

North Pacific Fishery Management Council

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

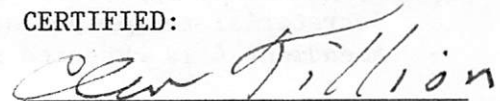
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MINUTES

Twenty-Sixth Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
Elks Club, Homer, Alaska
June 28-29, 1979

The regular meeting of the North Pacific Fishery Management Council was held at the Homer Elks Club, Homer, Alaska on Thursday and Friday, June 28th and 29th, 1979 starting at 8:30 a.m. both days.

The Scientific and Statistical Committee conducted a two day meeting Tuesday and Wednesday, June 26th and 27th at the Land's End Hotel, Homer, Alaska.

The Advisory Panel conducted a one day meeting on Wednesday, June 27th, 1979 at the Homer Elk's Club, Homer, Alaska.

A joint meeting between the Scientific and Statistical Committee and the Advisory Panel was conducted Wednesday morning, June 27th at the Elk's Club in Homer.

The Advisory Panel conducted a half-day session following the joint meeting commencing at 2:00 p.m. Wednesday afternoon, June 27th.

A public comment period was held starting at 2:00 p.m. Thursday, June 28th. The public comment portion was continued for the balance of the Thursday meeting day and was recessed at 5:00 p.m. The public comment resumed Friday morning and was conducted until 10:00 a.m. An attendance roster of Council members, SSC members, AP and public is attached as Appendix A.

The number sequence in this narrative corresponds to Council meeting agenda numbered topics.

The meeting was conducted by Chairman Clement V. Tillion and Vice Chairman Harold Lokken.

AGENDA

1. The draft agenda was adopted on a motion by Vice-Chairman Lokken.
2. The Council minutes for the May meeting were approved pending corrections to be made by members before the end of the Council meeting. None were received.

3. Executive Director's Report - The Executive Director's Report is included as Appendix B. During the course of the report Mr. Branson informed the Council that Amendment #4 of the Gulf of Alaska Groundfish FMP had been approved. Amendment #5 concerning rattails began the Secretarial review period on June 4th. The implementation of Amendment 4 is expected sometime early in August.

Concerning the Bering/Sea Aleutian Groundfish FMP, the Secretary of Commerce received on June 4th the reserved section on the Aleutian closures passed by the Council at the May meeting. The NOAA policy group has indicated that it can not accept the estimate of DAH that is in the plan. Action on the subject is awaiting formal notification by the Secretary of Commerce to the Council on that part of the plan in question.

A letter received by the Council from John R. Donaldson, Director of the Oregon Department of Fish & Wildlife, brought to Council attention an apparently successful effort in the United States House of Representatives to cut by 50% the budget of the Department of State's Bureau of Oceans and International Environmental and Scientific Affairs. The letter requested Council support for restoring the budget cut. The Council directed the Executive Director to inform the Alaska Congressional delegation reflecting the Council's desire that such a budget cut not be instituted.

4. United States Coast Guard Report - Commander Pete Busick reported to the Council on the activities of the Coast Guard for the past month. One report of violation and four citations had been issued since the last Council meeting. In addition, two foreign fishing vessels have been seized for FCMA infractions. In the discussion which followed the report, Council member Campbell said the Council should voice its opinion of serious violations occurring in the FCZ. Several suggestions were put forward as to how the Council could participate in the processing of violations. Vice Chairman Lokken remarked that it might be possible for representatives of the fleet whose member was charged with the violation to explain to the Council the circumstances surrounding the violation and what actions will be taken to cure the problem. Member John Harville commented that underlogging is a serious offense and that the Council might well make a response on that particular subject. The State Department Representative, Ray Arnaudo, informed the Council that it may make suggestions to the Department of State on the matter of allocating surplus resources to nations with poor violation records. Member Charles Meacham said that the Council could consider making recommendations for penalties to be assessed for FCMA infractions which are considered more serious than some others. Harry Rietze, NMFS Regional Director and Council member, agreed strongly with the Council's concern for the degree of seriousness of all the violations in the FCZ. He commented that if the fleets all do as some have done and violate regulations through

underlogging, retaining prohibited species, etc., it would not be possible to manage the resource in any consistent manner. He remarked that penalties assessed for FCMA violations must be severe enough to keep them from happening again. The Executive Director was directed to draft a letter to the Department of Justice indicating that management of fishery resources is not possible if violations continue and are widespread. Admiral Duin, Commandant of the 17th U.S. Coast Guard District in Juneau and a Council member, said that it would be wise for the departments involved to get together and draft procedures for the imposition of penalties. This would include National Marine Fisheries Service, The Department of Justice and the Department of State. Council member Mace indicated that the subject might well be one for the forthcoming oversight hearings. Council member Harville said he would like to hear comments from industry and government on advice as to how to cure the problem of FCZ infractions.

[At this point in the meeting NOAA Regional Counsel Kim White introduced Patrick Travers who will be his replacement and will be taking over his position in August when Mr. White leaves Juneau.]

5. National Marine Fisheries Service Report - Ron Naab, (NMFS, Juneau) reported to the Council on National Marine Fisheries Service activities in the past month. Mr. Naab told the Council that foreign vessels had increased from 270 in May to 430 on the 25th of June. Of that total 225 were in the Japanese groundfish fleet. The salmon fleet started fishing the week of June 25th just south of Attu and reported catches some 30% higher with larger fish than previous years. There are 4 factory ships and 172 gillnetters in the fleet this year, the same as last year. Mr. Naab reported at length on the search of the seized vessel KAIYO MARU #53. Mr. Naab indicated that the National Marine Fisheries Service was successful in getting the United States Marshall to finance an inventory of the cargo. The United States Marshall's office can be paid for such a service where National Marine Fisheries Service cannot. The search itself took five days and involved cranes, forklifts, five vans, four agents, a biologist from the NMFS and a crew of longshoremen. The estimated cost of the search was something on the order of \$40,000. The catch was 230 metric tons rather than the logged amount of 145 metric tons and the value is estimated to be between \$500,000 and \$700,000. The search was a precedent for the West Coast and may be an indication of a new thoroughness to be conducted on searches in the future. Mr. Naab did indicate that a search following the same procedures will be conducted on the DONG WON #31, a ship seized and brought to Kodiak following the first incident.

Phil Chitwood (NMFS, Juneau) informed the Council that as an interim measure rattails have been put on the prohibited species list. As a prohibited species they must be returned to the sea and are not counted against TALFF. Amendment #5 to the Gulf of Alaska Groundfish Plan establishes a line item OY for rattails. It was the incidental catch of rattails associated with the Japanese longline fishery for

sablefish which threatened the OY limit for "Other species" under which rattails had been counted. The interim measure will fill in until Amendment #5 is approved by the Secretary of Commerce. Mr. Chitwood further reported that the Japanese have taken 10,150 metric tons of crab this season, which is 67.7% of their 15,000 metric ton quota. The percentage breakdown of the catch is 89% opilio, 8% bairdi and 3% hybrid.

6. Alaska Department of Fish & Game Report - The Report from the Alaska Department of Fish & Game consisted of updates on the cumulative domestic landings for Tanner crab and groundfish. The total of landings from the Bering Sea as of May 31st, 1979 for C. bairdi was 42,241,500 pounds, for C. opilio Tanner crab 27,964,500 pounds. As was indicated in an earlier report, the opilio crab total is expected to top 30 million pounds this year. That figure compares with a 1978 catch of 1.7 million pounds. Other information received by the Council indicates that the total catch of Tanner crab by the U.S. in the Bering Sea in 1980 could exceed 100 million pounds.

The 1979 groundfish landings for the Bering Sea/Aleutian area included 501.1 metric tons of Pacific cod and 24.9 tons of "unspecified." The unspecified total reflects those fish which are landed under conditions which will not permit tallying of individual species. The 1979 cumulative domestic landings for the Gulf of Alaska total 4,061.2 tons and consisted of 1,636.3 tons of pollock, 771.1 tons of flounder, 752.9 tons of cod, 466.8 tons of sablefish and 243.3 tons in the unspecified category.

7. Scientific & Statistical Committee Report (This report is included as Appendix C, a brief summary follows) - Chairman Steve Pennoyer of the SSC reported to the Council on the result of the SSC committee meeting.

- The SSC discussed an 11th member and feel that a marine mammal specialist is needed on the group. Steve Pennoyer and Don Bevan were appointed to present this to the Council at a later date.

- The King Crab Working Group has recommended the following schedule for completion of the King Crab Fishery Management Plan:

1. The draft FMP should be targeted for completion by December 1, 1979;
2. The draft should be scheduled for public review and comment during April - June, 1980;
3. The target date for Secretarial approval will be on or about January 1st so that;
4. The plan can be implemented in September of 1981.

Options to be considered for management of the fishery include; evaluations of alternative management schemes which consider both quota and non-quota systems with variations in the size and sex of crab exploited using the best available data and simulation modeling techniques such as those used at the Seattle Center by Marasco and Reeves. The SSC concurred with the recommendations of the King Crab Working Group.

- Fishery Management Units - It was the suggestion of the SSC that the first attempt in the fishery management unit problem is to develop regulations that are as consistent as possible between State and Federal jurisdiction. An attempt should be made to define the FCZ with realistic headland baselines that make it feasible to enforce any necessary differences in the regulations. The SSC also said that they do not understand how a Memorandum of Understanding between NMFS and the State of Alaska could resolve the legal question of jurisdiction in the matter of boundary dispute.

- The SSC reviewed a paper by Dr. Low-Lee-Loh (Seattle Center) on the salmon/herring savings area. It was the consensus of the SSC that no action be taken at this time until the concept is refined.

- The SSC reviewed a report from the Japanese Tanner Crab Industry indicating their fishing this year paralleled the catch trends of last year. The SSC was also alerted to the possible revision of the Tanner Crab FMP for the 1980 season to reflect changes in stock abundance and DAH. It is expected that reduced C. bairdi and C. opilio abundance and the demonstrated U.S. interest in opilio this season will impact the foreign allocation of this species in 1980. A realistic appraisal of DAH is an important facet of this equation.

- Proposed FCMA Changes - The SSC considered the North Pacific Council's recommendations as presented in June on FCMA changes and testimony at the Congressional Oversight Hearings. A list of comments on 11 of the 21 numbered items in the report is included in the Appendix material.

- Optimum Yield Report - Don Bevan discussed the optimum yield paper from the Pacific Council and the SSC feels that this is a big step forward in the evolution of OY management and a big improvement over the present system. The SSC concurs with the paper and the concepts presented.

Council member Eaton asked the SSC for an analysis of the FMP provisions and regulations to define the most economic way to develop the fishery. He suggested that such an investigation would produce better economic modeling. As an example, Mr. Eaton said that pot storage areas are no longer needed. He estimated that it takes 900,000 gallons of fuel to move the gear to the storage area and back to the grounds. This is a direct cost to the fleet and Mr. Eaton would like the SSC to review proposed regulations to see what they will cost the fleet.

Dr. Reeves concurs on the estimation of cost of regulations to the fleet and has said he will make a priority list of subjects to address.

Member Don Collinsworth remarked that economic analysis is slighted in fisheries development in general. He suggested the addition of an economist to the staff of the Council to encourage the collection of economic material that can be analyzed. Council member Harville commented that it is imperative that plan development teams be innovative in developing plans and that the SSC can help by investigating such subjects as the economic analysis of regulations.

8. Advisory Panel Report - Chairman Keith Specking presented the results of the Advisory Panel meeting to the Council. The AP report is included as Appendix D. A summary follows.

- The Advisory Panel has named a subcommittee to explore methods of fine-tuning the determination of DAH in the Bering Sea Tanner crab fishery. The committee is composed of Sig Jaeger (Chairman) Jeffrey Stephan, Chuck Jensen and Joe Kurtz.

- Concerning the subject of limited entry, member Jeffrey Stephan called for a representation on the Limited Entry Working Group of at least 50% AP members. In later discussions members Lauber, Stephan and Alverson were named to the group.

- During the joint session of the AP/SSC Chairman Specking asked what type of research is underway on herring so that FMP's might be better formulated. Dr. Reeves said that one person at the NWAFC is working full time on herring, there are studies under way on the deposit of roe-on-kelp and hydroacoustic resource surveys currently in progress. Dr. Reeves said that test gillnetting samples an unbiased age/class structure and indicates that wintering stocks northwest of the Pribilof Islands are Western Alaska herring. Member Sig Jaeger opposed the present State of Alaska proposal to ban offshore trawling by Americans while there is still a foreign effort on herring in that area.

- the Advisory Panel also passed a motion to accept the recent NMFS survey to reassess DAH in the Gulf of Alaska.

- Following extended discussion, member Alverson of the Advisory Panel made the following motion: "That the Advisory Panel inform the Council of a decision to release the following reserve amounts of the listed species in the Gulf of Alaska:

Pollock	50% of the remaining reserve amount	
Cod	0	
Flounder	90%	"
Sablefish	50%	"
POP	0	
Akta mackerel	90%	"
Squid	90%	"
Rockfish	0	
Others	90%	"

The release is scheduled for July 2nd and the sablefish reserve release is to be made only west 140° West Longitude."

(Agenda Items 9,10,11,12,13 and 14 all deal with Gulf of Alaska Groundfish FMP).

9. Estimating Domestic Annual Harvest - Agenda Item 9 concerned guidelines for estimating domestic annual harvest and processing capacity. Phil Chitwood (NMFS, Juneau) reported to the Council that at a meeting in Washington of the National Marine Fisheries Service a decision was made to leave to individual Councils the determination of what DAH will be. Member Collinsworth remarked that the Council will now need a standardized method to develop realistic DAH and that that information should come from the SSC. Executive Director Branson commented that there is a need to amend both the Gulf of Alaska and the Bering Sea/Aleutian Fishery Management Plans. Because of this the DAH working group should be active in determining realistic DAH's for the plans. Council member Rietze said that the Council must deal with OY on a general basis, not a finite basis and Chairman Tillion remarked that he would like to see some slack in the DAH so that TALFF would never have to be reduced. The Council asked the DAH group to work with the Plan Development Team. Mr. Branson will make those arrangements.

10. Reduction of DAH for 1979 in the Gulf of Alaska - The basis for revising DAH in the Gulf of Alaska was the April 1979 survey of processors by the National Marine Fisheries Service which indicated that the DAH of 44,500 metric tons now in the Gulf of Alaska Groundfish Plan was unrealistically high. Based on the survey, both the SSC and AP had recommended that the DAH be reduced from its 44,500 figure to a figure of approximately 16,800 (plus 1,300 mt pending rattail amendment) metric tons. Phil Chitwood told the Council that if the revised DAH material is submitted and implemented on schedule it can be available to TALFF the first of September. Mr. Chitwood also suggested that Pacific cod and Pacific Ocean perch be released to reserve amounts.

Member Bart Eaton said that he would prefer the release from DAH go to reserve instead of TALFF. After an extended discussion, Council member Lokken made the motion that the DAH in the Gulf of Alaska be reduced to the figure endorsed by NMFS, and that release go to TALFF. The motion was seconded by Council member Rietze and passed unanimously.

11. Release of Reserves - Gulf of Alaska - Council member Campbell moved to adopt the Advisory Panel recommendation for release of reserve in the Gulf of Alaska. The amounts are as follows:

<u>Species</u>	<u>% of Release</u>	<u>Total</u>
Pollock	50% of remaining reserve amount	33,400 mt
Flounder	90% "	4,000 mt
Sablefish	50% "	1,600 mt*
Atka mackerel	90% "	2,700 mt
Squid	90% "	850 mt
Others	90% "	2,000 mt
Pacific Ocean Perch	None	
Other rockfish	None	
Pacific cod	None	

* West of 140° West Longitude only.

In the discussion that followed Council member Rietze said the release is scheduled to be made on July 2nd, the last scheduled release date for the year. He indicated that NMFS was looking at the possibility of making a substantial release from the reserves on July 2nd with the possibility of an additional release as soon as possible after July 2nd. The motion was adopted to release the reserve amounts shown in the table to TALFF.

12. Gulf of Alaska - Joint Venture Closures - The Council has asked that the Plan Development Team for the Gulf of Alaska Groundfish Plan draft an amendment which would contain proposed joint venture closures for the Gulf of Alaska. The Council was told that under the existing time frame such an amendment would not be in effect this plan year. Council member Rietze reported to the Council that the joint venture catch to date off Alaska was 250 metric tons. The effect of this discussion was to defer until the next Council meeting any consideration of joint venture closures for the Gulf of Alaska.
13. Redefining the Fishery Management Units - The representative from the State Department, Ray Arnaudo, told the Council that he would ask the State Department geographer to draw the 3-mile Territorial Sea line on charts for the Council. He said that the lines are drawn conservatively and it was the intent of the government to retain the current interpretation of those lines. Council member

Rietze told the Council that in his view it would not be wise to try to change the definition of the Territorial Seas. He would prefer to address in it the FMP by excluding the areas of dispute from the fishery management unit. The areas involved are those which have historically and traditionally been managed by the State of Alaska under the headland to headland definition of State waters but which are technically outside the 3-mile territorial sea and therefore under the jurisdiction of the Fishery Management and Conservation Act. In previous years the absence of specific management plans in Federal waters allowed the State to exercise de facto jurisdiction in all waters outside the Territorial sea. The topic will be a subject of continued discussion.

14. Extension of the Gulf of Alaska FMP - Examination of the Gulf of Alaska Fishery Management Plan shows four areas which need attention so that the plan may be continued for the following fishing year. They include optimum yield, providing domestic annual harvest reassessment so that any excess can be released to TALFF by regulation, a method of refining domestic annual harvest prediction to a more realistic level and possibly some restrictions on joint venture fishing efforts through time/area closures.

It was pointed out by the Executive Director that the major problem in the Gulf of Alaska is one of time, that it may be expedient to notify the Secretary of Commerce of the Council's intention to amend the plan. This would give the Council the opportunity to consider the final amendment in July or August, depending upon the availability of the processor preference final regulations, the 1980 NMFS resource survey and further recommendations from the DAH working group.

The Council determined that the items which were considered as matters of business under 9, 10, 11, 12, 13 and 14 should be reported on by special working groups provided with goals and objectives and some time frames. Further reports on those topics will be given to the Council at a later date. All relate to the Gulf of Alaska Groundfish Fishery Management Plan and all of them will be used as material for the final amendment which will extend the provisions of the plan for the next regulatory year.

PUBLIC HEARING
(2 p.m.)

(The following is a summary of public comment offered during the meeting.)

Wally Pereyra, Ted Evans, and Hugh Riley spokesmen for the Marine Resources, Inc., joint venture addressed the Council on five items of interest: 1) release of reserves, 2) DAH, 3) permit issuance, 4) area closures and 5) Bering Sea/Aleutian Plan. They informed the Council that permits had been approved on May 16th for Russian vessels to engage in the joint venture. The permit pending for the Soviet processor/trawler PRIAMURYE will allow that ship to replace one of the vessels formerly licensed for

the joint venture. One of the gentlemen addressing the Council from this group, Hugh Riley, is the owner of the trawler CALIFORNIA HORIZON and has contracted with Marine Resources, Inc., to fish in the Gulf of Alaska. The target species will include ocean perch and cod fish, and they assume 70% of the catch will be composed of the two species. They asked that the reserve amounts of those two species be held so their fishing effort will not be constrained by lack of adequate reserves. The Council was urged to use prudence in allocating reserves of Pacific Ocean perch and cod in the western areas to TALFF. They asked for the release of DAH to reserve, opposed restrictions on U.S. fishermen through area closures on the joint ventures and alerted the Council to the possibility of joint venture activities in the Bering Sea area next year.

Daniel Webster, representing Stewart Fisheries, told the Council of plans by his organization for trawling off Southeast Alaska. Among other things, they plan 100 days of fishing beginning January 1 with the catch going to Sitka Cold Storage. The vessels involved will be the DISCOVERY BAY and the SUNSET BAY, a pair of 108 foot trawlers. The target species will be 60 to 65% perch and 20% sablefish. They have landed 4.5 million pounds with up to 75,000 pounds per day in trawl fisheries off the west coast.

A statement by Jesse Foster, a member of the Advisory Panel representing the Western Alaska salmon interests, was read by Harold Sparcks. The subject was the interception of Western Alaska chinook salmon by the trawl and gillnet fleets of Japan.

Mr. Sparcks commented that a paper presented to the Council which reported that biologically there was little reason for trawl closures to protect salmon in the Bering Sea is in error.

Representatives of Japanese fishing interests addressed the Council on the problem of reserves and the reevaluation of the domestic annual harvest. They indicated their pleasure with the reevaluation and suggested that implementation on an emergency basis would be helpful to foreign fishermen for the period of time left in the fishing year.

Mr. Hastings and Mr. Endo of the Hokuten Trawlers Association, exchanged comments with the Council on the general subject of enforcement.

Mr. Endo outlined the measures his association is taking to prevent future violations of FCMA regulations (the KAIYO MARU #53 is a member of the Hokuten Trawlers Association) and the penalties they plan to impose on members caught violating in the future.

Council members pointed out that the willful violations apprehended to date would probably not be prevented by further education of Japanese fishermen since they already appeared to fully understand the regulations and used that understanding to circumvent them. They also said that mandatory lay ups as proposed by the Association were frequently only an opportunity to get needed yard and repair work done and not much a

disincentive. They stressed to Mr. Endo that it did little good to further punish Captains already apprehended by the U.S., that what is needed is their help in checking their members so violations did not occur in the future.

Junior Cross, Master of the CAPTAIN JOE fishing for the KMIDC joint venture, expressed his concern to the Council about the release of reserves. He said that excessive reserve releases could jeopardize joint venture catches. He also made the point that joint venture operations will find fish and this will be valuable information for United States fishermen. He opposed area closures.

Sara Hemphill, Executive Director for the Alaska Fisheries Development Corporation, expressed her thanks to the Council for support in obtaining the S-K funding for her group.

[The Public Hearing portion of the meeting was continued Friday morning.]

Mr. Donald McCaughran, the Executive Director of the IPHC, gave the Council a recapitulation of the halibut season to date. He was assisted by Richard Myhre. Mr. Myhre said there had been a 4.9 million pound catch of halibut in Area 2 which broke down as follows:

<u>Area 2</u>	
off Canada	2.2 million
off United States	2.7 million

The U.S. portion of the Area 2 fishery was closed on the 3rd of July. There was no closure in the Canadian portion of Area 2. In Area 3, with an 11 million pound limit, 6 million pounds have been landed to date. In Area 4 126,000 pounds have been landed so far and the outlook is good. It was too early to assess stock conditions in the halibut fishery this year but the catch per unit of effort is up and all age groups are available to the fishery. While the fishery was termed good, it still is far below the long term abundance levels. Concerning the Canadian take for this season, Canada took 1.8 million lbs of a 2 million lb quota off Alaska and they were not allowed a second period in U.S. waters. With a quota of 3 million lbs over a 2 year period, Canada will be allowed 1.2 million in the 1980 season. Mr. McCaughran said that British Columbia has limited entry in their halibut fishery, reducing the fleet from 1,000 to 320 boats. He commented on the NWAFC Processed report 79-3 by Dr. Low-Lee Low on Bio-economic considerations of harvesting sablefish by longline and trawl gear in the Gulf of Alaska. He said that the approach was good but there were errors in the material on price and size and suggested that the report be redone. During this exchange of information between the Council and the halibut spokesman, the Council's Executive Director said that the previous Director of the IPHC had served on the Scientific and Statistical Committee and enquired if Mr. McCaughran would be interested in having a member of his staff as a member of the SSC. Mr. McCaughran indicated that he was in favor of that.

15. BSA Herring and Salmon Closures - A proposed amendment to the Fishery Management Plan for Groundfish in the Bering Sea/Aleutian Islands to close an area northwest of the Pribilof Islands to foreign trawling for a period in the winter to protect herring and salmon.

The Council agreed that the subject of salmon/herring closures must be given full consideration and asked for recommendations by a Council subgroup. A motion was made by Council member Lokken and seconded by member Collinsworth to delete this item from the agenda and resume discussion at a later time. Conflicting reports about the actual good such a closure would do necessitates further study on the whole problem.

16. Tanner Crab Fisheries-BSA - The Council took no action on the subject of the current Tanner crab fishery in the Bering Sea pending completion of this year's resource survey. Catch rates in the Japanese fishery are similar to 1978, indicating no immediate resource problem.
17. Extending Tanner Crab FMP Through 1980 - A major change in OY will have to be made for the extension of the plan through the coming regulatory year. The Executive Director was asked to have the Plan Development Team determine, based on OY, what the surplus over DAH will be for assignment to TALEFF, if any.
18. Secretarial Disapproval of Salmon Troll Plan - The consensus of the Council continues to be to uphold the ban on hand trolling in the FCZ as originally stated in the Salmon Troll FMP. The Secretary's disapproval of the hand troll portion of the Fishery Management Plan does not take into account the possibility of increased effort in a fishery which the Council has determined can stand no more effort. The ban on hand trolling was designed to maintain the status quo in the fishery so far as effort was concerned. The Council has directed the Executive Director to write a letter within the 45-day response period maintaining the Council's view on the hand troll ban.
19. Limited Entry Workgroup Report - A report from the Limited Entry Workgroup to the Council on the progress made at their first meeting June 4, 1979. The Advisory Panel recommended that the workgroup be increased by the addition of several members from the Advisory Panel. Members Lauber, Alverson and Stephan were nominated to the workgroup from the Advisory Panel and Richard Myhre of the IPHC was nominated for his expertise in the halibut fishery. Chairman Tillion approved the nominations. The work group report is included as Appendix E.
20. FCMA Oversight Hearings - The final recommendations for the Chairman's testimony before the Congressional Oversight Committee to be held on the FCMA in July. The bulk of this material can be found under

agenda item 20 in the material which is enclosed. A brief summary follows:

Of the 15 specific items numbered and referenced the Council goes on record as approving for topics of discussion the first 11 as they are written. On Number 12, which addresses the subject of licenses for U.S. fishermen, the Council has no position and a motion was made by member Campbell to delete the topic. The motion was seconded by Mr. Lokken and passed. On the subject of redefinition of the fishery conservation zone Mr. Collinsworth moved that the Council should maintain its flexibility on the subject but that it should be struck from the topics to be brought up at the Oversight Hearings. It was seconded by Mr. Eaton and passed. Item #15 of that group addresses the processor preference amendment and this was deleted from the list of subjects to be brought up at the Oversight Hearings on a motion by Mr. Lokken, seconded by Mr. Collinsworth and passed.

Item #1 concerns the development of regulations. A discussion centered around the desirability of the Council writing the regulations for fishery management plans. Mr. Eaton said that the writing of regulations by the Council should be a high priority. The portion of the material which deals with the desirability of using criminal procedure in serious violations of the FCMA was deleted from testimony. The Council supported the Pacific Council proposals to earmark foreign fishing fees for work on FCMA programs, to reexamine the foreign fee structure and supported the recently introduced Magnuson Bill to close a loophole in Federal law that allows the use of American registered foreign built ships to fish and deliver in the FCZ.

21. Foreign Permit - PRIAMURYE - A joint venture application from the Soviet processor/trawler PRIAMURYE was approved as a replacement vessel for the previously approved KAZATIN. The motion to approve was made by Mr. Campbell.
22. Optimum Yield Report - The Council had been asked to comment on an optimum yield paper developed by the SSC of the Pacific Fishery Management Council. The paper proposes that OY can be an average value and that the Act has no requirement to establish annual values for MSY or OY. A request for response from this Council by July 1st had been made by the Executive Director of the PFMC. A motion to endorse the concept was made by Mr. Mace and seconded by Mr. DiDonato. Mr. Branson will make the appropriate response to the PFMC concerning the Council's action.
24. Council Budget - No action taken. Held for discussion and approval during the next meeting.

Internal Council Audit Review - Following a discussion about the development of operating procedures a decision was made to change the format of the meeting. The major change will be the consideration

of agenda items in progressive sequence. Council meetings have heretofore been conducted in two stages - the first where preliminary reports and information is received from the SSC, the AP and the public and the second when the material is considered by agenda number and decisions are made by the Council. It is felt that a certain amount of confusion is created when items are taken up twice in one meeting. The new format will necessitate the appearance of spokesmen who wish to testify when the topic with which they are concerned is addressed by the Council. Since it is difficult to program precise time frames for the discussion of any one agenda item, the likelihood is that the SSC and AP representatives and the public will have to attend most of the Thursday and Friday two-day Council meeting or take a chance of missing their turn to comment on an agenda item which might come up in their absence.

26. Incidental Species - A mixed (incidental) species policy has never been officially adopted by the Council. The Council working group on incidental species has been concentrating on the development of a fourth category of fish - unutilized species- to add to the presently used categories of (1) discrete species, (2) species groups (other), (3) prohibited species. No action was taken by the Council pending a further report from the working group.
27. Fur Seal Convention - Carmen Blondin, Executive Director of the Fur Seal Commission, addressed the Council on the renegotiation of the Fur Seal Convention. He indicated that one of three decisions will be made by October, either continue the Convention, to opt out or to renegotiate the Convention. The Convention expires in 1980 and the United States has to declare its intention by October, 1979. It was suggested by Commissioner Blondin that the North Pacific Council might want to make a recommendation, based on the DEIS, for that decision. Among the items of information given the Council by Mr. Blondin was the fact that the stocks totaled some 200,000 in 1900 and presently total about 1.3 to 1.8 million in the Pribilofs and about 2 million overall in the North Pacific. The stocks are considered to be at their maximum capacity for the range. The annual take of fishes by fur seals is estimated to be one half million metric tons. A motion was made by member Meacham to write a letter to the Fur Seal Commission to continue the Treaty. The letter will be written as soon as the DEIS is available for response.
28. HR 43-60 - Lucy Sloan, Executive Director of the National Federation of Fishermen addressed the Council on the subject of the Underutilized Species Development Act of 1979. The Bill, HR 43-60, was introduced by Congressman Zefferetti of New York. Hearings on the Bill are scheduled for the 23rd of July in Washington, D.C. In brief, the Bill would legalize the use of foreign fishing vessels to harvest fish within the FCZ and deliver directly to the United States under certain conditions. Vice Chairman Lokken made a motion that the Council recommend disapproval of the Bill and instruct the Executive

Director to write a letter stating as much to the Alaska congressional delegation. The motion was seconded by member Meacham and passed unanimously.

The meeting was adjourned at 1 p.m., Friday, June 29, 1979.