

North Pacific Fishery Management Council

James O. Campbell, Chairman
Jim H. Branson, Executive Director

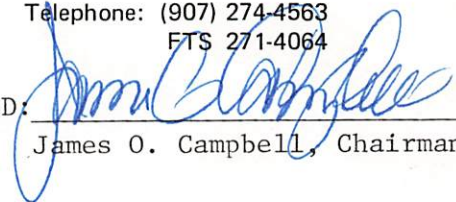
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CERTIFIED:


James O. Campbell, Chairman

MINUTES

61st Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
May 23-24, 1984
Old Federal Building
Anchorage, Alaska

The North Pacific Fishery Management Council met May 23-24, 1984, at the Old Federal Building, Anchorage, Alaska.

The Scientific and Statistical Committee and the Advisory Panel met in the Old Federal Building May 21-22.

Members of the Council, Scientific and Statistical Committee, Advisory Panel and general public in attendance are listed below.

Council

James O. Campbell, Chairman
Harold E. Lokken, Vice-Chairman
Steve Penoyer for
Don W. Collinsworth
Ray Arnaudo
Gene Didonato for
Bill Wilkerson
CDR Choate Budd for
RADM Robt. Lucas
Jeffrey R. Stephan

Robert U. Mace for
John Donaldson
Robert W. McVey
Jon Nelson for
Robt. E. Putz
John Harville
Sara Hemphill
Rudy Petersen
Keith Specking
John Winther

NPFMC Staff

Jim H. Branson, Executive Director
Clarence Pautzke
Judy Willoughby
Steve Davis
Jim Glock

Doug Larson
Ron Miller
Jeff Povolny
Steve Brooks
Helen Allen

MINUTES

Great Plover Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
May 22-24, 1984
Old Federal Building
Anchorage, Alaska

The North Pacific Fishery Management Council met May 22-24, 1984, at the Old Federal Building, Anchorage, Alaska.
The Scientific and Statistical Committee and the Advisory Panel met in the Old Federal Building May 21-22.
Members of the Council, Scientific and Statistical Committee, Advisory Panel and general public in attendance are listed below.

COUNCIL

Robert U. Rose for
John Pennington
Robert W. Mayey
Jon Nelson for
Scott E. Pate
John Harville
Gene Harpell
Rudy Peterson
John Whittier

James O. Campbell, Chairman
Harold R. Lorenz, Vice-Chairman
Steve Pennoyer for
Don W. Collinsworth
Ray Armando
Gene Dickstein for
Bill Wilkerson
DR Donnie Bagg for
RADM Robt. Lucas
Jelley E. Seaman

WORKING GROUP

Don Larson
Ron Miller
Jill Foyalty
Steve Brooks
John Allen

Jim E. Hanson, Executive Director
Clarence Perkins
Rudy Wilfong
Steve Davis
Jim Cook

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Support Staff

Tom Barrett, USCG
Pat Travers, NOAA-GC
Thorn Smith, NMFS
Guy Thornburg, ADF&G
Judy Brakel, CFEC

Dick Marshall, NMFS
Ben Rosenthal, NOAA-GC
Fred Gaffney, ADF&G
Marty Eaton, ADF&G

Scientific and Statistical Committee

Don Rosenberg, Chairman
Robert Burgner
John Burns
William Aron
John Clark

Richard Marasco, Vice-Chairman
Jack Lechner
Steve Langdon
Al Millikan
Jack Robinson for
Larry Hreha

Advisory Panel

Robert Alverson, Chairman
Pat Barker
Alvin Burch
Barry Collier
Larry Cotter
Barry Fisher

Joseph Kurtz
Richard Lauber
Raymond Lewis
Daniel O'Hara
Donald Rawlinson

General Public

Clem Tillion
Ken Kobayashi
Flore Lekanof, Sr.
Paul MacGregor
Paul Schwartz
Chris Mitchell
Mick Stevens
Sadao Takaoka
T. Nemoto
H. Kawaniura
Mosao Taminay
Phil Chitwood

John Schmiedtke
Jay D. Hastings
Henry Mitchell
Bob Timly
Chris Blackburn
Don Swisher
W. E. Duryea
Fujiwara
Nobuto Tokaji
Ted H. West
Steve Grabacki
Tomasz Pintowski

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

The meeting was called to order by James Campbell, Chairman, at 9:05 a.m. on Wednesday, May 23, 1984. The minutes of the March and April 1984 meetings were approved as submitted with minor editorial changes suggested by Bob McVey.

SUPPORT STAFF

Don Barrett, WMTB
Pat Traversa, WAAA-90
Thomas Smith, WMTB
Guy Thompson, WAAA-90
Judy Brackel, WMTB

Don Barrett, WMTB
Pat Traversa, WAAA-90
Thomas Smith, WMTB
Guy Thompson, WAAA-90
Judy Brackel, WMTB

Scientific and Educational Committee

Richard Marston, Vice-Chairman
Jack Lechner
Steve Langdon
Al Williams
Jack Robinson for
Larry Weiss

Don Rosenberg, Chairman
Robert Ferguson
John Burns
William Aron
John Clark

Advisory Panel

Joseph Kuntz
Richard Lander
Raymond Lewis
Daniel O'Hara
Donald Robinson

Robert Alverson, Chairman
Pat Barker
Avin Burkh
Percy Collier
Larry Conner
Larry Kramer

General Public

John Schmedding
Jay D. Hartman
Henry Mitchell
Bob Timby
Chris Blackburn
Don Stisher
V. E. Douvan
Rudwars
Robert Tokaji
Ted H. West
Steve Grubb
Thomas Pinkowski

Alan Miller
Ken Kobayashi
Flora Sakano, Sr.
Paul Macdonald
Paul Schwartz
Chris Mitchell
Mick Stevens
Sally Tucker
T. Wamoto
H. Kawahara
Helen Tammy
Bill Chiswood

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

The meeting was called to order by James Campbell, Chairman, at 8:08 a.m. on Wednesday, May 23, 1984. The minutes of the March and April 1984 meetings were approved as submitted with minor editorial changes suggested by Bob Novoy.

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Jim Branson presented the agenda and suggested adding under item C-7 discussion of a letter from Don Bevan on the seastead concept in the groundfish fishery. Also, a report from George Snyder of the Auke Bay Laboratory on marine debris would not be available at this meeting as originally scheduled, but would be presented in September when more comprehensive data would be available. The agenda was approved with these changes.

Mr. Campbell introduced former Council Chairman Clem Tillion. Mr. Tillion said that he felt the draft comprehensive management goals developed by the Council's workgroup were a very good start but that they would not be any good unless the Council took positive action. He cautioned the Council that taking no action on an issue is, in effect, a decision in itself. Mr. Tillion also said that American fishermen should be given the same opportunity as foreign fishermen to plan ahead by giving them specific allocations each year.

B. SPECIAL REPORTS

B-1 Executive Director's Report

Mr. Branson briefly reviewed his written ED report. The first meeting of a Council "crisis committee" (now called interim action committee) was held by telephone on May 4. The Gulf of Alaska groundfish interim action committee discussed several items and recommended which should be on the May agenda and which should be held for the regular groundfish annual management cycle. These items are discussed under agenda item D-4. Mr. Branson reviewed follow-up actions on the recommendations of the Price Waterhouse audit team, reported the confirmation of new members to the Alaska Board of Fisheries, summarized proposed amendments to the Coastal Zone Management Act, and introduced Steve Brooks, one of two Council summer interns. He also informed Council members that Don Bevan was in the hospital for bypass surgery. The Council was reminded that the July meeting had been cancelled. A report from Steve Davis on his recent trip to Japan and Russia for the bilaterals was included in Council notebooks. Formal reports of the meetings are available at the Council office.

B-2 Domestic Fisheries Report by ADF&G

The total 1984 harvest of Tanner crab in the Kodiak area was 14.28 million pounds landed by 302 vessels. Crab averaged 2.5 pounds each and catches averaged 19 crab per pot. The Bering Sea and Aleutian Islands Tanner crab fishery is still going. The catches through May 13 are: 230,000 pounds in the Eastern Aleutians; 320,000 pounds in the Western Aleutians; and

The discussion presented the agenda and suggested adding under item 2-1 discussion of a letter from Don Bevan on the research project in the geographical laboratory. Also, a report from George Fisher on the Alaska Laboratory on marine debris would not be available at this meeting as originally scheduled, but would be presented at a September when more comprehensive data would be available. The agenda was approved with these changes.

Mr. Campbell introduced former Council Chairman Olin Wilson. Mr. Wilson said that he felt the basic comprehensive management goals developed by the Council's working group were a very good start but that they would not be any good unless the Council took positive action. He mentioned the Council that taking no action on an issue as in effect, a decision in itself. Mr. Wilson also said that American fishermen should be given the same opportunity as foreign fishermen to plan ahead by giving them special allocations each year.

B. SPECIAL BUSINESS

B-1 Executive Committee Report

Mr. Hanson briefly reviewed his written report. The final meeting of a Council "advisory committee" (now called interim advisory committee) was held by telephone on May 4. The bill of Alaska geographical laboratory committee discussed several items and recommended which should be on the May agenda and which should be held for the regular geographical annual management cycle. These items are discussed under agenda item B-4. Mr. Hanson reviewed follow-up actions on the recommendations of the June Waterhouse study team, reported the continuation of new members to the Alaska Board of Fisheries, summarized proposed amendments to the Council Code Management Act, and introduced Steve Backus, one of two Council summer interns. He also informed Council members that Don Bevan was in the hospital for bypass surgery. The Council was reminded that the July meeting had been cancelled. A report from Steve Levin on his recent trip to Japan and Russia for the fisheries was included in Council records. Council reports of the meetings are available at the Council office.

B-2 Domestic Fisheries Report by AIFES

The total 1954 harvest of Tanner crab in the Bering area was 1,173 million pounds landed by 303 vessels. Crab averaged 1.5 pounds each and catches averaged 19 crabs per foot. The Bering Sea and Aleutian Islands Tanner crab fishery is still going. The harvest through May is over 230,000 pounds in the Bering and Aleutian, 130,000 pounds in the western Aleutian and

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1.22 million pounds of C. bairdi and 7 million pounds of C. opilio in the Bering Sea.

Total catches for the 1983-84 winter troll fishery for chinook salmon, which closed on April 15, were slightly higher than those of the 1982-83 season. Through May 18, 32,645 chinook, or 457,431 pounds, had been reported in 3,272 landings, compared to 30,238 chinook, or 437,666 pounds, last year.

The first herring off Togiak were sighted on May 3, two to three weeks later than in recent years. An aerial survey of the fleet showed over 600 vessels (tenders, seiners, and gillnetters). The herring are aged 6 to 7 years, as predicted, and harvest is forecast at approximately 18,825 tons, 18-20% of the biomass.

Through May 15, the domestic catch of sablefish was 981.4 mt in the Eastern Gulf of Alaska, 167.8 mt in the Central Gulf, and 9.4 mt in the Western Gulf. ADF&G reports that overall sablefish catches are considerably higher than in previous years.

Because of its growing importance in Alaska, Jim Campbell asked if ADF&G could report regularly on sablefish as they do on crab and salmon. Steve Pennoyer said he thought that this could be done.

B-3 Foreign Fisheries Report by NMFS

By April 28 foreign fleets in the Gulf of Alaska harvested 12,427 mt of groundfish, or about 11.6% of the current foreign allocation for that area. The catch included 11,552 mt Pacific cod, 416 mt pollock, 202 mt sablefish and 70 mt of flatfish.

In the Bering Sea and Aleutians they harvested 130,388 mt, about 16.9% of the current foreign allocation. The catch included 103,511 mt pollock, 7,216 mt Pacific cod, 13,525 mt yellowfin sole, 5,022 mt flatfish, and 332 mt sablefish.

There were 36 foreign vessels off Alaska on May 17, 7 from Japan, 19 from South Korea, 8 from the U.S.S.R., and 1 each from Taiwan and West Germany. This is a decrease from the 50 vessels present on March 22.

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

The USCG reported that enforcement effort through May 17, 1984, totalled 225 cutter patrol days and 1,243 aircraft patrol hours covering over 210,000 miles. The Coast Guard also reported that their goal of boarding each foreign fishing vessel at least once during the March-May period was achieved.

1.22 million pounds of salmon in the period...

total catch for the 1983-84 season... salmon, which started on April 15...

The first period of 12 weeks was signed on May 8, two to three weeks later than in recent years...

through May 15, the domestic catch of salmon was 981.4 mt in the Eastern Gulf of Alaska...

because of the growing importance of Alaska, Jim Campbell said it might be a good idea to...

2-3 Alaska Fisheries Report by WAFS

By April 28 foreign vessels in the Gulf of Alaska harvested 12,127 mt of salmon...

in the Bering Sea and Aleutian they harvested 130,288 mt, about 12.9% of the current foreign catch...

There were 30 foreign vessels in Alaska on May 17, 7 from Japan, 19 from Korea...

2-4 Enforcement and Surveillance Report by U.S. Coast Guard

The U.S. report of their enforcement effort through May 15, 1984, totaled 212 other patrol days...

Violations by foreign fishing vessels in the Alaska FCZ during April included citations to two Japanese vessels for not submitting the required activity message 24 hours before ceasing fishing in the FCZ; two Japanese transport vessels were cited for not properly maintaining their International Radio Call Signs; a Taiwanese stern trawler was cited for not displaying its vessel permit in the wheelhouse; and reports of violation were given to a South Korean stern trawler for not immediately returning its catch of a prohibited species (halibut) to the sea, and to a Japanese longliner for not accurately maintaining its daily cumulative catch log and for underlogging 7 mt of groundfish.

B-5 Joint Venture Operations

The total joint venture catch off Alaska through April 28, 1984 was 275,878 mt. In the Gulf of Alaska joint ventures harvested 179,030 mt including 175,916 mt pollock, 1,221 mt Pacific cod, 460 mt flounders, 320 mt Pacific ocean perch, 65 mt sablefish, and 1,048 mt other species. The Bering Sea harvest was 96,848 mt including 72,229 mt pollock, 17,576 mt Pacific cod, 5,765 mt flatfish, 30 mt of Pacific ocean perch, and 1,248 mt other species.

Public Testimony

Jay Hastings, Japan Fisheries Association, submitted a letter to the Council outlining recent cooperative efforts between the Japan and U.S. fishing industries toward the development of U.S. fisheries. Mr. Hastings said that the Council's recognition of these efforts is important in view of the forthcoming July allocations.

C. NEW OR CONTINUING BUSINESS

C-1 Comprehensive Fishery Management Goals

The Council workgroup appointed to draft comprehensive fishery management goals for Council review included Sara Hemphill, Chairman, Don Collinsworth, John Harville, Jon Nelson, and John Winther. Jim Branson and Ron Miller of Council staff attended the workgroup meetings held in April and May. A statement of findings and eight draft comprehensive management goals, along with a schedule for implementation of the goals, was presented to the Council for discussion.

Public Testimony

Barry Collier, NPFVOA. Mr. Collier pointed out that he believed that defining "overcapitalization" (mentioned in the draft

Violations by foreign fishing vessels in the Alaska 200 during April included violations to two separate vessels for not displaying the required activity message 24 hours before commencing fishing in the 200. Two Japanese transport vessels were cited for not properly maintaining their international radio call signs; a Japanese steam trawler was cited for not displaying the vessel number in the observer's and reports of violation were given to a South Korean steam trawler for not immediately returning the catch of prohibited species (halibut) to the sea, and to a Japanese longliner for not accurately maintaining the daily cumulative catch log, and for anchoring in the 200.

8-5 Joint Venture Operations

The total joint venture catch off Alaska through April 26, 1984 was 205,878 mt. In the Gulf of Alaska joint venture harvested 179,000 mt including 172,818 mt pollock, 1,281 mt Pacific cod, 480 mt herring, 220 mt Pacific ocean perch, 88 mt sablefish, and 1,008 mt other species. The Bering Sea harvest was 26,878 mt including 22,122 mt pollock, 1,578 mt Pacific cod, 2,182 mt herring, 80 mt of Pacific ocean perch, and 1,398 mt other species.

Public Testimony

By testimony, Japan Fisheries Association, submitted a letter to the Council outlining recent cooperative effort between the Japan and U.S. fishing industries toward the development of U.S. fisheries. Mr. Hasegawa said that the Council's recognition of these efforts as important in view of the forthcoming July allocation.

NEW OR CONTINUING BUSINESS

0-1 Cooperative Fishery Management Goals

The Council workshop scheduled to draft comprehensive fishery management goals for Council review included Sam Hemphill, Chairman, Don Collierworth, John Havelin, Jon Nelson, and John Wheeler. Jim Pearson and Ron Miller of Council staff attended the workshop meeting held in April and May. A statement of findings and eight draft comprehensive management goals, along with a schedule for implementation of the goals, was presented to the Council for discussion.

Public Testimony

Larry Coffey, NPFWA, Mr. Collier pointed out that he believed that defining "overexploitation" (mentioned in the draft

findings) will be a problem. He also said that he did not think that fishermen should be "locked in" to historical percentages for established fisheries and that serious consideration should be given to the well being of the state and nation while considering those percentages.

COUNCIL DISCUSSION AND ACTION

Bob McVey moved to accept the workgroup's report as a basis for Council discussion. The motion was seconded by Steve Pennoyer and passed with no objection.

The Council reviewed the draft findings and went over each goal individually incorporating suggested changes and/or additions. John Harville pointed out that it should be made clear to reviewers that the goals should be considered as a whole and not as separate items. Steve Pennoyer also suggested that any communication accompanying the draft goals should stress that this is just a first step and that more specific objectives for individual fisheries will be drafted after the comprehensive goals are reviewed by the public and approved by the Council. Council members discussed the two proposed schedules for public review and implementation of the goals and were in general agreement that the first schedule would be the more appropriate. This schedule would send out the draft comprehensive goals for public review and final Council action at the September meeting. At that time, specific workgroups would be appointed to work on goals and objectives for specific fisheries.

Keith Specking moved to approve the draft findings and comprehensive goals, as amended by Council members, be sent out for public review. Sara Hemphill seconded the motion which passed with Harold Lokken and Bob McVey objecting. (Appendix I is a copy of the final document sent out for public review.)

Gene Didonato moved that the Council adopt Schedule 1 submitted by the workgroup as the time frame for review and adoption of comprehensive management goals. The motion was seconded by Steve Pennoyer and, there being no objection, it was so ordered.

C-2 Recommendations for the Future of Fisheries Management

It was the concensus of the Council that since they are now working on regional comprehensive fishery management goals and procedures, a national policy for all Councils cannot be considered at this time. The Council asked the Executive Director notify the Gulf Council of this decision.

findings will be a problem. It also said that he did not think that fishermen should be "locked in" to historical percentages for established fisheries and that serious consideration should be given to the well being of the state and nation while considering those percentages.

COUNCIL DISCUSSION AND ACTION

Bob Weyer moved to accept the committee's report as a basis for council discussion. The motion was seconded by Steve Penney and passed with no objection.

The Council reviewed the draft findings and went over each goal individually incorporating suggested changes and/or additions. John Kunkle pointed out that it should be made clear to reviewers that the goals should be considered as a whole and not as separate items. Steve Penney also suggested that any communication accompanying the draft goals should stress that this is just a first step and that more specific objectives for individual fisheries will be drafted after the comprehensive goals are reviewed by the public and approved by the Council. Council members discussed the two proposed schedules for public review and implementation of the goals and were in general agreement that the first schedule would be the more appropriate. This schedule would send out the draft comprehensive goals for public review and final Council action at the September meeting. At that time, specific workshops would be scheduled to work on goals and objectives for specific fisheries.

John Kunkle moved to approve the draft findings and comprehensive goals, as amended by Council members, be sent out for public review. Steve Penney seconded the motion which passed with Harold Loken and Bob Weyer objecting. (Appendix 1 is a copy of the final document sent out for public review.)

Gene Dickson moved that the Council adopt Schedule 1 submitted by the workgroup as the time frame for review and adoption of comprehensive management goals. The motion was seconded by Steve Penney and there being no objection, it was so ordered.

U-3 Recommendations for the Future of Fisheries Management

It was the consensus of the Council that since they are now working on regional comprehensive fishery management goals and procedures, a national policy for all Councils cannot be considered at this time. The Council asked the Executive Director notify the Gulf Council of this decision.

C-3 Foreign Directed and Joint Venture Policies

Mick Stevens presented a draft policy on joint ventures prepared by a industry workgroup. Mr. Stevens said that the workgroup tried to follow the format developed by the Council in 1982. They also used policies of the Mid-Atlantic and New England Councils for reference. One item which should be addressed by the Council is the timing of the receipt of applications for joint venture fishing.

Permit Review Committee

The Permit Review Committee reviewed the report from the industry workgroup and commended Mick Stevens and other members of the workgroup for their efforts. The Committee recommended that the Council use the report when reviewing its criteria for joint venture permits this summer. NMFS enforcement also is internally examining joint venture criteria. Policy recommendations will be reviewed by the Council in September.

Report of the Advisory Panel

The AP recommended that the Council not adopt any policy at this meeting, but that the draft policy be sent out for public comment and put on the September agenda.

COUNCIL DISCUSSION AND ACTION

Chairman Jim Campbell appointed Keith Specking, John Winther, Harold Lokken, RADM Lucas, and Steve Pennoyer to a workgroup to work on joint venture policy during the summer.

C-4 Foreign Fishing Permit Applications

Sara Hemphill, Alaska Contact, Ltd. and Tomasz Pintowski from the Polish Embassy in New York, told the Council that they will be submitting applications for directed and joint venture permits for pollock in the Bering Sea. Three or more large stern trawlers would be used and operations would begin about 35 days after allocations and permits were granted. A little more than 50% of the products would come back on the U.S. market. The request will be for 60,000 mt directed and 15,000 mt for the joint venture.

Ms. Hemphill pointed out that before the sanctions were imposed against Poland, they were very cooperative in research efforts on the East Coast and have expressed interest in cooperative research on squid during their Alaska venture.

0-2 Federal Incentives and Joint Venture Policies

Mick Stevens presented a draft policy on joint ventures prepared by a industry working group. Mr. Stevens said that the working group tried to follow the format developed by the Council in 1962. They also used policies of the W-8-Australia and New Zealand Councils for reference. One item which should be addressed by the Council is the timing of the receipt of applications for joint ventures financing.

Federal Review Committee

The Federal Review Committee reviewed the report from the industry working group and commended Mick Stevens and other members of the working group for their efforts. The Committee recommended that the Council use the report when reviewing the criteria for joint venture financing. The Committee also recommended that the Council examine joint venture criteria. Policy recommendations will be reviewed by the Council in September.

Report of the Advisory Panel

The AP recommended that the Council not adopt any policy at this meeting, but that the draft policy be sent out for public comment and put on the September agenda.

COUNCIL DISCUSSION AND ACTION

Chairman Jim Campbell appointed Keith Specking, John Wilkey, Harold Loken, and Steve Penney to a working group to study joint venture policy during the summer.

0-4 Federal Financing Incentive Application

Gene Haggell, Alaska Council, Ltd. and Thomas Brinkman from the Polish Embassy in New York, told the Council that they will be submitting applications for directed and joint venture financing for projects in the Far East. Three or more large steam turbines will be used and operations would begin about 30 days after allocation and permits were granted. A little more than 50% of the products would come back on the U.S. market. The request will be for \$5,000,000 directed and \$5,000,000 for the joint venture.

Mr. Haggell pointed out that before the applications were lodged against Poland, they were very cooperative in research efforts on the East Coast and have expressed interest in cooperative research on a wide range of Alaska ventures.

Permit Review Committee

The Committee noted concern over the level of anticipated joint ventures in relation to direct harvest and over the products coming back into the U.S. market, grounds preemption by Polish vessels, and the amounts of incidental catch. The Committee recommended that Poland be given a 30,000 mt directed allocation only if a minimum of 15,000 mt in joint ventures is formally committed to, all to be conducted in the Bering Sea in 1984. The Committee encouraged Poland to go above 15,000 mt in joint ventures and recommended that incidental catches be adjusted downward relative to the size of the directed allocation.

Report of the Advisory Panel

The AP suggested that any arrangement with the Polish should have a healthy purchase of U.S. industry product required before any directed fishing is allowed.

Public Testimony

Jay Hastings, Japan Fisheries Assn., asked the Council to make any recommendations for permit approval contingent upon the Poles recognizing the voluntary restrictions agreed to by industry in January.

COUNCIL DISCUSSION AND ACTION

Sara Hemphill asked to be excused from discussion and action on this issue as her firm is involved in the proposed joint venture. The Chairman agreed.

There was discussion on the Permit Review Committee's recommendation for the 1:2 ratio for joint venture to directed fishing allocations. Some Council members felt this joint venture was being singled out for a more stringent policy. It was pointed out that the Council's intent is to begin to increase the ratio gradually and since this is the first joint venture request since that decision was made, it is appropriate to begin that escalation. There was no intent to single out the Poles.

John Winther moved to give the Executive Director authority to approve applications from the Poles for joint venture and directed allocations of pollock in the Bering Sea in the amount of 15,000 mt joint venture and 40,000 mt direct with the stipulation that the by-catch be held within the 1.5% limit. The motion was seconded by Steve Pennoyer and carried, 7 to 3, with Bob Mace, Rudy Petersen, and Gene Didonato opposed. Sara Hemphill abstained.

Permit Review Committee

The committee noted concern over the level of anticipated joint ventures in relation to direct harvest and over the processors coming back into the U.S. market, pursuant to proposals by Polish vessels, and the amount of incidental catch. The Committee recommended that Poland be given a 20,000 mt direct allocation only if a minimum of 15,000 mt in joint ventures is formally committed to. All to be conducted in the period 1984-1988. The Committee recommended Poland to go above 15,000 mt in joint ventures and recommended that incidental catches be adjusted downwards relative to the size of the direct allocation.

Report of the Advisory Panel

The AP suggested that any arrangement with the Polish should have a bearing on the U.S. industry process required before any directed fishing is allowed.

Public Testimony

Jay Haskins, Japan Fisheries Board, asked the Council to make any recommendations for permit approval contingent upon the Polish respecting the voluntary re-entrance agreed to by industry in January.

COUNCIL DISCUSSION AND ACTION

There was discussion on the permit review committee's recommendations for the U.S. ratio for joint ventures to directed fishing allocations. Some Council members felt this joint venture was being stipulated for a more stringent policy. It was pointed out that the Committee intent is to begin to increase the ratio gradually and since this is the first joint venture request since that decision was made, it is appropriate to begin that evaluation. There was no intent to state out the policy.

John Wither moved to give the Executive Director authority to approve applications from the Polish for joint ventures and directed allocations of 15,000 mt in the period 1984-1988 in the amount of 15,000 mt in joint ventures and 20,000 mt in direct harvest with the stipulation that the processor be held with the U.S. fleet. The motion was seconded by Steve Johnson and carried, 7 to 3, with 200 abstentions. Steve Johnson and Gene Wilkerson opposed. Steve Johnson abstained.

John Wither moved to give the Executive Director authority to approve applications from the Polish for joint ventures and directed allocations of 15,000 mt in the period 1984-1988 in the amount of 15,000 mt in joint ventures and 20,000 mt in direct harvest with the stipulation that the processor be held with the U.S. fleet. The motion was seconded by Steve Johnson and carried, 7 to 3, with 200 abstentions. Steve Johnson and Gene Wilkerson opposed. Steve Johnson abstained.

C-5 Follow-up to April Policy Meeting

Newly-drafted policies on annual management cycles, processing proposals for changes in fishery management plans, and plan team composition based on Council action at the April meeting were submitted to the Council for review.

Report of the Scientific and Statistical Committee

The SSC reviewed the newly-drafted policies and supported their direction. The SSC did recommend specific changes to the policy on annual management cycles. On page 1, they recommended deletion of the last line in paragraph 2, "Use of the Board of Fisheries proposal format will be acceptable . . ." and suggested deleting the first two sentences in paragraph 3 on page 2, and replacing them as follows, "The decision documents should be based upon the best information available to the team. On rare occasion data may be received late which will have significant bearing on a fishery." The SSC also recommended a paragraph be added following paragraph 3 on page 2:

"It is anticipated that all data and analyses used for decision documents must be reviewed by the appropriate team and the SSC prior to Council action. Cut-off dates based on the annual management cycles must be established for receipt of the above data and analyses consistent with permitting these reviews. The SSC will make a recommendation to the Council as to what constitutes the best scientific information available."

On plan team composition, tasking and operations, the SSC feels that the best way to implement the revised policy is to reconstitute each of the teams. This will allow each of the management agencies the opportunity to review its participation in team activities. The SSC suggested the agencies having management responsibilities in this jurisdiction should be contacted to nominate individuals for team membership. The SSC, in accordance with the policy, will review all nominations for their qualifications, and provide a recommended team composition to the Council. This should be completed by the September meeting.

Report of the Advisory Panel

The AP wishes to review the Council's revised policies after they have been in effect for one year. With respect to plan team make-up, the AP feels the SSC should approve participants' expertise. They do not feel there is a need for alternates on the plan teams, but any alternate should also be screened by the SSC. The AP also feels that there is not a great need for alternates on the SSC. The SSC should be made up of the best scientific talent available representing an objective viewpoint

2-2 Follow-up to April Policy Meeting

Monthly-drafted policies on annual management system, processing proposals for changes in fishery management plans, and plan team composition based on Council action at the April meeting were submitted to the Council for review.

Report of the Scientific and Statistical Committee

The SSC reviewed the newly-drafted policies and supported their direction. The SSC did recommend specific changes to the policy on annual management cycles. On page 1, they recommended deletion of the last line in paragraph 5. Use of the word "fisheries proposal format will be acceptable" and suggested deleting the last two sentences in paragraph 8 on page 2, and replacing them as follows: "The draft document should be based upon the best information available to the team. To ensure data may be received late which will have significant bearing on a fishery." The SSC also recommended a paragraph be added following paragraph 8 on page 2:

"It is anticipated that all data and analyses used for decision documents must be received by the appropriate team and the SSC prior to Council action. Current data based on the annual management cycles must be established for receipt of the above data and analyses consistent with handling procedures. The SSC will make a recommendation to the Council as to what constitutes the best scientific information available."

On plan team composition, staffing and operations, the SSC feels that the best way to implement the revised policy is to reconstitute each of the teams. This will allow each of the management agencies the opportunity to review the participation in team activities. The SSC suggested the agencies having management responsibilities in this jurisdiction should be contacted to contact individuals for team membership. The SSC, in accordance with the policy, will review all nominations for team positions and provide a recommended team composition to the Council. This should be completed by the September meeting.

Report of the Advisory Panel

The AP wishes to review the Council's revised policies after they have been in effect for one year. With respect to plan team make up, the AP feels the SSC should approve participation in expedited. They do not feel there is a need for alternatives on the plan teams, but any alternative should also be assessed by the SSC. The AP also feels that there is not a great need for alternatives on the SSC. The SSC should be made up of the best scientific talents available representing an objective viewpoint.

and the Council should avoid creating an SSC that only expresses agency opinion. There was a suggestion that if the Council wanted alternates for the SSC or plan teams, it would be appropriate to also provide alternates for Advisory Panel participants.

COUNCIL DISCUSSION AND ACTION

Bob McVey moved to include a representative of NMFS and ADF&G on the "crisis committees" for the various fisheries. John Winther seconded the motion and, there being no objection, it was so ordered.

Bob Mace moved to change the name of the "crisis committees" to "interim action committees." The motion was seconded by Steve Pennoyer and, there being no objection, it was so ordered.

Keith Specking moved to accept the recommendations of the SSC on the newly-drafted annual management policies and plan team composition. The motion was seconded by Sara Hemphill and, there being no objection, it was so ordered.

The Council asked staff to draft a form for proposals for changes to the fishery management plans.

C-6 1985 Meeting Schedule

The following meeting schedule was proposed for 1985:

January 16-18*	Sitka (w/BOF)
March 27-29	Anchorage (w/BOF)
May 22-24	Anchorage
Sept. 25-27	Anchorage
Dec. 4-6	Anchorage

Bob Mace moved to accept this schedule for 1985. John Winther seconded the motion and, there being no objection, it was so ordered.

(*Subsequent to Council action, the Board of Fisheries rescheduled their meeting dates in Sitka. The Council will meet January 9-11 with the Board in Sitka.)

Jeff Stephan invited the Council to plan their next out-of-town meeting for Kodiak.

C-7 Discussion of Don Bevan's Letter to Council

Gene Didonato briefly reviewed a letter from Don Bevan to the Council encouraging the Council to act now on establishing a system for allocating groundfish in the domestic fishery in the Alaska FCZ.

and the Council should avoid creating an SAC that only expresses agency opinion. There was a suggestion that the Council should be invited to also provide alternatives for Advisory Panel participants.

COUNCIL DISCUSSION AND ACTION

Bob Meyer moved to include a representative of WMA and AWC on the "Tribal Commission" for the various fisheries. John Winkler seconded the motion and there being no objection, it was so ordered.

Bob Mac moved to change the name of the "Tribal Commission" to "Tribal Action Council". The motion was seconded by Steve Penoyer and there being no objection, it was so ordered.

Keith Spack moved to accept the recommendations of the SAC on the newly drafted annual management policies and plan team composition. The motion was seconded by Steve Penoyer and there being no objection, it was so ordered.

The Council asked staff to draft a form for proposals for changes to the fishery management plans.

0-6 1988 Meeting Schedule

The following meeting schedule was proposed for 1988:

January 10-12*	Alaska (W/OT)
March 27-29	Alaska (W/OT)
May 21-23	Alaska
Sept 28-30	Alaska
Dec. 1-3	Alaska

Bob Mac moved to accept this schedule for 1988. John Winkler seconded the motion and there being no objection, it was so ordered.

(*Subsequent to Council action, the Board of Fisheries rescheduled next meeting date in Alaska. The Council will meet January 9-11 with the Board in Alaska.)

Bill Stephan invited the Council to plan their next out-of-town meeting for Kodiak.

0-7 Discussion of Don Bevel's Letter to Council

Don Bevel's letter was reviewed and a letter from Don Bevel to the Council was drafted. The Council is set now on establishing a system for allocating grants in the domestic waters in Alaska.

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Keith Specking said he feels the system outlined in Dr. Bevan's letter comes close to the suggested criteria outlined the letter received from OMB when they turned down the moratorium. However, Harold Lokken said he did not interpret it in the same way. Gene Didonato pointed out that although any discussion of a limited entry or share quota in a fishery tends to attract further effort into that fishery, Dr. Bevan's point is that it is early enough in the development of the groundfish fisheries that attracting further effort would be consistent with the Council's objective to develop U.S. fishing effort in the Bering Sea pollock fishery. Jim Branson suggested that one of the workgroups that will be formed in the fall to develop specific goals and objectives for the individual groundfish fisheries could use Dr. Bevan's letter as one of their bases for discussion.

D. FISHERY MANAGEMENT PLANS

D-1 Herring FMP

At the March meeting the Council voted to rescind their approval of the Herring FMP for Secretarial review and requested it be put back on the agenda for May so that the concept of federal herring management could be reviewed.

Pat Travers has indicted that the current FMP does not provide for federal authority to prevent overfishing should the need arise and other provisions in the FMP are so restrictive that they prevent development of an FCZ fishery that the Council could manage. Both problems raise the question of the cost effectiveness of the FMP.

Council staff suggested five options for further Council action on herring management:

- (a) Submit the FMP in its current form, realizing that NMFS rejection is almost certain;
- (b) Change the FMP;
- (c) Include herring in the BSAI Groundfish FMP;
- (d) Have no FMP and refrain from herring management; or
- (e) Recommend a Secretarial Plan (PMP or FMP).

At the March meeting the Council also postponed until this meeting a decision on sending out a RFP for herring research by commercial vessels in the Bering Sea so that other sources of funding could be explored.

Report of the Advisory Panel

The AP reaffirmed its position that the Council should have an FMP reflecting the State of Alaska position on herring management.

... speaking said he feels the system outlined in Dr. Bevan's letter comes close to the suggested criteria outlined in the letter received from OMB when they turned down the proposal. However, ...

D. FISHERY MANAGEMENT BOARD

D-1 Hearing Report

At the March meeting the Council voted to request their approval of the Hearing Report for general review and requested it be put on the agenda for May so that the concept of general hearing management could be reviewed.

... have indicated that the current law does not provide for general authority to prevent overfishing should the need arise and other provisions in the law are so restrictive that they prevent development of an HCR fishery that the Council could manage. Both problems raise the question of the cost effectiveness of the HCR.

Council staff suggested five options for further Council action on hearing management:

- (a) Submit the HCR in its current form, retaining the HCRS rejection is almost certain;
- (b) Change the HCR;
- (c) Include hearing in the HCR (General HCR);
- (d) Have an HCR and retain the hearing management; or
- (e) Retain a general HCR (HCR or HCR).

At the March meeting the Council also postponed until this meeting a decision on sending out a HCR for hearing research by commercial vessels in the hearing area so that other sources of fishing could be explored.

Report of the Advisory Panel

The AP reaffirmed its position that the Council should have an HCR reflecting the state of Alaska fishing and hearing management.

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In discussion of the RFP for herring research, the AP suggested that it may be appropriate to have a research program based on a charter with dollars per day. They felt that being paid with fish may not attract sufficient vessels. The AP recommended, on a vote of 8 to 2, that the Council put out a RFP for public bid for a potential research study on herring abundance in the Bering Sea area.

Report of the Scientific and Statistical Committee

The SSC discussed the make-up of a contract monitor subgroup to follow the herring scale pattern study and the offshore research, should it be started, and recommended Al Millikan, Steve Langdon and Don Rosenberg for membership on the subgroup.

Public Testimony

Henry Mitchell, Bering Sea Fishermen's Assn. If research is to be done by private vessels, the amount of herring should be limited to 1% of the biomass, or about 1,600 mt. The State's suggestion of a 2,000 mt ceiling would be acceptable. Because of the risk to the inshore fishery, he asked that the Council not approve any RFP in excess of that amount.

Barry Collier, NPFVOA. The real issue is that not enough is known about the stocks offshore and research is needed to find out. But, fishermen taking the risk to do this research will have to have a substantial amount of fish to assure their costs are covered. Two thousand tons will not cover those costs. The food herring market is bad right now and it is not known what it will be next January. Paying for the research through state or federal funds might be better. He feels any bids for the RFP would be about 5,000 to 6,000 mt. In regard to the FMP, industry feels that the FMP should be sent for Secretarial review and public comment.

Ed Duryea, Bristol Bay fisherman. He is totally opposed to the herring roe fishery because of the wasted fish.

COUNCIL DISCUSSION AND ACTION

Bob McVey suggested that there are other options the Council could consider for the Herring FMP. One would be to table further action on the plan until more data is gathered on the high-sea stocks. There was also some concern that if the Council proceeded with the FMP at this time that an RFP for research could not be pursued.

Bob McVey moved to delay action on the Herring FMP until additional information on the distribution and composition of offshore winter herring stocks and biomass is available and that the Council ask NMFS to develop that information. The motion was

In discussion of the RFP for harvesting research, the AF suggested that it may be appropriate to have a research program based on a charter with dollars per day. They felt that being paid with that may not attract sufficient vessels. The AF recommended a vote of 8 to 2 that the Council put out a RFP for fishing and a potential research study on better abundance in the fishing area.

Report of the Scientific and Statistical Committee

The SSC discussed the making-up of a control monitor subgroup to follow the bottom trawl study and the offshore research. It would be advised, and recommended Al Williams, Steve Langdon and Don Korschberg for membership on the subgroup.

Public Hearings

Henry Mitchell, Hearing and Enforcement Assn. It research is to be done on private vessels, the amount of fishing should be limited to 1% of the biomass, or about 1,600 mt. The state's suggestion of a \$,000 net ceiling would be acceptable. Because of the risk to the harbor fishery, he asked that the Council not approve any % in excess of that amount.

Barry Collier, WPEVOA. The real issue is that not enough is known about the stocks offshore and research is needed to find out. Fishermen taking the risk to do this research will have to have a substantial amount of fish to reduce their costs are covered. Two thousand tons will not cover these costs. The good hearing market is not right now and it is not known what it will be next January. Paying for the research through shares or Federal funds might be better. He feels any bids for the RFP would be about \$,000 to \$,000 mt. In regard to the RFP, industry feels that the RFP should be sent for sectorial review and public comment.

Ed Guyer, Offshore Bay fishermen. He is strongly opposed to the fishing for fishery because of the waste fish.

COUNCIL DISCUSSION AND ACTION

Bob Mowry suggested that there are other options (the Council could consider for the Hearing RFP. One would be to take further action on the plan until more data is gathered on the high-sea stocks. There was also some concern that if the Council proceeded with the RFP at this time that an RFP for research could not be gained.

For Mowry moved to delay action on the hearing RFP until additional information on the distribution and composition of offshore vessel fishing stocks and biomass is available and that the Council ask WPEVOA to develop such information. The motion was

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seconded by Harold Lokken and carried, 6 to 5 with Bob Mace, Sara Hemphill, Bob McVey, Rudy Petersen, and Gene Didonato opposed.

Gene Didonato said he feels there should be a time frame for this data collection and some understanding of what information will be developed.

Discussion of the RFP included the possibility of allowing bids to be in fish or dollars. Steve Pennoyer said the state is suggesting that the amount of fish be held to 2,000 mt to protect the inshore fishery. He said that the state might risk losing money if they were to use the test fish program for this research and this loss would have to be made up at the expense of other state research programs. He said that he understood that NMFS may have come up with a way to fund this research. Bob McVey explained that Pat Travers has assured him that enough funding could be derived from sale of the catch to cover the other programmatic and analytical costs, but they haven't devised a process for getting vessels that catch and sell the harvest to reimburse NMFS for those costs. Another option would be to submit a request for Council programmatic funding to cover costs of analysis beyond the survey.

Jim Campbell said he felt that this research should not be the responsibility of the state or industry, but that the Council should decide what it needs and ask NMFS to provide funding. Bob McVey said he couldn't offer the Council any encouragement for funds in the foreseeable future at the level of funding needed for this research above those needed for the staff necessary to analyze data. Other programs would have to be abandoned in order to provide additional funding. Gene Didonato said he felt the RFP should go out so that fishermen have a chance to bid; however, Jim Campbell stressed that the Council should not send out the RFP unless they were relatively sure they would make an award. Several other Council members agreed. John Winther opposed the commercial research concept because he felt it could lead to an offshore fishery when the inshore fishery is fully exploiting the resource.

Rudy Petersen moved to send the RFP out to the public. The motion was seconded by Gene Didonato. Harold Lokken moved to amend the motion to alter the RFP to allow bids in dollars or tons of herring. Steve Pennoyer seconded the motion to amend which carried with no objection. The main motion carried, 8 to 3, with Keith Specking, Jeff Stephan, and John Winther opposing.

Bob Mace moved that the Chairman write a letter to NMFS requesting programmatic funds or direct research by NMFS for herring research. The motion was seconded by Rudy Petersen and, there being no objection, it was ordered. It was stressed that the intent of the Council would be to request programmatic funding for the estimated \$400,000 needed for ship time and the

supported by David Johnson and others. It is with Bob Howe, this
Research, Bob Howe, Andy Peterson, and Gene Dickerson opposed.

Gene Dickerson said he feels there should be a time frame for this
data collection and some understanding of what information will
be developed.

Discussion of the RST included the possibility of allowing bids
to be in kind of dollars. Steve Peterson said the state is
opposing that the amount of fish is paid to \$1000 per acre
the income thereby. He said that the state might wish to
pay if they were to use the cost fish program for this research
and this cost would have to be made up of the expense of other
state research programs. He said that he understood that WMS
may have come up with a way to fund this research. Bob Howe
explained that that way has assumed that enough landing
could be derived from sale of the catch to cover the other
programmatic and analytical costs but they haven't derived a
program for getting vessels that catch and sell the harvest to
contribute bids for those costs. Another option would be to
submit a request for council programmatic funding to cover costs
of analysis beyond the survey.

Jim Jacobson said he felt that the research should not be the
responsibility of the state or industry but that the Council
should make what it needs and ask WMS to provide funding. Bob
Howe said he would like the Council to encourage any
funds in the foreseeable future at the level of funding needed
for this research show that needed for the state necessary to
analyze data. Other programs would have to be abandoned in order
to provide additional funding. Gene Dickerson said he felt the
Council should be one so that fishermen have a chance to bid
however. The Council stressed that the Council should not send
out the RST unless they were relatively sure they would make an
award. Several other Council members agreed. John Winter
opposed the commercial research concept because he felt it could
lead to an increase in fishery when the industry is fully
exploiting the resource.

Andy Peterson moved to send the RST out to the public. The
motion was supported by Gene Dickerson. David Johnson moved to
amend the motion to allow the RST to allow bids in dollars in
kind of landing. Steve Peterson seconded the motion to amend
which carried with no objection. The main motion carried, 5 to 2,
with Keith Bjorklund, John Stebbins, and John Winter opposing.

Bob Howe moved that the Chairman write a letter to WMS
requesting programmatic funds in direct research for WMS for
fishery research. The motion was seconded by Andy Peterson and
there being no objection, it was ordered. It was discussed that
the intent of the Council would be to request programmatic
funding for the estimated \$100,000 needed for this time and the

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additional \$88,000 for scientific support. Further discussion clarified that the Council is not asking NMFS to reprogram any of their current resource survey money into this particular project.

Don Rosenberg suggested the Chairman appoint a contract monitoring group for herring analysis. Jim Campbell appointed Al Millikan, Don Rosenberg and Steve Langdon with the concurrence of the Council.

D-2 King Crab FMP

Steve Davis reported to the Council on regulatory actions taken by the Board of Fisheries in March. The Plan Team and NOAA-General Counsel have reviewed the changes and find that they fall within the joint operating statement.

Mr. Davis reviewed the status of the King Crab FMP which the Council approved for fast-track Secretarial review in September 1983. Review is being delayed pending receipt of two elements of the package which are being prepared by the Region.

The federal permit requirement specified in the FMP was reserved in the implementing regulations on the advice of NOAA General Counsel. However, upon submitting the FMP and supporting documents, the Region informed the Council that the permit requirement could not be "reserved." The Regional Director and Commissioner of ADF&G met in December 1983 to discuss the state and federal permit requirements. Because the state's permits differentiate between residents and non-residents, their permits cannot be approved under the FMP. While the Council apparently does not need to take any formal action to get the FMP moving through the review process, the permit problem remains unsolved.

A federal permit could be used as an accounting and enforcement tool, especially for vessels not registered with the State of Alaska. It would also resolve the present conflict between the FMP and its implementing regulations.

Report of the Advisory Panel

Some AP members felt the Council should request the Board to reconsider the bait-up requirement in the St. Matthew fishery for safety reasons. They also were concerned that the closure around St. Lawrence and the Diomedes extending beyond three miles was voted on without scientific data being presented to the industry. The AP also felt that the Council and Board should meet together through the entire decision-making process regarding crab decisions pertaining to the shared authority of the Council and Board. The AP voted unanimously to recommend that the Council pursue a federal permit requirement in the implementing regulations for the King Crab FMP.

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Report of the Scientific and Statistical Committee

The SSC reviewed Board actions on king crab and did not find any item which required SSC review.

Public Testimony

Barry Collier, NPFVOA. Mr. Collier said his Association would like to see the Council sit with the Board through all crab deliberations pertaining to the FCZ. He also suggested reconsideration of the Board decision to rescind the 5-day bait-up period and that the Council and Board reconsider the bait-up period for the Bering Sea and St. Matthew fisheries. He requested that the Council ask the Board for scientific support for the closure around St. Lawrence. He is in favor of permit regulation to start the FMP through Secretarial review.

COUNCIL DISCUSSION AND ACTION

Steve Pennoyer was concerned about what effect the permit regulation would have on state regulations. Jim Branson responded that since the permits would only be required in federal waters, it should have no effect on state permits. Mr. Pennoyer also pointed out that the new Board of Fisheries has not yet reviewed the joint operating principles and national standards or the concept of federalizing state regulations and feels that they should have an opportunity to do this before any action is taken. Jeff Stephan agreed that the Board should be given time for this review. John Harville said he did not think the Council should try to force the State to change its system and that he felt it is unnecessary to require fishermen to have two permits. CDR Barrett, USGC, said that a permit makes enforcement easier.

Keith Specking moved to approve Section 676.4-Permits of the implementing regulations to the King Crab FMP. The motion was seconded by Sara Hemphill and carried with Jeff Stephan opposing.

D-3 Tanner Crab FMP

The Tanner Crab Plan Team reviewed actions by the Board in March affecting Tanner crab in the FCZ. The Plan Team found only one area which would require Council action. The Team recommended that the Council ask the Regional Director to withhold or withdraw that portion of the Tanner crab regulatory amendment which would eliminate the old federal pot storage area for the Bristol Bay area. Board action in March would reestablish the old federal storage area for both king and Tanner crab pots. Therefore, in order to be consistent with Board actions, that portion of the regulatory amendment should be withdrawn.

Report of the Scientific and Statistical Committee

The SSC reviewed Board actions on King crab and did not find any item which required SSC review.

Public Testimony

Garry Collier, NEVADA, Mr. Collier said his Association would like to see the Council with the Board through all crab deliberations pertaining to the POC. He also suggested representation of the Board decision to hearing the 2-4-84 ball-up period and that the Council and Board reconsider the ball-up period for the hearing see and Mr. Matthew Hatcher. He requested that the Council ask the Board for scientific support for the closure around St. Lawrence. He is in favor of permit regulation to start the FMY through commercial review.

COUNCIL DECISION AND ACTION

Steve Fenner was concerned about what effect the permit regulation would have on state regulations. The Council decided that since the permit would only be required in federal waters, it should have no effect on state permits. Mr. Fenner also pointed out that the new Board of Fisheries has not yet reviewed the joint operating principles and national standards of the concept of federalizing state regulations and that they should have an opportunity to do this before any action is taken. Mr. Fenner agreed that the Board should be given time for this review. John Hatcher said he did not think the Council should try to force the state to change the system and that he felt it is unnecessary to require fishermen to have two permits. Mr. Fenner said that a permit means enforcement system.

John Hatcher moved to approve Section 228.4-01-01 of the implementing regulations to the King Crab FMY. The motion was seconded by Steve Fenner and carried with John Hatcher speaking.

1-3 Fisher Crab FMY

The Fisher Crab FMY has been reviewed and the Board in which Steve Fenner moved in the POC. The Board found only one item which would require Council action. The Board recommended that the Council and the Regional Director be notified or with draw that portion of the Fisher Crab regulatory amendments which would eliminate the old Federal got average area for the Bristol Bay area. Board action in which would reestablish the old Federal got average area for King and Tanner crab gear. There- fore, in order to be consistent with Board actions, that portion of the regulatory amendments should be withdrawn.

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Report of the Advisory Panel

The AP approved a motion to recommend that the Council direct the Regional Director to withhold or withdraw that portion of the Tanner crab regulatory amendment which would eliminate the old federal pot storage area for Bristol Bay to bring the FMP into compliance with the state on pot storage regulations.

Report of the Scientific and Statistical Committee

The SSC received a presentation by Council staff on Board action on Tanner crab issues and did not find any item which required SSC review.

COUNCIL DISCUSSION AND ACTION

Bob Mace moved that the Council direct the Regional Director to withhold or withdraw that portion of the Tanner crab regulatory amendment which would eliminate the old federal pot storage area for the Bristol Bay area. The motion was seconded by Keith Specking and, there being no objection, it was so ordered.

John Winther brought up a problem for future Council discussion and action involving fishing for C. tanneri crab in an area where the Tanner crab season is closed. This is a species which has never been fished before and he would like the Council to discuss the possibility of differentiating between the species in the Tanner crab plan. Jim Branson suggested the plan team could be asked to address this proposal in the regular annual management cycle. Council members agreed.

D-4 Gulf of Alaska Groundfish

The Council was asked to consider extending two emergency regulations, one combining the Western and Central Areas of the Gulf of Alaska for pollock management and raising the combined OY for the area to 400,000 mt, and the other to close the sablefish fishery in the federal cul-de-sacs of Southeast Alaska. The emergency regulation raising the pollock OY will expire on June 21 and Amendment 13 which addresses this regulatory change is not expected to be implemented before August 15. Extending the emergency regulation will allow the pollock fishery to remain open until the amendment is in place.

The emergency regulation closing the sablefish fishery in the federal cul-de-sacs of Southeast Alaska will expire on June 4, opening these areas to sablefish fishing about three months earlier than the normal season.

A draft regulation for observers on domestic vessels was also prepared for Council consideration.

Report of the Advisory Panel

The Panel approved a motion to recommend that the Council direct the Regional Director to establish an advisory panel consisting of the old Federal and State members which would advise the old Federal and State members for the purpose of bringing the old Federal and State members into compliance with the State on the State regulations.

Report of the Scientific and Statistical Committee

The SSC received a presentation by Council staff on Board action on Tanner crab season and did not find any items which required SSC review.

COASTAL PROTECTION AND ZONING

Bob Allen advised that the Council direct the Regional Director to establish an advisory panel consisting of the old Federal and State members which would advise the old Federal and State members for the purpose of bringing the old Federal and State members into compliance with the State on the State regulations.

John Vinton reported on a problem for future Council discussion and action involving fishing for G. kumagai in an area where the Tanner crab season is closed. This is a species which has never been listed before and he would like the Council to discuss the possibility of differentiation between the species in the Tanner crab area. The manager suggested the plan could be made to address this problem in the regular annual management cycle. Council members agreed.

1-4 Bill of Alaska Governor

The Council was asked to consider extending two emergency regulatory provisions concerning the Western and Central areas of the Gulf of Alaska for pollock management and raising the closed fishery area to 400 mi and the other to close the regulated fishery in the Federal off-shore of Southeast Alaska. The emergency regulatory provisions will expire on June 30 and Amendment 12 which addresses this regulatory change is not expected to be implemented before August 15. Raising the emergency regulatory provisions will allow the pollock fishery to remain open until the amendment is in place.

The emergency regulatory provisions of Amendment 12 will expire on June 30. Federal off-shore of Southeast Alaska will expire three months earlier than the normal season.

A draft regulation for fisheries on domestic vessels was also prepared for Council consideration.

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Report of the Advisory Panel

The AP recommended the Council request extension of the two emergency rules and suggested that the Council develop specific amendments to the FMPs so that the emergency rules are no longer necessary.

The AP also recommended the Council research the liability issues involved in placing observers aboard domestic vessels.

There was concern by AP members that the issue of the domestic sablefish restriction has gone unresolved for too long and requested that the data requested be completed and sent to the Council family prior to the September meeting.

Report of the Scientific and Statistical Committee

The SSC had no comment on the draft domestic observer regulations. It was brought to the SSC's attention by Council staff that the current regulations do not allow the Regional Director to use field order authority to close an area to protect crab stocks. This problem could be solved by bringing the regulations into conformity with the plan.

The SSC received a presentation from the Prohibited Species Workgroup. It became apparent to the SSC that the group would not be able to complete its work in time for consideration by the Council under the plan amendment schedule. The SSC therefore concurred with the recommendation of the Gulf Interim Action Committee that the by-catch of halibut be addressed by the Council with another emergency rule at the September meeting and that the team be instructed to prepare an amendment for the start of the management cycle in December.

The SSC recommended that a contract review group for groundfish data be appointed by the Chairman to review any RFPs that the groundfish data workgroup might find necessary during the summer months.

Public Testimony

Barry Collier, NPFVOA. Mr. Collier said he is concerned about the liability of vessel owners who have observers aboard. He suggested that the only way to get around this would be for the Congress to indemnify the observer program. He asked the Council to have their legal staff look into this problem. He also questioned the use of the words, "and enforcement" in the draft observer regulations saying that observers on foreign vessels do not have enforcement powers.

that the information should be
 presented in a manner which would be
 understood by the public. The Commission, in the past
 has held that the public has a right to know what the
 Commission is doing and to have access to the records
 and files of the Commission. The Commission has
 endeavored to make its records available to the public
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Public Information

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Records of the Commission's Operations

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Records of the Commission's Files

COUNCIL ACTION AND DISCUSSION

Keith Specking moved that the Council request the Secretary to extend the emergency regulation which sets the pollock OY at 400,000 mt in the combined Western and Central areas until Amendment 13 is implemented. The motion was seconded by Bob McVey and carried unanimously.

Keith Specking moved that the Council request the Secretary to extend his emergency closure of the federal intrusion areas within the Southeast archipelago for sablefish until September 1, 1984, the traditional opening date for this area. The motion was seconded by John Winther and carried unanimously.

Council members discussed who would pay observers on domestic vessels and the the liability of vessel owners in the event of accident. It was the concensus of the Council that vessel owners would not be required to bear the costs of observers. The Plan Team was instructed to draft wording on compensation of observers proceed with it under the regular amendment cycle. Council staff was instructed to look into the insurance question and report back to the Council.

Some Council members also felt that the words, "and enforcement," should be removed from Section (a) of the draft regulation. The feeling was that this implied they would take part in actual enforcement activities. It was noted that observer reports and observations are often used as a basis of enforcement actions and this language would make it easier to use this information in legal proceedings.

Sara Hemphill moved to delete the words, "and enforcement" from the second line of Paragraph (a) of SECTION 672.27 OBSERVERS in the Gulf of Alaska FMP regulations. The motion was seconded by Harold Lokken and passed 10 to 1, with Jeff Stephan opposing. It was stressed that the intent of the Council that information gained by observers can be used in enforcement actions. CDR Barrett said that deleting that language could hamper enforcement because they often consult with observers and enforcement actions are sometimes taken as the result of information received from them.

Jeff Stephan moved that the Council approve the amended draft regulation for domestic observers and transmit it to the Secretary for publication in the Federal Register. The motion was seconded by Steve Pennoyer and carried unanimously.

Steve Pennoyer asked what is being done about the logbook program discussed with the Board in March. Clarence Pautzke said that it is his understanding that this will be included under the groundfish monitoring program. John Harville suggested that Council staff consult with PFMC staff as they have voluntary programs in

COUNCIL ACTION AND DISCUSSION

Keith speaking moved that the Council request the Secretary to extend the emergency regulation which sets the policy of 40,000 mt in the combined western and central areas until 1989. The motion was seconded by Bob Waley and carried unanimously.

Keith speaking moved that the Council request the Secretary to extend the emergency closure of the federal television areas within the southern straitlands for 1989 until September 1, 1989, the traditional opening date for this area. The motion was seconded by John Wither and carried unanimously.

Council members discussed the would pay observers on domestic vessels and the liability of vessel owners in the event of a accident. It was the consensus of the Council that vessel owners would not be required to bear the costs of insurance. The plan was instructed to start working on a discussion of observers proceed with it under the regular management cycle. Council staff was instructed to look into the insurance question and report back to the Council.

Some Council members also felt that the words "and enforcement" should be removed from section 14 of the draft regulation. The feeling was that this implied they would have part in actual enforcement activities. It was noted that observer reports and observations are often used as a basis of enforcement actions and this language would make it easier to use this information in legal proceedings.

John Waley moved to delete the words "and enforcement" from the second line of paragraph 14 of SECTION 14 OF CHAPTER 14 in the Bill of Rules 1988 regulations. The motion was seconded by Harold Loken and passed 10 to 1 with Jeff Stepan opposing. It was stressed that the intent of the Council was information gathered by observers can be used in enforcement actions. Harold said that feeling that language could hamper enforcement because they often consult with observers and enforcement actions are sometimes taken as the result of information received from them.

Jeff Stepan moved that the Council approve the amended draft regulation for domestic observers and transmit it to the Secretary for publication in the Federal Register. The motion was seconded by Steve Fenwick and carried unanimously.

Steve Fenwick asked what is being done about the Council program discussed with the Board in March. Dennis Finkbe said that it is the understanding that this will be included under the grounds fish monitoring program. John Harville suggested that Council staff consult with BWC staff as they have voluntary programs in

progress and may be able to provide some information. Mr. Pennoyer said the question is whether the logbooks are required or not and he thought they would be included in the regulations.

There was also some discussion of the Regional Director's lack of field order authority in the FMP regulations to close an area to protect crab. Bob McVey said they are currently looking into getting that authority.

Bob McVey also told Council members that persons wanting the ceiling for the retention of sablefish raised or removed in joint venture permits have been advised to petition the Regional Director for the change. However, there appears to be a legal problem because there is a TALFF on sablefish and he wanted the Council to know that the issue may be brought up at a future meeting.

D-5 Bering Sea/Aleutian Islands Groundfish FMP

Mick Stevens briefed the Council on the progress of an industry workgroup on prohibited species by-catches in the Bristol Bay Pot Sanctuary. The full report was included in Council notebooks. Mr. Stevens told the Council that they feel the only practical way to address the issue is to address the mortality rates and situations that contribute to the mortality of prohibited species.

Bob Alverson said that data they have may suggest that the yellowfin sole fishery should be moved to the north. The workgroup will try to have some definitive suggestions for the Council by the September meeting. He also pointed out that fishing for halibut and king crab are not allowed in the area yet a bottom trawl fishery is allowed. Section E of the workgroup's report included a list of future actions and needs of the workgroup.

Bob McVey complimented the industry workgroup on their work and said he is concerned that there is not a similar group for the Gulf. Jim Branson pointed out that there is an active workgroup for the Gulf which includes industry representatives.

COUNCIL DISCUSSION AND ACTION

It was the concensus of the Council that the BSAI Plan Team should look at the workgroup's report, particularly Section E, to see what they can do by the September meeting to aid in the workgroup's analysis of data. They were also asked to identify issues and actions suggested by the workgroup and develop recommendations for possible Council action.

progress and was able to provide some information. Mr. Kennedy said the question is whether the logbooks are required or not and he thought they would be included in the regulations.

There was also some discussion of the Regional Director's lack of field order authority in the TFR regulations to cause an area to be closed. Mr. Mowey said they are currently looking into getting that authority.

Mr. Mowey also told Council members that persons wanting the calling for the retention of seabirds raised or removed in joint venture permits have been advised to petition the Regional Director for the change. However, there appears to be a legal problem because there is a TFR on seabirds and he wanted the Council to know that the issue may be brought up at a future meeting.

Bob Mowey's Presentation on the TFR

Mr. Mowey stated the Council on the progress of an industry workshop on prohibited species bycatch in the Pacific Bay for seabirds. The TFR report was included in Council documents. Mr. Mowey told the Council that they feel the only practical way to address the issue is to address the mortality rates and situations that contribute to the mortality of prohibited species.

Mr. Mowey said that data they have may suggest that the yellow eye fishery should be moved to the north. The work group will try to have some qualitative suggestions for the Council by the September meeting. He also pointed out that fishing for falcons and king eels are not allowed in the area yet a bottom trawl fishery is allowed. Section 8 of the workshop's report included a list of future actions and needs of the workshop.

Mr. Mowey complimented the industry workshop on their work and said he is concerned that there is not a similar group for the Gulf. Mr. Hanson pointed out that there is an active workshop for the Gulf which includes industry representatives.

WORKSHOP DISCUSSION AND ACTION

It was the consensus of the Council that the BSAI fishery should look at the workshop's report particularly section 11. It was also decided that they can do the September meeting to try to get the workshop's analysis of data. They were also asked to identify issues and actions suggested by the workshop and develop recommendations for possible Council action.

E. CONTRACTS, PROPOSALS AND FINANCIAL REPORTS

Finance Committee Report

The Finance Committee approved the FY/85 budget in the amount of \$1,828,100, a \$845,900 increase over the FY/84 funding level. A new line item of \$800,000 for Groundfish Monitoring was added to the Administrative budget. The Committee approved for final payment Contract 83-1, "Halibut Limited Entry Socio-cultural Study," and postponed a decision on a programmatic request for \$126,700 for a herring research project pending the Council's decision on management of the herring fishery. (Under item D-1 the Council voted to delay action on the Herring FMP until additional information on the distribution and composition of offshore winter herring stocks and biomass is available.)

Harold Lokken moved to adopt the recommendations of the Finance Committee. Keith Specking seconded the motion and, there being no objection, it was so ordered.

F. PUBLIC COMMENT

Ted West, General Manager of Alaskan Fisheries, advised the Council that his company will be fishing for Pacific ocean perch and other groundfish species in 1984. The operation will begin approximately the second week of August and he estimated that they will harvest 3,000 mt of perch around the South Unalaska Islands. He wanted assurance that, as an American operation, they would be assured of the availability of the resource.

Bob McVey pointed out that there may be a problem because the DAP figures were established last fall after a survey of industry needs and Mr. West's company evidently had not finalized their plans at that time. There has already been a substantial allocation of Pacific ocean perch in the Western area to joint ventures. The law gives clear priority to domestic fishermen; however, four joint ventures are depending on the Pacific ocean perch already allocated. Mr. McVey did point out that there is a substantial reserve in the Central Gulf.

G. ADJOURNMENT

The meeting was adjourned at 4:55 p.m. on Thursday, May 24, 1984.

E. COMMENTS, RECOMMENDATIONS AND FINANCIAL REPORTS

Finance Committee Report

The Finance Committee approved the FY85 budget in the amount of \$1,818,100, a \$44,900 increase over the FY84 funding level. A new line item of \$800,000 for Groundfish Monitoring was added to the Administrative budget. The Committee approved for fiscal year 84-85, "Herring Herring Stocking Study" and responded a decision on a programmatic request for \$126,700 for a herring research project pending the Committee's decision on management of the herring fishery. (under item 7-1) The Council voted to delay action on the herring and composition of additional information on the distribution and composition of herring under herring stock and biomass is available.)

It was noted to adopt the recommendations of the Finance Committee. Action pending regarding the motion and there being no objection, it was so ordered.

F. PUBLIC COMMENT

Ted West, General Manager of Alaskan Fisheries, advised the Council that his company will be fishing for Pacific ocean perch and other groundfish species in 1984. The operation will begin approximately the second week of August and he estimated that they will harvest 3,000 mt of perch around the South Uralian Islands. He wanted assurance that, as an American operation, they would be assured of the availability of the resources.

Don Wovey pointed out that there may be a problem because the OAS figures were established last fall after a survey of industry needs and Mr. West's company evidently had not finished their plans at that time. There has already been a substantial allocation of Pacific ocean perch in the Western area to joint ventures. The law gives clear priority to domestic fishermen; however, joint ventures are depending on the Pacific ocean perch already allocated. Mr. Wovey has pointed out that there is a substantial reserve in the Central Gulf.

G. ADJOURNMENT

The meeting was adjourned at 4:55 p.m. on Thursday, May 24, 1984.