

## Executive Director's Report

### New Deputy Director

I am proud to announce the selection of Chris Oliver as the Council's new Deputy Director. He brings to the position experience with the Gulf of Alaska groundfish plan, and just about every North Pacific fishery issue that you have had before you in the past two years. He has been a real self-starter and work horse on the Council staff, and before that, was involved with bycatch issues in the Gulf of Mexico shrimp fishery. I am looking forward to working with him and aging him in his new position.

### Magnuson Act Hearings

B-1(a) is the witness list for a hearing held on September 9, 1992 before the National Ocean Policy Study of the Senate Committee on Commerce, Science, and Transportation. That hearing was the first of several that may be held in 1993 as the Congress considers reauthorization of the Magnuson Act. I have made copies of the testimony for all Council members so you will know what others are saying about NMFS, the Councils, and fisheries management in general after 15 years under the Act. The Council may want to begin thinking about changes it would like to advance. I'm certain that other Councils will be doing so and they will be seeking consensus.

### Inspector General Nationwide Council Review

B-1(b) is a request from the Office of Inspector General concerning our Council's views about the strengths and weaknesses of the current fishery management process. I will be drafting a letter shortly after this meeting and would welcome any comments you might have. Four Councils are being visited by the Inspector General's Office: the New England, Pacific, Gulf of Mexico, and North Pacific. The Inspector General will be providing input to the reauthorization process.

### Committees

The next few months might be a good time to review committee memberships. B-1(c) lists the Council's currently active committees. You should let Chairman Lauber know which committees you want to be on. It has been suggested that the Council consider establishing an enforcement committee. B-1(d) has information from other Councils on their enforcement committee activities.

### Call for AP/SSC Nominations

Just a reminder that there will be a call for AP and SSC nominations in the next newsletter. The Council will need to make those appointments at the December meeting.

### Travel Claims and Disclosures

It is nearing the end of the fiscal year and we need all travel claims as soon as possible after this meeting. Also, Council members need to complete new disclosure forms.

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

National Ocean Policy Study

Witness List\*

Hearing on  
Implementation of the Fishery Conservation Amendments of 1990  
Wednesday, September 9, 1992; 9:30 a.m.; 253 Russell Building

Dr. William Fox, Assistant Administrator for Fisheries,  
National Oceanic and Atmospheric Administration, Room  
9334, 1331 East-West Highway, Silver Spring, MD 20910

Dr. John Hoey, Executive Director, Blue Water Fishermen's  
Association, 1525 Wilson Boulevard, Suite 500,  
Arlington, VA 22209

Mr. Gerald Abrams, Chairman Emeritus, East Coast Tuna  
Association, Post Office Box 447, Salem, NH 03079

Ms. Jane Black, Executive Director, Organization of Louisiana  
Fishermen, Post Office Box 553, Golden Meadow, LA 70357

Mr. David Benton, Director of External and International  
Fisheries Affairs, Alaska Department of Fish and Game,  
Post Office Box 25526, Juneau, AK 99802

Accompanied by:

Mr. Henry Mitchell, Executive Director, Bering Sea  
Fishermen's Association, 725 Christensen Drive,  
Anchorage, AK 99501

Mr. H.A. Larkins, Consultant, American Factory Trawler  
Association, 4039 21st Avenue West, Seattle, WA 98199

Accompanied by:

Mr. L. John Iani, President, Pacific Seafood  
Processors Association, 4019 21st Avenue West,  
Seattle, WA 98199

Ms. Suzanne Iudicello, Counsel, Center for Marine  
Conservation, 1725 DeSales Street, NW, Suite 500,  
Washington, DC 20036

Mr. Robert G. Hayes, Counsel, American Fishing Tackle  
Manufacturers Association, Homer Building, Suite 370,  
601 Thirteenth Street, NW, Washington, DC 20005

\*Not necessarily in order of appearance

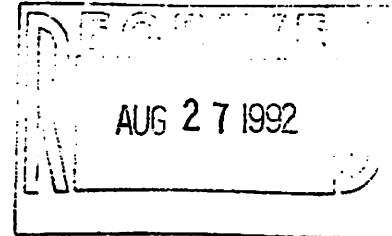


UNITED STATES DEPARTMENT OF COMMERCE  
Office of Inspector General  
Seattle Regional Office  
Federal Building, Room 3292  
915 2nd Avenue  
Seattle, WA 98174

AGENDA B-1(b)  
SEPTEMBER 1992

August 25, 1992

Richard B. Lauber, Chairman  
Clarence G. Pautzke, Executive Director  
North Pacific Fishery Management Council  
605 West Fourth Avenue  
Anchorage, Alaska 99501



Dear Sirs:

The Office of Inspector General is performing a nationwide review of the process for managing the nation's marine fishery resources. Our objective is to evaluate how well the process works and to make recommendations to the Secretary of Commerce, as appropriate, for strengthening the process. Because our scope is national, we will visit NMFS facilities and fishery management councils in several regions.

To make our visit to the North Pacific Council as brief and unobtrusive on the staff as possible, we request your assistance in advance of the visit by completing the enclosed questionnaire. The completed questionnaire should be signed by either the Chairman or the Executive Director, and returned to:

Maren Gribskov, Auditor-in-Charge  
U.S. Department of Commerce  
Office of Inspector General  
7600 Sand Point Way, NE  
BIN C15700, Building 1  
Seattle, WA 98115-0070

Along with the completed questionnaire, we also request that you send the materials on the enclosed list.

During our visit, we will be glad to make time available for any council member or staff wishing to discuss the fishery management process. If you have any questions or concerns about the questionnaire, materials request, or upcoming visit, please contact me at (206) 526-6848.

Sincerely,

*Maren Gribskov*

Maren Gribskov

Enclosures

## MATERIALS LIST

- o Current roster of council members, staff, and membership of various technical and advisory groups.
- o If available, a historical record of appointments to each council seat.
- o Organization chart and position descriptions for all professional staff (exclude secretarial and administrative support staff).
- o Statement of Organization, Practices and Procedures (SOPP)
- o Other operating procedures (if any).
- o FY 1992 and 1993 applications for federal assistance, with budget submissions and related documents. Please include copies of the cooperative agreements and any subsequent amendments to the agreements.
- o Financial statements and auditor's report for the last two completed fiscal years.
- o Groundfish plans and amendments. Please tag those sections in the plans that describe framework provisions (management measures that may be modified by regulatory action versus actions that require a plan amendment).
- o If available, annual management cycle for each fishery management plan.
- o SSC minutes for last two years.

**INSTRUCTIONS:** Please attach to the back of the questionnaire a complete response to each question.

We are interested in the North Pacific Council's views about the strengths and weaknesses in the current fishery management process. Thus, questions #13 and #14 may be used to provide positive and negative feedback about the process.

The Chairman or Executive Director should sign and date the questionnaire on the signature line provided.

QUESTIONNAIRE FOR:                    NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

1. Describe how the North Pacific Council identifies fisheries in need of conservation and management.
  
2. Does the North Pacific Council have an approved fishery management plan for each fishery identified as needing conservation and management? If not, what is the reason for not having a plan?
  
3. Do NMFS guidelines and regulations provide an adequate frame of reference for the North Pacific Council to develop a fishery management plan or amendment?
  
4. Describe the North Pacific Council's internal process for developing a fishery management plan. To the extent possible, identify each phase in the process.
  
5. Describe how the NMFS regional office provides the North Pacific Council with the best scientific information and otherwise assists in the development of a plan or amendment.

6. What procedures does the North Pacific Council use to incorporate the best scientific information into a plan or amendment?

7. Does the North Pacific Council maintain an active scientific and statistical committee and an industry advisory panel? Explain how often these groups meet and whether they participate in regular council meetings.

8. How does the scientific and statistical committee advise the North Pacific Council on the best scientific information?

9. How does the North Pacific Council view the respective roles of the scientific and statistical committee and the industry advisory panel?

10. How does the North Pacific Council measure progress in meeting Magnuson Act goals and objectives, as well as meeting its own goals and objectives in each plan or amendment?

QUESTIONNAIRE FOR: NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

11. Does NMFS provide information, guidance, or other assistance to help the North Pacific Council evaluate the goals and objectives in specific fishery management plans?

12. Is there an effective mechanism to facilitate the flow of information between the North Pacific Council and NMFS enforcement office? Please explain.

13. What parts of the fishery management process work well?

14. What parts of the fishery management process need to be improved?

\_\_\_\_\_  
Signature/Date

\_\_\_\_\_  
Title



**THE COUNCIL COMMITTEE LIST HAS BEEN PLACED  
IN YOUR SUPPLEMENTAL FOLDERS.**

## **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

1 SOUTHPARK CIRCLE, SUITE 306  
CHARLESTON, SOUTH CAROLINA 29407-4699  
803-571-4366 FAX 803-769-4520

Susan Shipman, Chairman  
Curtis Bostick, Vice Chairman

Robert K. Mahood, Executive Director

Date: July 21, 1992  
To: Clarence Pautzke  
From: Jane DiCosimo, <sup>JDC</sup> Law Enforcement Committee staff  
Re: SAFMC Law Enforcement Committee

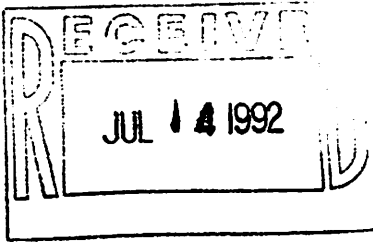
JUL 27 1992

The SAFMC has a Law Enforcement Committee currently composed of six Council members and a Law Enforcement Advisory Panel composed of ten individuals, most of whom are or were affiliated with state or federal law enforcement agencies. I have enclosed lists of these memberships. The SAFMC SOPPs define the role of the Law Enforcement Committee and I have also enclosed this.

The Law Enforcement Committee meets during a Council meeting on an as needed basis, generally to review a draft FMP or amendment prior to public hearings or submission to the Secretary. It will also convene to address specific enforcement issues. The Committee generally convenes jointly once a year in a one or two day separate meeting with the Law Enforcement AP to review a draft FMP or amendment prior to public hearings. The AP is composed of members of State marine fisheries enforcement agencies, NOAA Enforcement, the Coast Guard, U.S. Fish and Wildlife, and others. The items discussed mostly concern the enforceability of specific management options in an FMP or amendment. I have enclosed the agendas from the last few meetings.

Please let me know if there is any other information I can provide.

cc: Bob Mahood



**Dr. Lee G. Anderson**  
Chairman

**William S. Wells**  
Vice Chairman

**MID-ATLANTIC FISHERY MANAGEMENT COUNCIL  
ROOM 2115 FEDERAL BUILDING**

300 South New Street  
Dover, Delaware 19901-6790  
302-674-2331  
FAX 302-674-5399

**John C. Bryson, P.E.**  
Executive Director

**DATE:** 9 July 1992  
**TO:** Clarence Pautzke  
**FROM:** Dave Keifer *Dave*  
**SUBJECT:** Enforcement Committees

This is response to your FAX on the subject. John is on vacation, so I will answer.

We have had an Enforcement Committee off and on since 1978.

The current Committee is made up of 3 voting Council members (1 a State Director), the Council's Coast Guard representative, NOAA General Counsel Northeast, and the NMFS Special Agent in charge of the Northeast Region.

Historically the Committee has worked on measures to reduce conflicts between fixed and mobile gear (with no real success) and to prepare penalty schedules for some of the FMPs (with some success, NOAA GC keeps this pretty much to themselves).

The latest project was to consider whether the Council wants to license commercial fishermen and party and charter boat operators. The concept has developed to the point that the Council directed the staff to include such a provision in all FMPs and amendments. Each fishermen (not sport fishermen) would be issued a license similar to a driver's license (complete with photograph). Applicants would be required to certify they were familiar with the regulations of whatever fisheries they were to be licensed in. Licenses could be suspended for certain violations. The concept follows a system operating with some success in Georgia for more than a year.

Finally, several years ago the Committee organized a workshop on enforcement. Among others, we had Coast Guard, NMFS, and State enforcement personnel and the Administrative Law Judge that handles the Magnuson Act cases. Enclosed please find a copy of the proceedings.

Call if you have questions.

Pacific Fishery Management Council	Approved By Council: 11/13/85	Page 1 of 2
SUBJECT: Enforcement Consultants		
CHAPTER: Council Operating Procedure		Number 21
<b>PURPOSE</b>		
Provide advice to the Council concerning the feasibility of proposed management measures from an enforcement standpoint.		
<b><u>Membership</u></b>		
Oregon State Police U.S. Coast Guard Washington Department of Fisheries California Department of Fish and Game National Marine Fisheries Service, Northwest Region National Marine Fisheries Service, Southwest Region		
<b><u>Organization</u></b>		
1. Each agency will have one voting member.		
2. A chairman will be elected by majority vote to serve a two-year term. The term will run from October 1 of the first year through September 30 of the second year.		
3. The vice chairperson's position will be permanently filled by the U.S. Coast Guard representative.		
4. Additional representatives on an agency may attend meetings but may not vote.		
5. Other agencies and Council groups wishing to attend the Enforcement Consultants meetings will be welcome but will not participate unless invited to do so by the chairperson.		
<b><u>Meeting Attendance</u></b>		
1. The chairperson will attend all Council meetings. In the event the chairperson is unable to attend, another Enforcement Consultant member will be delegated to attend.		
2. The chairperson will ensure that he/she is kept abreast of Council developments by maintaining close contact with Council staff. The chairperson will be responsible for seeing that attendance is provided for at all pertinent Enforcement Consultant meetings. The person attending such meetings shall provide the necessary information on the meeting to the chairperson for dissemination.		

Pacific Fishery Management Council	Approved By Council: 11/13/85	Page 2 of 2
SUBJECT: Enforcement Consultants		
CHAPTER: Council Operating Procedure		Number 21
<p>3. The chairperson will call a meeting of the Enforcement Consultants, as authorized by the Council executive director, prior to or at Council meetings when issues affecting enforcement are to be addressed. Items members wish discussed, in addition to Council initiated matters, will be submitted to the chairperson far enough in advance to permit inclusion on the Enforcement Consultants agenda. Travel expenses for state agency personnel will be reimbursed in accordance with the Council travel rules.</p>		
<u>Reporting Procedures</u>		
<p>1. The chairperson of the Enforcement Consultants will represent the consensus position of the group to the Council. In the event of the absence of the chairperson, the vice chairperson will act in his/her place.</p>		
<p>2. Group consensus on positions to be presented to the Council will be established by majority vote.</p>		
<p>3. Any member agency having an agency position differing from that of the group may present their position to the Council. Such a position must be given separately from the group report and clearly stated that theirs is a minority report and does not represent the view of the group.</p>		
<p>4. Items to be presented to the Council will be reduced to writing and given to the Council in addition to the oral report. Copies will be provided to Enforcement Consultant members.</p>		

**CARIBBEAN FISHERY MANAGEMENT COUNCIL**

Suite 1108 Banco de Ponce Building • Hato Rey, Puerto Rico 00918-2577

Telephones: FTS (809) 766-5926, 766-5927, 766-5928, Comm. (809) 763-6910

**FAX****PAGES (including cover sheet): 1**

**TO :** Mr. Clarence G. Pautzke      **FAX :** 8-907-868-2817  
Executive Director  
North Pacific Fishery Management Council

**FROM :** Miguel A. Rolón      **FAX :** (809) 766-6239  
Executive Director

**DATE :** August 12, 1992

**TIME :** p.m.

**RE:** ENFORCEMENT COMMITTEE

Yes, we have an Enforcement Committee. They meet once a year, or as often as needed. The composition includes representatives from local governments, enforcement agencies, NMFS, Coast Guard, Council Chairman, and one Council Staff member.

We do not have any written material on this Committee, except for a statement as to its existence in our SOPPs.

Best regards.



**WESTERN  
PACIFIC  
REGIONAL  
FISHERY  
MANAGEMENT  
COUNCIL**

6.D

**Enforcement Standing Committee**

**77th Council Meeting**

The Enforcement Standing Committee met at the Hawaii Maritime Center on 30 June 1992 at 8:25 am. The Coast Guard presented its report of patrols and enforcement activity, highlighting the increase in surface and air surveillance. The Committee recommends that the Coast Guard include, in its quarterly report to the Council, a summary of all of its activities, not just enforcement. The Committee felt that inclusion of these other actions would help the public better understand the Coast Guard's multi-mission role.

The NMFS Office of Enforcement then presented their report. They later clarified that none of the interactions with endangered species were related to fishing vessels, and that the Fish and Wildlife Service was not included in the recently-signed enforcement agreement because they have separate agreements of their own.

Ensuing discussions highlighted several discrepancies between federal and state laws. First, the recent case of the state fining a driftnet vessel only \$500 points to the need for the federal regulations to include a "no possession" rule, rather than the "no fishing" rule now in place. The Committee recommends that this provision be studied, and that enforcement present recommendations to the Council at its next meeting. The Committee also noted that the issue of non-permitted vessels fishing outside the EEZ and not being allowed to enter the EEZ has risen again, and may need to be revisited.

The cooperative enforcement agreement has also highlighted the inconsistency between state and federal logbooks in several fisheries. For the benefit of fishermen and state/federal enforcement agents, the Committee recommends that the Pelagics, Crustaceans and Bottomfish Plan Teams each work with HDAR and NMFS biologists and enforcement representatives to determine the feasibility of (and begin to develop) a compatible logbook format and for protocol overlapping fisheries, and report to the Council as soon as practicable.

Regarding the marking of longline gear, NMFS agents presented a proposal that would (a) extend the marking requirement to any gear, not just that deployed, (b) require uniform lighting and

radar reflection on all gear, and (c) allow the confiscation of unclaimed or abandoned gear. Ensuing discussions noted that the costs associated requiring lights and radar reflectors would burden fishermen, especially in light of the fact that most Hawaii-based fishermen have abandoned reflectors and lights in favor of radio beacons. The Committee recognizes that more discussions with fishermen may be required before a decision can be made on paragraph (b) of the proposal. In any event, the Committee recommends that the Council staff work to incorporate the recommended regulatory language into the rules for the Pelagics FMP.

The Committee had no further recommendations.

(77stand.enf)



COUNCIL COMMITTEES/WORKGROUPS

Committee	Council	SSC	AP	Others**
Advisory Panel Nominating	*Mace Alverson Dyson Hegge Lauber			
Finance	*Lauber Blum Hanson Hegge Pennoyer			
Habitat Committee	*Mitchell Cotter Pereyra NOAA Fisheries Rep USCG Rep USFW Rep			
Interim Action Committee	Poll all Council Members			
Plan Amendment Advisory Group: Groundfish	Mace Pereyra	Eggers Marasco	Burch J. Woodruff	Loh-lee Low GOA Plan Team Chairman
Halibut RAAG	*Alverson Mitchell Pennoyer	Quinn Rosenberg		Grant Thompson

\*Chairman

\*\*Agency staff will attend as necessary.

NOTE: Meeting notices will be sent to all Council members.

AD HOC COMMITTEES/WORKGROUPS

Committee/Workgroup	Council	SSC	AP	Others**
Bycatch Cap Committee				J. Roos, Chair J. Beaton C. Blackburn J. Blum K. Graham L. Kozak D. Lloyd M. Lundsten J. Nelson J. Smoker A. Thomson
Discards Committee	Rick Lauber Wally Pereyra			
Observer Oversight Committee				C. Blackburn, Chair P. Chitwood B. Collier J. Hill M. Merklein N. Munro J. Nelson B. Samuelson A. Thomson T. Vogeler G. Westman J. Winther

<b>Observer Committee</b>				<b>*Chris Blackburn Phil Chitwood Barry Collier Jack Hill Mandy Merlein Nancy Munro Jerry Nelson Arni Thomson Tyson Vogeler Gary Westman John Winther  Staff: Chris Oliver</b>

Committee/Workgroup	Council	SSC	AP	Others**
Pacific Northwest Industry Advisory Committee				Arne Aadland Phil Chitwood Don Giles Spike Jones Kevin Kaldestad Robert Miller Kaare Ness Konrad Uri Rich White
Rockfish Industry Workgroup	Linda Behnken, Chair			G. Anderson D. Benson V. Curry D. Falvey R. Goni H. Thompson
Rockfish Technical Committee				R. Berg, NMFS-AKR J. Gharrett, NMFS-AKR J. Fujioka, NMFS-Auke Bay R. Marasco, AFSC D. Ito, AFSC J. Berger, AFSC S. Lowe, AFSC B. Bracken, ADFG C. Oliver, NPFMC

FISHERY MANAGEMENT PLAN TEAMS

Plan	Plan Team	Plan	Plan Team
<b>GOA Groundfish</b>	Ron Berg (NMFS) Barry Bracken (ADFG) Jeffrey Fujioka (AFSC) Lew Haldorsen (UAS) Jim Hastie (AFSC) Han-lin Lai (WDF) Sandra Lowe (AFSC) Dick Merrick (MML) Chris Oliver (NPFMC) Gregg Williams (IPHC)	<b>Crab</b>	Ray Baglin* (NMFS-AKR) Bill Nippes (ADFG) Ken Griffin (ADFG) Peggy Murphy (ADFG) Bob Otto (AFSC-Kdk) Jerry Reeves (AFSC) Leslie Watson (ADFG) Tom Shirley (UAS) Brent Paine
<b>BSAI Groundfish</b>	Loh-lee Low* (AFSC) Rebecca Baldwin (AFSC) Jeremy Collie (UAS) Jay Ginter (NMFS-AKR) Dick Merrick (MML) Brent Paine (NPFMC) Dave Ackley (ADFG) Grant Thompson (AFSC) Gregg Williams (IPHC) Sam Wright (WDF)	<b>Troll Salmon</b>	Aven Anderson* (NMFS-AKR) Dave Gaudet (ADFG) Paul Larson (ADFG) Chris Oliver (NPFMC) Jim Berkson (CRITFC) Alex Wertheimer (AFSC) Ron Williams (ODFW)
<b>Halibut Management Team</b>	Grant Thompson* (AFSC) Jay Ginter (NMFS-AKR) Earl Krygier (ADFG) Chris Oliver (NPFMC) Bob Trumble (IPHC)		

\*Chairman