984.

Limitations of the model, in addition to the uncertainty concerning the values of both biological and economic parameters, were identified. These limitations indicate areas for further research, the most critical of which is the extension of the model to allow an evaluation of management strategies defined in

terms of alternative allocations among gear types as well as in terms of alternative fishing mortalities and minimum size restrictions.

Council member Don Bevan suggested that the Council seriously consider extending the public comment period for Amendment #11 in view of the three new reports introduced to the PMT. John Harville agreed that extending the public comment period at this time may be very helpful.

The Advisory Panel felt that it was important to take action on Amendment #11 now rather than waiting until March. The AP adopted the proposed management objectives for sablefish presented by the PMT on page 6 of their report. The Advisory Panel adopted by a vote of 7 to 6 alternative #2 set forth by the PMT which would set a Gulf-wide OY of 3,500 mt. The majority felt that sablefish were severely depressed and that a reduction of this magnitude would rebuild the resource quickly. The U.S. industry would be better served in the future with increased abundance and marketable sizes. The minority questioned the economic analysis because it did not take into account the size of sablefish from British Columbia, Washington, Oregon, and California. It examined only ice boats and not foreign longliners. It did not adequately address the economic problem of taking substantial amounts of product off the market and then re-introducing the product. There was concern that a low OY could hurt U.S. vessels that wanted to participate in the sablefish fishery this year.

The Advisory Panel recommended that the PMT's proposal to maintain the current percentage allocation in the Gulf of Alaska be adopted. The AP recommended that because the U.S. salt cod and bait fishery is expanding into the Davidson Bank area, the North Pacific Longline and Gillnet Association proposal to allow foreign fishing in the Davidson Bank area be rejected. Further discussion on the ALFA proposal to make sablefish an exclusive longline fishery was tabled until industry could discuss the issues and more scientific information was presented. The Advisory Panel recommended against the ALFA proposal for a winter closure until further information is available. They unanimously supported the Team's recommendation for radio reporting.

The Advisory Panel recommended reducing TALFF for cod and pollock by 20% and adding this amount to reserves due to the increase in domestic shoreside salt cod fishery and joint venture activities. This motion was passed with three opposing votes and one abstention. The minority felt that this was an improper method of stimulating foreign demand for Alaskan fish.

The SSC considered separately each of the six issues contained in the PMT report:

Sablefish OY. The SSC reviewed the proposed Gulf-wide EY and the three alternatives for the evaluation of OY and concluded that, based upon the information available to them, the proposed

estimates are conservative. They noted discrepancies in the results of the 1981 Japan/U.S. cooperative longline survey and the results of the U.S. pot survey for the Southeast Regulatory Area. Because of the SSC's inability to determine the overall validity of the cooperative survey, it was agreed that a conservative approach should be taken in calculating EY. Since the PMT's method for determining EY met this condition, it was concluded that the new estimated EY's are acceptable. The SSC noted that the Team attempted to provide to the Council an analysis which examined the extremes of the relevant range and the midpoints for OY. The SSC concurred with this approach to alternatives for OY, but recommended three additional alternatives, all of which represent a higher value for OY than provided by the Team. Sections of the SSC's report explaining their proposed alternatives (4, 5, and 6) for determining OY are made a part of these Minutes as Appendix V.

Percentage Allocation Between Management Areas. The SSC supported the Team's recommendation that the current percentage allocation between areas be maintained when considering the allocation of the new estimate of EY.

Other Proposed Changes. The SSC did not comment on the Japanese North Pacific Longline and Gillnet Association's Proposal to open Davidson Bank to foreign longliners, the exclusive longline sablefish fishery and winter closure proposals by the Alaska Longline Fishermen's Association, and the reporting requirements issue. The SSC recommended that the Council request that individuals or agencies having information bearing on these issues make it available as soon as possible.

Proposed Delay in Final Action on the Amendment. The SSC concurred with the Team's recommendation to extend the public review period, noting that the public should be allowed sufficient time to review and comment on the various alternatives proposed by both the Team and the SSC. The SSC attempted to determine whether such an extension could produce a conservation problem, but after examining the 1980 catches, the 1981 OY's, and the new estimates for EY, concluded that the potential exists for creating a conservation problem only in the Eastern Regulatory Area. Thus, the SSC recommended that if the Council does extend the review period it should ask the Regional Director to take the necessary steps to insure that the 1982 harvest in the Eastern Regulatory Area does not exceed the new estimates for EY provided by the Team.

Gulf of Alaska DAH. The SSC reviewed the values of DAH proposed for the 1982 season and referred again to their recommendation of December 1980 that the following DAH and reserve mechanism be examined for the possibility of inclusion in the current Gulf of Alaska and Bering Sea amendment packages:

1. "The DAH for a fishing year will be set equal to the domestic catch taken during the 12-month period ending the preceding September 30. DAH may not exceed OY."



2. "The reserves will be set to accommodate the difference between the domestic catch forecast from the NMFS survey and DAH as set above. The NMFS survey will be conducted annually by the NMFS regional office to compile expected harvest figures from fishermen and processors."

The SSC noted that the original concern which caused them to make this recommendation to the Council last year still exists; i.e., that estimates of DAH far exceed the actual performance of the domestic industry. The SSC still recommends that the correct means to accommodate these estimates of additional performance is through the reserve system and not DAH. They again asked the Council to forward this concept for evaluation in the next proposed modification to either of the groundfish plans.

Rewrite of the FMP. The SSC recommended that the Northwest and Alaska Fisheries Center be the lead agency for the rewrite of the FMP.

### Public Testimony

Robert Alverson, speaking on behalf of the Fishing Vessel Owners Association, Seattle, testified that industry needs more professional management for the sablefish fishery. He said that fishermen cannot afford to come to Alaska not knowing what is going to happen. He was upset with the Council's failure to establish specified cut-off dates after which new information received would have to be considered in the next FMP amendment.

Paul MacGregor, representing the Japanese North Pacific Longline and Gillnet Association, favored extending the public comment period for Amendment #11 with the Council's final decision to be made at the March meeting. He felt the delay would have no significant biological impact on the stocks and that it was unrealistic to expect public comments on the new documents before the January meeting.

Lee Alverson, Natural Resources Consultants of Seattle, agreed with Robert Alverson's statement that new information which could affect the outcome of an amendment should not be allowed to come in continually.

Richard Goldsmith, Executive Director of the North Pacific Fishing Vessel Owners Association, testified that the main problem with Amendment #11 is the ALFA proposal for an exclusive longline sablefish fishery. He said that he does intend to meet with the Alaska Longline Fishermen's Association to work out some kind of amendment to take care of this problem. He had no problem with extending the public comment period so that the Council would take final action on the amendment in March.

Greg Baker, president of the Alaska Longline Fishermen's Association, said that he would like a decision to be made on Amendment #11 as soon as possible, preferably at this meeting.

Al Burch, Alaska Dragger's Association, testified in favor of extending the comment period so that fishermen involved could perhaps negotiate an alternative to the exclusive longline fishery for sablefish.

### Council Action

*Don Bevan moved that the Council accept the SSC's recommendation to extend the public comment period for Amendment #11 to the Gulf of Alaska Groundfish FMP for 60 days and to ask the Regional Director of NMFS to take whatever steps are needed to insure that the 1982 harvest in the Eastern Regulatory Area does not exceed 2,100 mt west of 140°W in the Yakutat district, 1,135 mt east of 140°W in the Yakutat district, and 1,290 mt in the Southeast district. The motion was seconded by Bob Mace. There being no objection, it was so ordered.*

*It was the consensus of the Council not to proceed with the rewrite of the FMP at this time, but to include a total rewrite of the FMP in the next amendment.*

*Bob Mace moved that the Council go on record instructing the Plan Development Team to begin looking at the SSC's recommendation on the DAH and reserve mechanisms for possible inclusion in the next amendment to the Gulf of Alaska FMP; seconded by Don Bevan. There being no objection, it was so ordered.*

### E-6 Bering Sea/Aleutian Islands Groundfish FMP

The National Marine Fisheries Service completed its survey of anticipated joint ventures for 1982 and presented results which indicated that it may be necessary to amend JVP, DAP, and DAH in the FMP to cover the projected increases in the 1982 domestic harvest of groundfish. These changes would be implemented through Amendment #4 which changes DAH for pollock, yellowfin sole, other flatfish, Atka mackerel, and other species and OY for Pacific cod. Because it is non-controversial, it would be sent directly to the Secretary of Commerce for review based on Council approval of its elements at this meeting.

Amendment #1, under review by the Secretary since September 2, 1981, has encountered problems with the section on incidental halibut catch for domestic species ventures in the Bristol Bay Pot Sanctuary. This section has hampered implementation of Amendment #1 and because of this the Council considered removing that section from the amendment so the remainder could proceed on schedule.

The SSC reviewed the status of Amendment #1 and recommended that the staff meet with the persons who developed the amendment to attempt to correct the problems.

The SSC also reviewed the proposed 1982 DAH figures and referred again to their December 1980 suggestion to accommodate the increased estimates of domestic performance through the reserve system rather than DAH.

The Advisory Panel recommended that the TALFF for cod and pollock be reduced by 20% due to expanding joint venture activities. This recommendation passed with three objections and one abstention. The Advisory Panel suggested that discussions of restrictions on domestic fishermen for the 1% incidental catch of halibut in the Bristol Bay Pot Sanctuary be placed on the agenda for the January meeting.

Patrick Travers suggested that before the Council adopts the new DAH figures, it might want to consider deleting reference to the year 1982. This would provide flexibility if these figures must be used into the 1983 season.

#### Public Testimony

Donald Swisher, representing the Japan Deep Sea Trawlers Association and Hokuten Trawlers Association, suggested that the domestic "species venture" section, which may be severed from Amendment #1, be included in Amendment #4.

Richard Goldsmith, representing the North Pacific Fishing Vessel Owners Association, urged the Council to unify its position on allowable incidental catch between the Herring FMP and Bering Sea/Aleutian Islands Groundfish Plan.

Larry Cotter, representing the International Longshoremen's and Warehousemen's Union, spoke in favor of the AP's proposal to reduce TALFF for pollock and cod by 20% due to expanding effort in joint venture activities. He said this will stimulate foreign countries to become active in joint ventures to recover their 20% loss.

Rodger Painter, United Fishermen of Alaska, also supported the AP's proposal to reduce the Bering Sea TALFF to stimulate the domestic groundfish industry in Alaska.

#### Council Action

*Harold Lokken moved that the Council vote to send Amendment #4 to the Bering Sea/Aleutian Islands Groundfish FMP directly to Secretarial review to increase the DAH for pollock from 19,550 mt to 74,500 mt; yellowfin sole from 26,200 mt to 31,200 mt; other flatfish from 4,200 mt to 11,200 mt; Atka mackerel from 100 mt to 14,500 mt; and other species from 2,000 mt to 7,800 mt; and that the optimum yield for Pacific cod be increased from 78,700 mt to 120,000 mt to coincide with the Pacific cod ABC in Amendment #1. The motion was seconded by Don Bevan. The motion carried unanimously.*

*Harold Lokken moved that the section of Amendment #1 dealing with incidental halibut catch for domestic species ventures in the Bristol Bay Pot Sanctuary be severed from Amendment #1 to the Bering Sea/ Aleutian Islands Groundfish FMP so that implementation can proceed approximately on schedule; seconded by Don Bevan. There being no objection, it was so ordered.*

## Fishery Development Zones

Council member Bart Eaton presented a proposal to establish a "Fishery Development Zone" designed to promote U.S. development in areas of high concentrations of fish stocks. Under this proposal, foreign fishing would be prohibited in designated areas of heavy fish populations which are favored by the U.S. trawl and pot fishermen.

*The Council instructed the Bering Sea/Aleutian Islands Groundfish Plan Maintenance Team to review this concept and report to the Council at the March meeting.*

## F. CONTRACTS, PROPOSALS, AND FINANCIAL REPORTS

### F-1 Status of Contracts and RFP's

The draft final report for Contract 80-4, "To Expand and Enhance the Domestic Commercial Fisheries Catch Data Reporting System Off Alaska," was scheduled for SSC review at the December meeting. Given SSC recommendation for approval, final Council approval could be granted on the contract.

The SSC reviewed the final report and found that the conditions of the contract had been met. They asked that no final action be taken on the contract, however, until the SSC subcommittee for Contract 80-4 had an opportunity to see the system in operation during the January Council meeting. The SSC will make its final recommendation to the Council at that time.

The SSC reviewed the status of RFP development for 1982 programmatic funds and noted that the RFP for halibut limited entry is almost complete. Draft RFP's for "Feasibility of Using Scale Analysis to Identify Bering Sea Herring Stocks", "High Seas Tagging of Salmon", and "Analysis of Southeastern Salmon Scale Patterns" should be available for SSC review at the January meeting. The SSC felt that if funds are available, the Council should be able to release the RFP's soon after the March Council meeting.

## G. PUBLIC COMMENTS

No further public testimony was presented before the Council.

## H. CHAIRMAN'S CLOSING COMMENTS AND ADJOURNMENT

*Robert McVey moved that the Council change its traditional meeting days, the fourth Thursday and Friday of the month, to the fourth Wednesday and Thursday of the month for two-day meetings and the fourth Tuesday, Wednesday and Thursday for three-day meetings. The motion was seconded by Ron Skoog. There being no objection, it was so ordered.*

Chairman Tillion asked for the Council's authorization for travel so that he and Executive Director Jim Branson could go to Japan soon after the January Council meeting on an Alaska Trade Mission.

*Don Bevan moved that the Council authorize Clem Tillion and Jim Branson to travel to Japan; seconded by Ron Skoog. There being no objection, it was so ordered.*

There being no further business to come before the Council, the 45th plenary session of the North Pacific Fishery Management Council adjourned at 3:20 p.m. on Wednesday, December 9, 1981.

LIST OF APPENDICES

- Appendix I: Letter from Frank Bohannon on Korean Joint Venture
- Appendix II: Letter from Larry Cotter on the Future of Joint Ventures
- Appendix III: SSC's Questions to the Herring Plan Maintenance Team
- Appendix IV: Report of the Gulf of Alaska Groundfish Plan Maintenance Team
- Appendix V: SSC's Alternatives for Determination of Sablefish Optimum Yield in Gulf of Alaska Amendment #11