

EXECUTIVE DIRECTOR'S REPORT

There has been a lot of travel and meetings by staff and Council members since the September meeting. Most were covered in the November 4 mailing. The schedule in that mailing, which included groundfish Plan Team meetings in Seattle November 15-17, the Halibut Workgroup meeting in Anchorage November 17 and U.S.-Canada Salmon negotiations in Vancouver November 28-December 3, took place as scheduled.

I attended the Chairmen's Meeting in Biloxi, Mississippi November 2-4 with Chairman Campbell and Vice-Chairman Lokken. We will get a formal report on that meeting before long. Briefly, it was somewhat inconclusive. The Councils discussed the progress of their various plans and their particular problems. No great gains were made toward better ways of management. We did get a pretty good look at the budget. \$7.3 million was appropriated for Council operation this year, down from the \$7.5 last year, but there is some carry-over money that will bring it up to \$7.5. We don't expect much change in the administrative budget, although there may be some drop in the money available for programmatic funding.

Among the other subjects discussed was the authority of the Secretary of the Commerce in territorial waters, the conflict of interest statute as it applies to Council members, and the need for the Councils to participate in the NMFS budget process and to take a direct role in FMP discussions with the Region and the Central Office prior to Day 1 of plan review. More on the conflict of interest problem later. The final fishery management plan guidelines, as developed by NMFS, were discussed as was their new habitat policy. Comments had already been made on both subjects in great length, so nothing new surfaced. We did get an excellent update on current legislation from committee staffers. No date has been set for the next Chairmen's meeting although it's expected that the Western Pacific Council will probably host it.

The second National Fisheries Law Symposium held in Seattle October 21-22 was up to the high standards of the first one held in the same city last year. It was attended by Council members Jeff Stephan and Keith Specking and staffers Clarence Pautzke, Ron Miller and myself. Seminars on the fishery management process, the relationship between the Marine Mammal Protection Act and fisheries, Indian treaty rights, Law of the Sea and fisheries, the federal Ship Mortgage Act, and anti-trust law as it applies to the fishing industry were particularly well done and, in my opinion, very useful to anyone associated with the Council.

As you know, we shared a booth at the Fish Expo in Seattle October 26-29 with Alaska Sea Grant, United Fishermen of Alaska, Alaska Department of Fish and Game, and the Alaska Seafood Marketing Association. As you will see from the letter from Brenda Melteff (Agenda B-1(a)), Sea Grant picked up the costs and I think all of the participants considered it a success. My personal impression is that it was worthwhile and it was particularly successful when there was a Council member in the vicinity to talk to visitors. We had lots of visitors and there were some very interesting discussions generated. We should plan on doing it again in 1985 and this time schedule Council members so that we have someone there with the proper aura and clout all the time.

EXECUTIVE DIRECTOR'S REPORT

December 1983

Page 2

On my way back from Biloxi, I stopped four days in Boise, Idaho to attend the annual meeting of the Pacific Marine Fisheries Commission and a regular meeting of the Pacific Fishery Management Council. I found both interesting and well worth the time. Some of the things that I picked up from the Pacific Council on operating techniques will be reflected in some of the material you have for this meeting. This is the first Pacific Marine Fisheries Commission meeting I have ever attended and only the second or third Pacific Council meeting.

Agenda item B-1(b) is a letter from Greg Baker resigning from the Advisory Panel and announcing his appointment by Governor Sheffield as Director of the Office of Commercial Fisheries Development in the Department of Commerce and Economic Development. Greg has been a very effective Advisory Panel member. Fortunately, we will be able to continue working with him in his new role on probably as continuous a basis as we did in his Advisory Panel role. We are considering some studies involving members of both our staffs that will give the Council better analysis of some of the very difficult problems they'll be facing in the future.

The second meeting of the steering group to develop a national fisheries management conference was held in Seattle just prior to the Fish Expo. Meetings of the program and finance subcommittees have been held subsequently. I will try and have a complete report on that activity for you in the near future. Basically, we are proposing a national management conference somewhat along the lines of the limited entry conference in Denver in 1978, but to look at management as a whole, not solely at limited entry, and to involve industry to a greater degree than the Denver conference did. The intention is that industry will carry an equal role with management and academia in all preparation, panels and discussions. Tentatively, the conference is scheduled for the week of November 12, 1984 in Anchorage, Alaska. I will be asking the Finance Committee for an approval of how much the Council can contribute to the conference.

In continuing business, the permit application for the CHIEF DRAGON 737, the Highly Corporation ship that was expected to work with St. George in a joint venture this fall and was approved on a tentative basis by the Council at the September meeting, has never arrived. Therefore, no action has been taken on it. No permit has, nor do I expect any to be, issued for 1983. You will have applications before you at this meeting for 1984 for both the St. George Tanaq/Highly operation and the Alaska Contact/Highly operation. I have been unable to find out why we never received a permit application or what has happened to the proposed '83 joint venture between St. George and Highly. We may have testimony at this meeting that will explain it.

The promised review of Council procedures and policies has not started. Because of the travel and very complex agenda that was prepared for this meeting, we simply have not had a chance to work on it. It's still a top priority and we will get on it as quickly as possible.

The procedure for developing king crab regulations by the Alaska Board of Fisheries and the Council was a subject of discussion at the last Council meeting. The staff was asked to put together a scenario as to how that would work in 1984 and that schedule is in your book as Agenda item B-1(c). We will be working with the staff of the Board of Fisheries and with several of the

EXECUTIVE DIRECTOR'S REPORT

December 1983

Page 3

Advisory Panel members to explore the problems and perhaps refine that scenario. Barry Collier, Joe Kurtz, and Bob Alverson have been recommended by the Advisory Panel as members of that workgroup. Council may wish to add others from the Council membership.

The conflict of interest question is still unresolved. General Counsel for the Dept. of Commerce continues to work on it but, as of this writing, I have no information on what approach is being used. In the meantime, Council members are subject to the statute and should continue to abstain from voting, and perhaps debating, on subjects that may be of direct financial interest to themselves, their spouses and minor children. The situation with AP members is less clear. Since they are purely an advisory body they probably are not subject to the same restrictions as Council members. Council members in doubt about the propriety of their involvement in a subject should probably discuss it with the NOAA staff attorney before engaging in debate or voting.

You'll notice that the meeting schedule in the front of your workbooks shows a Council luncheon today at the Sheffield House and a Council no-host reception this evening at 6 p.m. in the Windsor Room of the Sheffield Hotel. There will also be a Finance Committee meeting tomorrow at 7 a.m. And, finally, there is a very good possibility because of the very complex nature of this agenda that the Council will have to stay in session through at least part of Friday. All of you have been warned of that possibility in advance. I hope we don't have to do it, but it appears to me to be a very good possibility.

The travel schedule between now and the end of the year is reasonably light. We will have staff attending the Sablefish Coordinating Committee meeting in Seattle on December 14. I and Jeff Povolny plan to attend the U.S.-Canada Groundfish Committee meeting in the same city on December 15, and Doug Larson will be attending a technical conference on modelling salmon and groundfish markets December 12-14 in Seattle.

Finally, I'm sure that you have all heard that Gordon Jensen had a very bad fall in Petersburg just prior to the Fish Expo. He broke his arm, injured his chest and apparently broke his hip. He was in intensive care for several days, but is now making a full and rapid recovery. We expect that he'll probably be able to go home to Petersburg about the end of this week. In the meantime, you can contact him by phone in Seattle at the Harbor View Hospital (206) 223-3000, 6 North. I'm sure he'll be glad to hear from any or all of us.



University of Alaska
Statewide System of Higher Education

ALASKA SEA GRANT COLLEGE PROGRAM
590 University Ave., Suite 102
Fairbanks, Alaska 99701

November 4, 1983

Judy Willoughby
Fiscal Officer
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, AK 99510

Subject: FISH EXPO '83

Dear Judy:

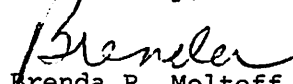
Thanks for participating with us in FISH EXPO '83. From all the comments from passers-by, our coordinated effort for Alaska Fisheries was effective and successful.

Good news! Our budget is able to handle all the costs for all participants, so no need for reimbursement of any rental fees.

At this point we don't feel it necessary to participate in expo next year in Boston but we will be at the show in Seattle in '85. If you feel the cooperative effort was worthwhile, we will be happy to do it again then.

Thanks again for contributing to the coordinated Alaska Fisheries image.

Yours truly,


Brenda R. Melteff
Project Coordinator

BRM/cd
cc: Jim Branson

**DEPARTMENT OF COMMERCE &
 ECONOMIC DEVELOPMENT**

Pouch D
 Juneau, Alaska 99811
 Phone: 465-2010

OFFICE OF COMMERCIAL FISHERIES DEVELOPMENT

November 3, 1983

ACTION	ROUTE TO	INITIAL
	Exec. Dir.	
	Deputy Dir.	
	Admin. Off.	J
	Exec. Sec.	J
	Staff Asst. 1	
	Staff Asst. 2	
	Staff Asst. 3	
	Economist	
	Sec./Bkkr.	
	Sec./Typist	

Mr. James Campbell, Chairman
 North Pacific Fisheries
 Management Council
 P.O. Box 3136 DT
 Anchorage, Alaska 99501

Dear Mr. Campbell:

As you are aware, I was recently appointed by ~~Governor Sheffield~~ to serve as Director of the Office of Commercial Fisheries Development in the Department of Commerce and Economic Development. As a result of this appointment, I will no longer be able to serve as a member of the Council's Advisory Panel.

My tenure with the Advisory Panel was very educational and offered me the opportunity to begin to grasp both the seriousness and complexity of the management decisions faced by the Council. I'm hopeful that my experience with the Advisory Panel and the Council will provide the solid foundation for an increasingly cooperative relationship between the State of Alaska and the Council particularly in regard to fisheries development issues.

I look forward to continuing to work with you and other members of the Council family.

Sincerely,

Greg
 F. Gregory Baker
 Director

FGB/wfs3/13
 11283a

King Crab Management Scenario - 1984*

- December, 1983 A call for shellfish regulatory proposals.
- Announcements are made via mailing lists and press releases.
 - Proposals are submitted to ABOF.
- January 6, 1984 Proposal deadline; preparation begins on proposal packet.
- January 27 Proposal packet distributed via ABOF mailing list for public comment; packet available to Council staff for review. Review will include: identification of those proposals which may be difficult to justify, implement, etc. (i.e., lack of objectives, failure to meet federal requirements).
- NMFS-AK Regional Director publishes a rule-related notice requesting comments on proposals.
 - Proposal packet is available approximately 60 days prior to annual meeting.
- March 7 Written comments on proposals from public and Council staff due to ABOF.
- March 10 Joint Council/ABOF public hearing in Seattle on shellfish proposals.
- March 28-29 Annual Council/ABOF shellfish meeting in Anchorage.
- staff reports
 - public comment
 - joint discussion of proposals
 - Council recommendation to ABOF
 - ABOF action on proposed regulations
- April 25 ABOF distributes written statement explaining the basis for any new regulations adopted at the annual meeting.
- May 1 NMFS-AK Regional Director publishes in the Federal Register a rule-related notice of approval which:
- Specifies any regulation that he finds to be inconsistent with the FMP.

- Declares that any regulation so specified does not govern fishing for king crab in the FCZ by any vessel, whether or not it is registered under the laws of the State of Alaska.
- Declares that all regulations not so specified are approved and shall govern all vessels fishing in the FCZ.
- States the findings and conclusions upon which the Regional Director's action is based.

The Regional Director may be petitioned for reconsideration. Petitions must be received within 10 days.

May 30

Council reviews ABOF action; NMFS-AK Regional Director denies or grants any petition received. Approved regulations go into effect.

Aug. - Nov.

Bering Sea/Aleutian Islands king crab fisheries begin.

ABOF = Alaska Board of Fisheries

NMFS = National Marine Fisheries Service

*Scenario is based on the assumption that the BS/AI King Crab FMP is implemented prior to annual meeting.

Status of Fishery Management Plans

1. Salmon FMP

No action is required. A government to government fishery data exchange meeting was held in Seattle in October. A series of chinook technical meetings was also held prior to the first round of negotiations, which began November 28 in Vancouver. The Council's 1984 Southeast Alaska management deliberations will begin at the joint meeting with the Board of Fisheries in early February.

2. Herring FMP

No action is required by the Council other than receiving a report from the Bering Sea Herring Research Workgroup.

The FMP was given final approval by the Council in September 1983 to go to Secretarial review. The package is now being prepared for forwarding to the Regional office for review.

3. King Crab FMP

No action is required by the Council. The FMP and supporting documents were readopted by the Council in September 1983 and forwarded on October 25 to commence fast-track Secretarial review. The start of the review clock has been delayed.

4. Tanner Crab FMP

Though no formal action is required by the Council at this meeting, the Council will discuss the use of pot limits and exclusive registration areas as management tools.

Amendment 9 which will update ABC/OYs with numerical ranges, framework seasons, revise the in-season adjustment section, and add a new section on pre-season adjustments, was approved by the Council in July. The amendment package is being prepared for Secretarial review.

Amendment 8, the housekeeping amendment, was implemented on October 5, 1983. The portion setting Kodiak pot limits at 250 was disapproved by NMFS.

5. Gulf of Alaska Groundfish FMP

The Council will hear a report of the Prohibited Species Workgroup, consider revising the halibut by-catch limit provisions in the plan to enable the winter/spring Shelikof Strait pollock fishery to proceed in 1984, and give final approval to JVP and DAP estimates for 1984. The Council will also consider changing pollock and Pacific ocean perch OY, and changing the area distribution of Pacific cod and pollock OY. Finally, full utilization of the sablefish resource in the Gulf by U.S. industry will be discussed.

Amendment 12, which would ban pots in the Southeast sablefish fishery, is being prepared for submission to Secretarial review.

Amendment 11, which adjusts sablefish and pollock OY and introduces a framework DAH was implemented on October 16, 1983.

6. Bering Sea/Aleutian Islands Groundfish FMP

The Council will make final recommendations on 1984 TAC, JVP, and DAP, and will discuss prohibited species by-catches with particular reference to U.S. trawling in the Bristol Bay Pot Sanctuary.

Amendment 9 establishing field order authority for conservation closures, was approved in July for public review. Final Council action will come in February.

Amendment 8 setting salmon PSC limits for 1984 and 1985 was approved by the Council in May 1983 and will be implemented through a rule-related notice. The proposed rule was published in the Federal Register on October 7 with comments due by November 4.

Amendment 6 creating the Fishery Development Zone began Secretarial review on September 5, 1983 and, if approved, will be implemented on January 24, 1984.

Amendment 1 on managing groundfish as a complex was approved by NMFS on July 26, 1983, and is scheduled to be implemented on January 1, 1984. The Notice of Proposed Rulemaking was published in the Federal Register on September 19, 1983.