

North Pacific Fishery Management Council

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

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Certified by: [Signature]

Date: June 23, 1986

ADVISORY PANEL MINUTES March 17-19, 1986 Anchorage, Alaska

The Advisory Panel for the North Pacific Fishery Management Council met at the Westward Hilton Hotel in the Dillingham Room on March 17-19, 1986. The following members were present:

Larry Cotter, Chairman	Oliver Holm	Julie Settle
Rupe Andrews	Pete Isleib	Cameron Sharick
Terry Baker	Richard Lauber	Thorn Smith
Alvin Burch	Nancy Munro	Walter Smith
Joseph Chimegalrea	Daniel O'Hara	Richard White
Barry Fisher	Alvin Osterback	Dave Woodruff
Ronald Hegge	Don Rawlinson	John Woodruff

Minutes of the January 13-16, 1986 Advisory Panel meeting were approved as read.

A discussion was held regarding a petition signed by 15 AP members regarding on-time adjournment of the meeting (see Attachment 1). During the discussion the following points were made:

- (1) The AP member's first responsibility is to the AP meeting itself.
- (2) Issues should be prioritized at the beginning of the meeting. The Chairman may elect to form committees for difficult, time-consuming issues, although they will need to work around Council staff and SSC schedules.
- (3) AP members should exercise constraint when making comments. There is no need to reiterate what's already been said. This will save time.
- (4) The value of AP is to come to a concensus through a spirit of compromise.
- (5) Budget constraints won't normally allow the AP to start Monday morning, because that would mean some members would need to be there Sunday evening.

B-1 Executive Director's Report

Jim Branson presented the AP with the Executive Director's Report. The AP discussed the following issues under this agenda item:

Advisory Panel Minutes
March 1986

MFCMA

The AP will draft a letter requesting the Council endorse the idea of American fisheries receiving priority for research (see Attachment 2).

The AP requested the Council consider the idea of requesting NMFS to examine the feasibility of a small poundage tax (approximately .7%) as a supplement to the reduction of foreign fees to be put toward research.

The AP requested this issue be placed on the agenda for the June meeting and the necessary research be done to examine the legality of this idea. This information should be sent to the Council, SSC, and AP for review prior to the June meeting.

Foreign Trade Zone

The AP expressed their interest in learning more about proposed legislation to amend the Foreign Trade Zone which would allow joint venture harvests to be landed in Foreign Trade Zones for reprocessing and/or handling prior to export out of the United States.

The AP would like to have more information on this subject.

C-1 Legislative Update

PSPA Proposal

Moved and seconded: To recommend the Council adopt the Pacific Seafood Processors Association Proposal. The motion passed 14 to 4.

Opponents of the motion felt Americanization was proceeding without the need for a legislative phase out requirement. Proponents of the motion felt the pace of Americanization was too slow and legislative action was necessary.

Minority Reports: Ron Hegge - My no vote was based solely on item 2 of Pacific Seafood Processors' letter to Jim Campbell. I feel it would perpetuate the joint venture fisheries continuing the disadvantaged position of domestic processors.

Attachment 3 is a minority report prepared by Thorn Smith.

C-2 Domestic Observer Program

The AP noted we do not currently have 100% observer coverage on foreign vessels. Some AP members expressed concern with procedural aspects of a domestic observer program.

Moved and seconded: To reaffirm support of a domestic observer program and endorse the efforts of the State of Alaska to provide partial funding and be involved in a joint observer program with NMFS, with access to all vessels in the Gulf of Alaska and Bering Sea. The motion carried 12 to 7.

MEMO

The AF will draft a letter requesting the Council endorse the idea of American Fisheries receiving priority for research (see Attachment 2).

The AF requested the Council consider the idea of requesting NMFS to reimburse the feasibility of a small postage tax (approximately .1%) as a surcharge to the reduction of foreign fees to be put toward research.

The AF requested this issue be placed on the agenda for the June meeting and the necessary research be done to evaluate the legitimacy of this idea. This information should be sent to the Council, SSC, and AF for review prior to the June meeting.

Foreign Trade Zone

The AF expressed their interest in learning more about proposed legislation to amend the Foreign Trade Zone which would allow foreign harvests to be landed in Foreign Trade Zones for processing and/or handling prior to export out of the United States.

The AF would like to have more information on this subject.

G-1 Legislative Update

TPM Proposal

Moved and seconded: To recommend the Council adopt the Pacific Fishery Processors Association Proposal. The motion passed 12 to 4.

Opponents of the motion felt Americanization was proceeding without the need for a legislative change out requirement. Proponents of the motion felt the pace of Americanization was too slow and legislative action was necessary.

Minority Report: Tom Heger -- No vote was used solely on item 2 of Pacific Fishery Processors' letter to the Council. I feel it would perpetuate the joint venture fisheries containing the disadvantaged position of domestic processors.

Attachment 2 is a minority report prepared by Tom Heger.

G-2 Domestic Observer Program

The AF noted we do not currently have 100% observer coverage on foreign vessels. Some AF members expressed concern with procedural aspects of a domestic observer program.

Moved and seconded: In recognition support of a domestic observer program and to share the efforts of the State of Alaska to provide further funding and be involved in a joint observer program with NMFS, with access to all vessels in the Gulf of Alaska and Bering Sea. The motion carried 12 to 2.

D-1 Salmon FMP

Moved and seconded: To recommend the Council approve the Salmon FMP rewrite alternatives to be sent out for public review. The motion carried 16 to 1.

The AP expressed their concern with Korea's resistance to purchase product from the domestic industry. Korea does not appear to be following the guidelines of "Fish and Chips".

D-2(a) Tanner Crab FMP

Moved and seconded: To recommend to the Council that management of the Tanner Crab FMP be turned over to the State of Alaska based on a Joint Statement of Principles entered into between the Council and the Alaska Board of Fisheries. The motion carried 11 to 9.

The primary concern of the majority was the apparent inability of NMFS to respond immediately to closure needs. This could have an adverse affect on the biological health of the stocks, which is contrary to the purpose of management.

Opponents of the motion expressed concern with the State's ability to properly manage the fishery given budget restraints. Additionally, groundfish management would be separated from Tanner crab management, yet they need to be coordinated. How would the State inter-react?

Minority Report: Attachment 4 is a minority report prepared by Thorn Smith.

D-3 Gulf of Alaska Groundfish FMP

Draft Gulf of Alaska Goals and Objectives FMP

In the course of the AP's review of the Draft Goals and Objectives, the following points were noted:

- (1) More explanation of objectives is needed.
- (2) Economics should be taken into consideration.
- (3) Provide actual examples of the OY Framework Formula to show how it works.
- (4) More information is needed on the cost of an observer to vessel owners and the insurance problems.
- (5) Some AP members were concerned that given the great importance of this FMP it should not be rushed and delay may be necessary.

Moved and seconded: To request a thorough annotation of the goals and objectives be provided before the draft FMP is sent out for public review. The motion carried without objection.

Moved and seconded: To request the AP be provided with written legal comments on the draft FMP from the NOAA Office of General Counsel in Juneau and Washington DC, prior to the June meeting. The motion carried by voice vote.

Belmont WMP

Moved and seconded: To recommend the Council support the Belmont WMP with the following amendments to be carried out for public review. The motion carried 16 to 1.

The AP expressed their concern with the State's resistance to purchase property from the Belmont WMP. It was noted that the Belmont WMP does not appear to be following the guidelines of "Fish and Wildlife".

Belmont WMP

Moved and seconded: To recommend to the Council that management of the Belmont WMP be based on the State of Alaska based on a Joint Statement of Principles entered into between the Council and the Alaska Board of Fisheries. The motion carried 16 to 1.

The primary concern of the majority was the apparent inability of WMP to respond immediately to closure needs. This could have an adverse effect on the biological health of the stocks, which is contrary to the purpose of management.

Opponents of the motion expressed concern with the State's ability to properly manage the fishery given budget constraints. Additionally, it was noted that management would be separated from the Belmont WMP and that there would be a lack of coordination. How would the State inter-act?

Belmont Report: Attachment A is a minority report prepared by Thom Smith.

Belmont WMP of Alaska Groundfish WMP

Draft WMP of Alaska Gulf and Bering Sea

In the course of the AP's review of the Draft WMP and the Bering Sea, the following points were noted:

- (1) More explanation of objectives is needed.
- (2) Comments should be taken into consideration.
- (3) Provide actual examples of the WMP's management to show how it works.
- (4) More information is needed on the part of an observer to vessel owners and the business problems.
- (5) Some AP members were concerned that given the great importance of the WMP it should not be rushed and delay may be necessary.

Moved and seconded: To request a thorough evaluation of the economic benefits be provided before the draft WMP is sent out for public review. The motion carried without objection.

Moved and seconded: To request the AP be provided with written legal counsel from the NOAA Office of General Counsel in Juneau and before the draft WMP is sent out for public review. The motion carried by voice vote.

Advisory Panel Minutes
March 1986

D-4(b) Amendment 10 to the Bering Sea/Aleutian Islands Groundfish FMP

Moved and seconded: To recommend the Council approve Amendment 10 to send out for public review. The motion carried without objection.

D-4(c) Tanner Crab Bycatch Limits

The AP deferred action on agenda item D-4(c) to an Industry Committee composed of the following: Larry Cotter, Barry Fisher, Cameron Sharick, Rich White, Terry Baker, Pete Isleib, and Arni Thomson. Subsequent to the appointment of the Committee, Ted Evans replaced Terry Baker and Bill Woods was named to the Committee. See Attachment 5 for the Committee's final recommendations.

D-4(d) Closure of Directed Sablefish Fishery

Moved and seconded: To support the SSC's recommendation. The motion carried 15 to 5.

3/17/86

A FRIENDLY PETITION

CARRY,

A NUMBER OF US ARE CONCERNED ABOUT OUR OBLIGATIONS TO REPRESENT OUR CONSTITUENTS DURING COUNCIL MEETINGS - WE WOULD LIKE TO ATTEND AND PARTICIPATE.

FOR THIS REASON, WE REQUEST THAT THE A. P. ACCELERATE ITS DEBATERATIONS SO THAT THEY CAN BE CONCLUDED BEFORE THE COUNCIL MEETING BEGINS.

SHOULD THIS PROVE DIFFICULT, MAJOR ISSUES SHOULD BE ADDRESSED FIRST, SO THOSE WHO ARE OBLIGED TO ATTEND THE COUNCIL MEETING CAN CONTRIBUTE.

Thom Smith
D. W. Wadsworth
Barry Fisher
Guy Baker
Hugh White
D. Neelander
Larry Thomas
Julie Setm (w/ clarification of 'acceleration')

John Henderson
Oliver N. Holm
Al Burch
D. J. O'Hara
Al Osterback
Walter Smith
Clyde Andrews

3/17/12

THE CHURCH

1963

A NUMBER OF THE CHURCH
ABOUT OUR BELIEFS TO
OUR OWN BELIEFS
WISDOMS - WE WOULD LIKE TO AFFORD
AND PRACTICE

THE A.P. ACCORDING TO THE
SO THAT THEY CAN BE CONSIDERED
BEFORE THE COUNCIL MEETING
BEING

THAT THE MORE WE KNOW
THAT IS WHY WE MUST TO
AND THAT WE OUGHT TO
COUNCIL MEETING CAN CONTRIBUTE

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The Church (1963)

INTERNATIONAL
LONGSHOREMEN'S & WAREHOUSEMEN'S
UNION

LOCAL 200

2219 NORTH JORDAN AVENUE, JUNEAU, ALASKA 99801 • (907) 789-0322

LARRY COTTER
President

PETE DANELSKI
Vice President

MARTIN EBONA, JR.
Secretary-Treasurer

April 23, 1986

Mr. Jim Branson, Executive Director
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Dear Jim:

The AP, at the last Council meeting, asked that I request Council staff to investigate and prepare a report concerning the following:

1.) FEASIBILITY OF JOINT VENTURE ASSESSMENT:

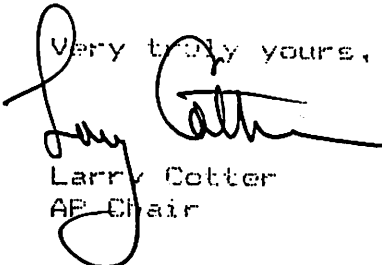
Briefly, the AP considered the possibility of establishing an assessment or tax on joint venture harvests in order to procure additional funding for research, observer programs, and other activities which are currently fiscally lacking. We recognize, of course, that we do not have the authority to levy such an assessment, however we felt it was one source of potential revenue that is being overlooked.

2.) FOREIGN TRADE ZONE AMENDMENT:

You may recall that I had sent you some material several months ago concerning a proposed amendment to the Foreign Trade Zone Act which would allow joint venture harvests to be landed in a Foreign Trade Zone for reprocessing and/or transshipment. The amendment required any product so landed to be exported out of the United States. When I raised this issue at the last AP meeting, the members were interested in learning more about this subject.

Any information you can provide on the above two subjects for the Kodiak meeting would be appreciated. I look forward to seeing you then.

Very truly yours,


Larry Cotter
AP Chair

DATE: March 18, 1986
TO: Larry Cotter, Chairman
Advisory Panel, NPFMC
FROM: The Loyal Opposition
SUBJECT: A.P. Minority Report - Legislated Phaseout

The Council agenda contains no specific reference to the question of legislated phaseout of directed foreign fishing or limitation of joint ventures. As a consequence of this omission it is difficult to make fully-informed comment at the last minute. The minority feels that the Council should defer action on this proposal until the June meeting, to allow fair comment on this highly controversial issue.

Last summer the Alaska Pacific Seafood Industry Coalition (APSIC) reached agreement on a scheduled phaseout of foreign fishing and a division of the excess TALFF between harvesters and processors. This program was specifically designed to be implemented over a period of several years, to allow businesses to plan an orderly transition. The proposal failed to gain adequate support in Washington, D.C. to become law.

Subsequent developments show clearly that such legislation is unnecessary:

1. Directed foreign fishing has been reduced even faster than was contemplated;
2. Projected total U.S. harvest has risen in proportion to the reduction in TALFF;
3. Projected U.S. processing has risen at a rate greater than the rate of increase in joint venture processing;
4. The U.S. factory trawler fleet is expected to double its numbers by the end of 1986;
5. Domestic trawlers are for the first time delivering substantial amounts of pollock and cod to domestic shoreside processors, and it is anticipated that such deliveries will increase rapidly; and
6. The combined growth of shoreside and at-sea processing will effectively limit the growth of joint ventures, in the very near future.

In short, there is no need to amend the Magnuson Act to accelerate the "Americanization" of the groundfish fisheries off Alaska. A healthy mix of harvesting and processing alternatives is now available, and further developments should be guided by economics - not by statutes and regulations.

Mr. Larry Cotter
March 18, 1986
Page 2

Under these circumstances, a Manguson Act amendment is not likely to be enacted. Any such proposal would precipitate a bitter conflict, and would serve no purpose.

We respectfully request that the Council refrain from recommending the proposed amendment to Congress.

Attachment.

North Pacific Fishery Management Council

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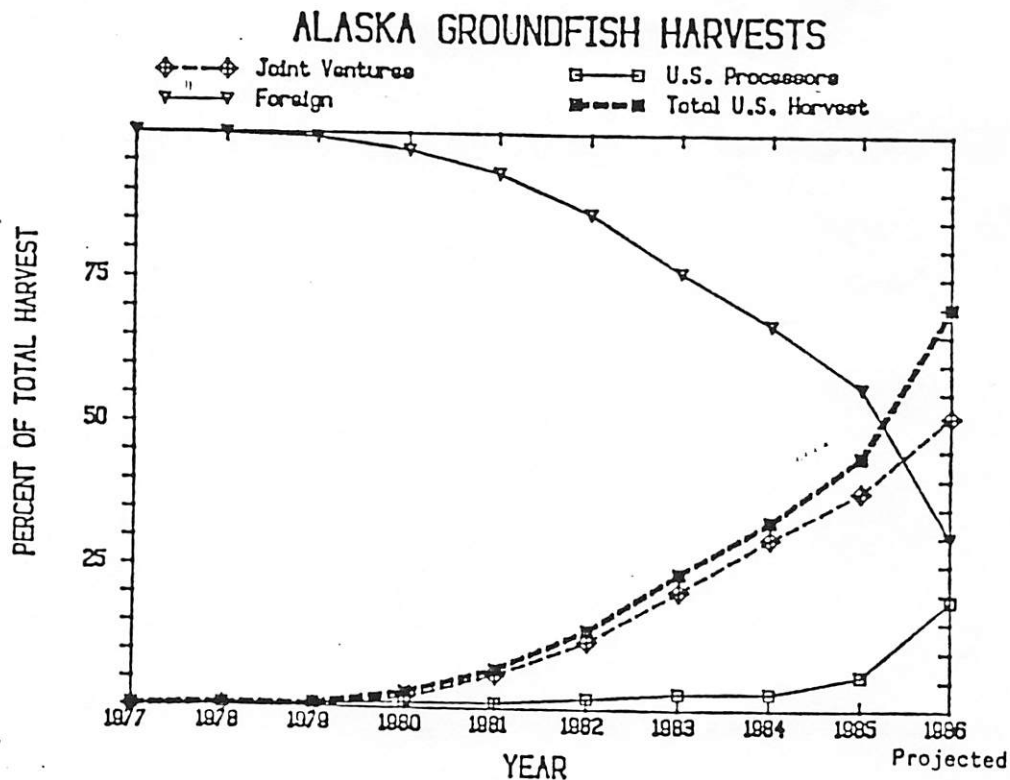
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NEWSLETTER

12/20/85

Stage Set for Banner Year in U.S. Groundfish Fisheries

Next year will be a milestone in the development of the U.S. groundfish fisheries off Alaska. For the first time U.S. harvesters will garner about 70% of the total groundfish catch, far exceeding that available to foreign fleets. U.S.-processed catch (DAP) should be triple the performance in 1985. Joint ventures (JVP) will break the one million metric ton mark.



These were the projections presented by U.S. fishermen and processors to the North Pacific Fishery Management Council meeting in Anchorage last week. It is estimated that U.S. industry will catch and process about 460,000 mt off Alaska. U.S. harvesters will deliver another 1.1 million metric tons to foreign processors. The total U.S. harvest of 1.5-1.6 million metric tons will be more than twice the tonnage available for foreign fisheries. The lion's share of the foreign fisheries will be in the Bering Sea management area; only a small foreign longline fishery for cod will be permitted in the Gulf of Alaska in 1986. Decisions made by the Council on groundfish and other issues for 1986 are detailed in the following articles.



**North Pacific
Fishing Vessel
Owners' Association**

ATTACHMENT 4
(AP Minutes 3/86)

March 18, 1986

Mr. James O. Campbell, Chairman
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, AK 99510

Dear Jim:

The NPFVOA, an organization of crab fishermen and trawlers, wishes to express its vehement opposition to the suspension of the Tanner crab FMP and/or its implementing regulations. We support the second alternative proposed by the NMFS Alaska Region in its letter of March 17 - update the plan through immediate amendment of critical portions, followed by a reworking of the less critical parts during the next amendment cycle.

Alaska has a long history of discrimination against non-Alaskans, primarily fishermen from the Puget Sound area, in the regulation of fisheries off Alaska. See, e.g., Haavik v. Alaska Packers' Association, 263 U.S. 510 (1924); Freeman v. Smith, 44 F.2d 703 (9th Cir. 1930); Mullaney v. Anderson, 342 U.S. 415 (1952); Brown v. Anderson, 202 F. Supp. 96 (D. Alaska 1962); Bristol Bay Herring Marketing Cooperative v. Skoog, No. A81-403 (D. Alaska Mar. 27, 1981) (Appendix F). See also Robison v. Francis, No. 311, ___ P.2d ___ (Alaska Jan. 17, 1986) (Appendix G). In enacting the Magnuson Act, Congress was particularly concerned about such discrimination based on state of residency. Not content to rely on the equal protection component of the Due Process Clause, it specifically addressed the problem of discrimination on the basis of state of residence in National Standard No. 4, which reads in part:

"Conservation and management measures shall not discriminate between residents of different states..."

In order to avail themselves of this much-needed protection, Tanner crab fishermen from outside the State of Alaska need an FMP implemented by federally-approved regulations. At a minimum, they need the sort of federal oversight provided by the soon-to-be-implemented king crab FMP. Recently the North Pacific Fishing Vessel Owners' Association was obliged to take legal action against the State of Alaska to overturn Tanner crab pot limits and exclusive registration zones which disadvantaged large out-of-state vessels. Success in this case hinged on federal policy expressed in the development of an amendment to the Tanner crab FMP.


A joint statement of principles for management of the fishery will not afford the needed protection. What is required is a full legal review of proposed State management measures to assure their consistency with the FMP, the National Standards and other provisions of the Magnuson Act, and with other applicable law. We regard protection of fishermen from discrimination on the basis of their state of residence as a fundamental duty of the federal fisheries establishment.

Mr. James O. Campbell
March 18, 1986
Page 2

Likewise, little comfort may be found in the Magnuson Act provision for emergency action in fisheries not regulated under an FMP. Continual monitoring of state regulatory activities in the EEZ is a substantial undertaking, best borne by the federal bureaucracy designed for the purpose. Emergency actions require substantial documentation, and can easily require four weeks or more for implementation. Emergency authority may be invoked only once to address a specific problem, and wronged fishermen would be obliged to bring a lawsuit to defend their prerogatives should the State repeat a particular discriminatory action. Finally, there is no guarantee that fishermen could convince the Council or the Secretary of State to take emergency action on their behalf.

Some people view the suspension of the regulations implementing the Tanner crab FMP as the first step towards the abandonment of federal management of the fishery. We oppose any such action, and respectfully request that the Council insist on prompt amendment of critical portions of the FMP and implementing regulations.

Sincerely,



Thorn Smith
Executive Director

Recommendations of the Advisory Panel
Tanner Crab Bycatch Committee
March 19, 1986

The Committee adopted the following objective:

Objective. To manage fishery activity in the Bering Sea, specifically bottom flatfish^{1/} trawling and crab pot fishing, in a manner which emphasizes conservation and rebuilding of the crab resources while, to the extent possible, allowing both bottom flatfish trawling and crab pot fishery activity.

The Committee acknowledges the female bairdi population is extremely low and seeks to protect that population in accordance with our objective. The Committee also recognizes that information of critical importance (e.g. stock recruitment, gear impact, and predator-prey relationships) is insufficient for estimation of impacts of current management decisions on future bairdi populations.

The Committee discussed the possibility of conducting a spring crab fishery but advises against this option for conservation reasons, specifically the danger of mortalities to female red king crab. Additionally, the Committee is concerned with the possibility of poor product quality resulting from the harvest of molting bairdi.

The Committee agrees that a 1986 directed bairdi crab pot fishery should occur, but not prior to November 1, and should only occur in the event the 1986 NMFS summer trawl survey establishes that a crab fishery can be prosecuted. The Committee discussed the possibility of conducting a concurrent king crab and bairdi fishery. While this option provides several benefits, most notably the decreased bycatch mortality, there are also disadvantages such as population, difference between king crab and bairdi by various areas, and the difficulty of arranging a concurrent fishery given two separate harvest quotas.

The Committee recognizes that a substantial modification to the January Council decision would require preparation of a new RIR; therefore, the Committee recommends that the bycatch limits and rates enumerated further on in this report be implemented immediately and that upon extension of the emergency rule the Committee's entire recommendations be implemented. This, of course, would still require a modification of the existing RIR; however, this should present no difficulty due to the length of time preceding an emergency rule extension.

The Committee recommends the establishment of three zones in the Eastern Bering Sea (see chartlet, page 5) in addition to the area closed to trawl fishing bounded by 160°W, 58°N and 162°W.

Zone 1 would be defined as the area bounded by 165°W long. by 58°N lat. extending east to the shore.

^{1/} Yellowfin sole and other flounders.

Recommendations of the Advisory Panel
Tanner Crab Program Committee
March 19, 1986

The Committee adopted the following objectives:

Objective: To manage fishery resources in the Bering Sea, specifically to ensure that the fishery is not over-exploited, in a manner which emphasizes conservation and sustainability of the crab resources while, to the extent possible, allowing for bottom fish and other fishery activity.

The Committee acknowledges the fact that population is extremely low and seeks to protect that population to accordance with our objective. The Committee also recognizes that information of critical importance (e.g., stock, recruitment, gear impact, and predator-prey relationships) is insufficient for calculation of status of current management decisions on future harvest regulations.

The Committee discussed the possibility of conducting a seine and trap fishery but chose against this option for conservation reasons, specifically the danger of mortality to female and fine crab. Additionally, the Committee is concerned with the possibility of poor product quality resulting from the harvest of molting crabs.

The Committee agreed that a 1986 directed harvest crab and fishery should occur, but not prior to November 1, and should only occur in the 0-100 mile 1986 BFTC summer trap survey established that a crab fishery can be prosecuted. The Committee discussed the possibility of conducting a recruitment trap crab and fishery. While this option provides several benefits, most notably the decreased bycatch mortality, there are also disadvantages such as population, differences between king crab and hatchery various areas, and the difficulty of arranging a recruitment fishery given two separate harvest zones.

The Committee recognizes that a substantial modification to the January 1986 decision would require presentation of a new PIP; therefore, the Committee recommends that the Hatchery limits and rates be presented further on in this report be implemented immediately and that upon completion of the emergency rule the Committee's other recommendations be implemented. This, of course, would still require a modification of the existing PIP; however, the above presents a difficulty due to the length of time preceding an emergency rule extension.

The Committee recommends the establishment of three zones in the Bering Sea (see exhibit page 2) in addition to the area closed to commercial fishing bounded by 160°W, 22°N and 152°W.

Zone I would be defined as the area bounded by 155°W and 152°W lat, extending east to the shore.

Zone II would be defined as the area bounded by 152°W and 150°W lat, extending east to the shore.

Zone 2 would consist of the area bounded by 165°W long., north to 58°N, then west to the intersection of 58°N and 171°W long., then north to 60°N, then west to 179°E long. diagonally extending on a straight line southeast to the intersection of 167°W long. and 54°30'N lat., and then extending eastward along 54°30'N lat. to land.

Zone 3 shall encompass the remainder of the Eastern Bering Sea.

The Committee established Zone 2 based upon the fact that Zones 1 and 2 encompass 98% of the bairdi females and sublegals.

The Committee recommends that the bairdi bycatch amounts for JVP operations be as follows (see Table 1, page 4):

Zone 1 - 80,000 animals (based upon an average of two animals per metric ton and a harvest of 40,000 mt).

Zone 2 - 326,000 animals (based upon an average of 2.25 animals per metric ton and a harvest of 145,000 mt).

Zone 3 - no cap on the number of animals which can be taken.

The Committee also recommends the number of bairdi allowed to be taken by foreign directed fishing operations not exceed 64,000.

In determining the bycatch levels the Committee extrapolated an anticipated number of bairdi animals in the Bering Sea by reducing the 1986 population to 60% of the 1985 population. This extrapolation resulted in an anticipated number of animals in 1986 of approximately 72 million.

Having determined the total number of assumed animals in 1986, the Committee then applied the same bycatch rate in effect in 1985 to the 1986 flatfish allocation in order to determine the total number of animals which could be removed from the fishery without theoretically harming the status of the stock. That number is 1,253,000 animals. The Committee then extrapolated the percentage of the number of animals taken in 1985 by directed foreign fishing operations, joint venture operations, and directed crab fishing operations (see Table 2, page 4), as adjusted for the relative decreases of TALFF and the increases of JVP allocations.

It is the expressed intent of the Committee that a 1986 directed crab pot fishery be allowed assuming that the results of the NMFS summer trawl survey establish a bairdi population greater than or equal to the population assumed by the Committee. The Committee recognizes that the number of legal males may need to be viewed as independent of the total population as determined by the summer trawl survey. A fishery may or may not be warranted based upon the number of legal male bairdi in the population.

The following caveats apply to the bycatch amounts recommended for both JVP and TALFF flatfish operations:

- (1) When the total number of animals is reached in Zone 1, all trawling activity for flatfish in that zone will immediately cease. The Committee recognizes that the king crab cap and the bairdi cap stand independently and trawling in Zone 1 ceases immediately if either cap is reached.

This sequence of events also applies to all flatfish trawling activity in Zone 2.

- (2) For JVP operations, the number of animals allowed to be taken by tow will be determined on the basis of the average number of bairdi per metric ton as determined by consecutive tows on a fishing vessel by fishing vessel basis. It is the intention of the Committee that any operation which exceeds the number of animals per ton provided for shall voluntarily move or modify their operations as expeditiously as possible in order to reduce their bycatch level to or below the defined amount. In the event an operation's bycatch rate exceeds the number of allowed animals per metric ton for three consecutive weeks, the operation shall immediately be required to cease its trawling activity in Zones 1 and 2 for the remainder of the year. The bycatch rates will apply to each individual fishing vessel and compositely to each joint venture operation.
- (3) In the event the summer trawl survey establishes a lower number of total bairdi animals than has been assumed by this Committee (72 million), the amount of bycatch provided for both JVP and TALFF operations shall be reduced proportionately to the difference between the Committee's assumption and the survey results.

As regards DAP flatfish trawl operations, the Committee anticipates the harvest levels in Zones 1 and 2 to be diminimus (7,000 mt). The Committee likewise anticipates bycatch amounts to be negligible. However, the Committee expects DAP operations to voluntarily move and/or modify their operations in the event their activity results in bycatch rates greater than those applicable for JVP operations in that particular zone. The Committee recommends DAP flatfish trawl operations be monitored closely to ensure compliance and that necessary action be taken in the event they fail to adhere to this agreement. The Committee recognizes that DAP operations are new to this fishery and may encounter start-up difficulties.

In conclusion, the Committee recommends that it be reconvened at the September Council meeting and that it be provided the necessary scientific support to allow it to review the results of the NMFS summer trawl survey and the performance of the fisheries to date.

The Committee has reached this recommendation unanimously.

TABLE 1. 1986 RECOMMENDED BAIRDI CATCH AMOUNTS (IN ANIMALS)

Directed Pot Fishery	783,000 ^{1/}
DAP - Trawl	
JVP - Trawl	406,000 ^{2/}
TALFF - Trawl	<u>64,000</u>
TOTAL	1,253,000

^{1/} Assumes 1986 NMFS Summer Trawl Survey is 72 million animals.

^{2/} The JVP bycatch breakdown is 80,000 animals in Zone 1 and 326,000 animals in Zone 2.

TABLE 2. 1985 BAIRDI CATCH AMOUNTS (IN ANIMALS)

Directed Pot Fishery	1,283,000
DAP - Trawl	?
JVP - Trawl	522,000
TALFF - Trawl	<u>287,000</u>
TOTAL	2,092,000

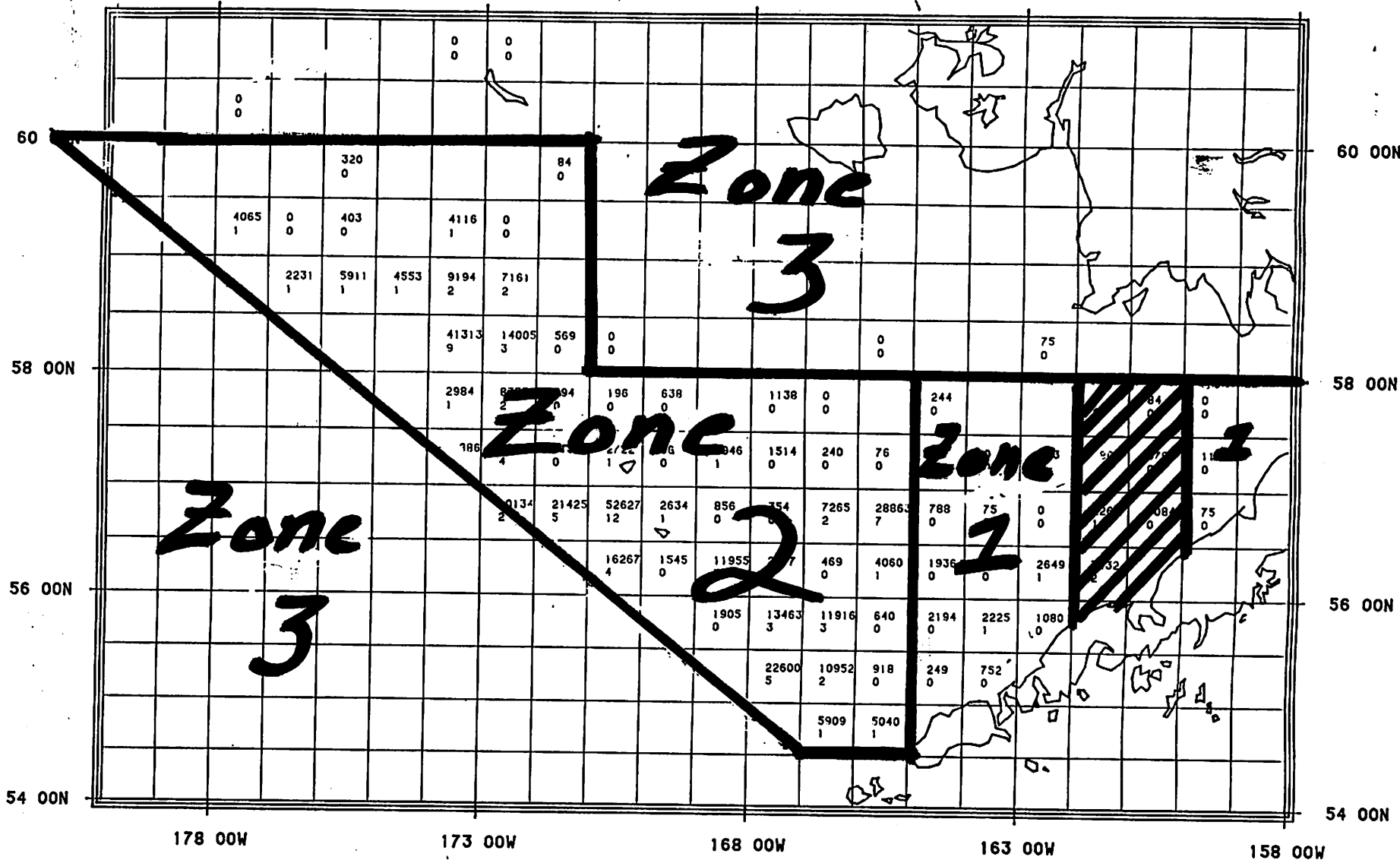
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84 BAIRDI FEMALES (NO. S PER SQUARE MILE)