

North Pacific Fishery Management Council

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July 10, 1981

DRAFT AGENDA

42nd Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
July 23-24, 1981
Elks Hall
Homer, Alaska

The North Pacific Fishery Management Council will convene at 9 a.m. on Thursday, July 23, in the Elks Hall, Homer, Alaska, and will adjourn about 5 p.m. on Friday, July 24, 1981. Major actions by the Council will include a review of a limited entry proposal for the Southeast Alaska hand and power troll salmon fishery, final consideration of a re-draft of the prohibited species amendment to the Bering Sea/Aleutian Islands Groundfish Plan, initial consideration of a draft king crab plan for 1982, and recommendations for changes in the Gulf Groundfish Plan and the Tanner Crab Plan.

The SSC will convene at 1:30 p.m. on Tuesday, July 21, at the Best Western Annex of the Bidarka Inn in Homer and will continue through July 22.

The Advisory Panel will meet in the Elks Hall from 9 a.m. to 5 p.m. on Wednesday, July 22.

All meetings are open to the public.

INFORMATION ON THE OPPORTUNITY FOR PUBLIC COMMENT

Pre-registration will be required for all public comments which pertain to a specific agenda item. Pre-registration is accomplished by informing the Agenda Clerk early in the meeting of the agenda item to be addressed and the time required. Public comments may be scheduled for C. OLD BUSINESS, D. NEW BUSINESS, AND E. FISHERY MANAGEMENT PLANS. There will be a general comment period, AGENDA G., scheduled for late afternoon on Friday for testimony on matters not on the current agenda.

A G E N D A

- A. CALL TO ORDER AND APPROVAL OF AGENDA AND MINUTES OF THE PREVIOUS MEETING
- B. SPECIAL REPORTS
- B-1 Executive Director's Report
 - B-2 Alaska Department of Fish and Game Report on Domestic Fisheries
 - B-3 NMFS Report on Foreign Fisheries
 - B-4 U.S. Coast Guard Report on Enforcement and Surveillance
 - B-5 Update on Joint Venture Operations
 - B-6 AP and SSC Reports on Non-Agenda items
- C. OLD BUSINESS
- C-1 Report of the Economists' Workgroup on Halibut Limited Entry
 - (a) Report on 1981 Halibut Fishery by Dr. Donald McCaughran
 - C-2 Confirmation of Plan Maintenance Teams Memberships
 - C-3 Other Old Business as Appropriate
- D. NEW BUSINESS AS APPROPRIATE
- E. FISHERY MANAGEMENT PLANS
- E-1 Salmon FMP

No action on the FMP or Amendment #2 for 1981 is required. Further direction will be needed from the Council on the limited entry proposal for hand and power trollers in the FCZ. Call for proposals for 1982 troll regulations and develop tentative schedule for 1982 amendment. Report on 1981 fishery.
 - E-2 Herring FMP

No action required. The FMP has gone to Washington, D.C. to begin Secretarial review.
 - E-3 King Crab FMP

Council consideration of the King Crab Fishery Management Plan for 1982. Set schedule for further action.
 - E-4 Tanner Crab FMP

Plan Maintenance Team report on status of the Tanner Crab FMP. Council direction required for amendment or re-drafting of the FMP.

E-5 Gulf of Alaska Groundfish FMP

Plan Maintenance Team report on status of Gulf of Alaska FMP. Council direction required for amendment or re-drafting the FMP.

E-6 Bering Sea/Aleutian Islands Groundfish FMP

Final Council consideration of redrafted Amendment #3 dealing with prohibited species. The PDT will report on their meeting of June 30. Council will discuss additional incentives to minimize prohibited species catches and provide flexibility to the Regional Director to respond to emergency situations.

F. CONTRACTS, PROPOSALS, AND FINANCIAL REPORTS

F-1 Status of Contracts and RFP's

F-2 Financial Status Report

F-3 FY 82 Programmatic Funding Priorities

G. PUBLIC COMMENTS

H. CHAIRMAN'S CLOSING COMMENTS AND ADJOURNMENT

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DRAFT AGENDA SCIENTIFIC AND STATISTICAL COMMITTEE July 21-22, 1981

The SSC will meet on Tuesday, July 21, in the Best Western Annex of the Bidarka Motel in Homer, beginning at 1:30 p.m. and recessing at approximately 5:00 p.m. The meeting will continue on Wednesday, July 22, beginning at 9:00 a.m. and continuing through the afternoon as necessary.

1. Salmon FMP (E-1)

The salmon PDT has prepared a list of limited entry alternatives as requested by the Council at the May meeting. The SSC should review these alternatives to determine if they wish to make comments or recommendations to the Council regarding the scientific merits of the different alternatives.

2. King Crab FMP (E-3)

The king crab PDT has drafted a preliminary framework FMP, which will be mailed to SSC members as soon as it is available. The SSC may wish to review the draft to ensure the issues such as stock assessment, size limits, etc., follow previous recommendations (see minutes from the May meeting).

3. Tanner Crab FMP (E-4)

At the May meeting, the SSC indentified several inconsistencies between the existing FMP and the State of Alaska regulations. They also made several suggestions for action required to make the FMP current. The Tanner crab PMT has summarized the alternatives they have come up with and will present these to the SSC. The SSC may wish to make recommendations to the Council favoring one of the alternatives which will be presented.

Sea Grant has received a proposal requesting funding to arrange an international workshop on Tanner crab. They have in turn suggested that the Council, ADF&G and NMFS cover some of the costs of bringing in scientists from other countries. The SSC should review the workshop proposal, and make a positive recommendation to the Council if they feel the Council should support the workshop.

4. Gulf of Alaska Groundfish FMP (E-5)

The Gulf of Alaska Groundfish PMT has recommended several changes to the FMP. As an informational item, team members will present the proposed changes to the SSC. They are:

- (a) The recommendation that the FMP be amended or rewritten to a multi-year approach which will not require frequent amendments.
- (b) The consideration of a prohibited species catch disincentive plan similar to Amendment #3 to the Bering Sea/Aleutian Islands Groundfish FMP.
- (c) A "quickie" amendment to update the FMP while the major changes are taking place.

The PMT will be available to discuss these proposals with the SSC. The SSC may wish to support the PMT approach.

5. Bering Sea/Aleutian Islands FMP (E-6)

The PDT, at the request of the Council, has redrafted Amendment #3 concerning the control of incidental species catch. This draft will be available to the SSC for their comments and recommendations.

The SSC should also review the paper on the incidental catch of halibut by Gregg Williams which was mailed out. They may wish to discuss ways to further research the problem; i.e. observer programs, pot designs etc.

6. FY82 Programmatic Funding Priorities (F-3)

The SSC recommendations to the finance committee on priorities for proposed research projects are needed. Comments on the proposed projects have been solicited from the plan development team members and should be available to the SSC. Any additional project proposals which are received will be forwarded to SSC members as they arrive.

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CERTIFIED:

MINUTES

Chairman

41st Plenary Session NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

Hotel Captain Cook
Anchorage, Alaska
May 28-29, 1981

The North Pacific Fishery Management Council convened at 9:30 a.m. on Thursday, May 28, 1981, at the Hotel Captain Cook in Anchorage, Alaska. The meeting continued until 2:30 p.m. on Friday, May 29.

The Scientific and Statistical Committee met in Anchorage on May 26-27, 1981 in the Council Headquarters Conference Room.

The Advisory Panel met on Wednesday, May 27 at the Hotel Captain Cook from 9 a.m. to 6 p.m.

Council members, Scientific and Statistical Committee members, Advisory Panel members, and general public in attendance are listed below:

Council

Clement V. Tillion, Chairman
Harold E. Lokken, Vice-Chairman
Don Collinsworth, for Ronald Skoog
Robert Mace, for John Donaldson
Gene DiDonato, for Rolland Schmitt
LCDR Douglas Smith, for
 RADM Richard Knapp
Leroy Sowl, for Keith Schreiner

Donald Bevan
Robert W. McVey
James O. Campbell
John P. Harville
Charles Meacham
Douglas B. Eaton
Joe Demmert, Jr.
Chris Dawson, for Ray Arnaudo

Scientific and Statistical Committee

Donald Rosenberg, Chairman
William Aron
John Clark
Steve Langdon
Don Calkins, for John Burns

Richard Marasco
Robert Burgner
Larry Hreha
Jack Lechner
Al Millikan

Advisory Panel

Robert Alverson, Chairman
A. W. "Bud" Boddy, Vice-Chairman
Jesse Foster
Joseph Kurtz
Raymond Lewis
Kenneth Olsen
Lewis Schnaper
Konrad Uri

Alvin Burch
Truman Emberg
Richard Goldsmith
Richard Lauber
Daniel O'Hara
Don Rawlinson
Jeffrey Stephan

NPFMC Staff

Jim Branson, Executive Director
Clarence Pautzke, Deputy Director
Jim Glock
Jeff Povolny
Steve Davis

Peggy McCalment
Judy Willoughby
Peggy Hough
Becky Wetzler
Jim Richardson

Support Staff

Fred Gaffney, ADF&G
John Gissburg, AG's Office
Mike Rubenstein, AG's Office
George Utermohle, ADF&G
Dick Marshall, NMFS
Jim Blackburn, ADF&G
Steven Hoag, IPHC

Guy Thornburgh, ADF&G
Patrick Travers, NOAA
Phil Chitwood, NMFS
Mark Miller, ADF&G
Jerry Reeves, NMFS/NWAFIC
Carl Rosier, NMFS
Don McCaughran, IPHC

General Public

Charles Jacobsen, Fish Producers Associates, Inc., Vancouver, WA
A. Nakamura, Japanese North Pacific Longline and Gillnet Association,
Tokyo
N. Tokaji, Tokyo
George Matsuo, Alaska Shell, Juneau
Takaj Ohyama, Japanese North Pacific Longline and Gillnet Association,
Tokyo
Jay Brevik, Deep Sea Fishermen's Union, Seattle
Toru Fukui, Japan Deep Sea Trawlers Association, Tokyo
Don Martens, Office of the Canadian Consulate General, Seattle
Finn Bergesen, Embassy of Norway, Washington, D.C.
Bill Fields, Mrs. Paul's Kitchens, Philadelphia, PA
Dennis Petersen, Ocean Spray Fisheries, Seattle
Jude Henzler, RuralCap, Anchorage
Antonio Moras, University of Alaska, Anchorage
Joe Bavan, University of Alaska, Anchorage
Stanley J. Horik, F/V NORDIC FURY, Seattle
R. Felix Dias, Embassy of Portugal, Washington, D.C.
Matthew Iya, Kawerak, Inc., Nome
Henry Mitchell, Bering Sea Fishermen's Association, Anchorage
John Schmeidtke, Nordstern, A.G., Seattle
Erling O. Oswald, Sealaska Corporation, Juneau
Kelly Roth, Office of the Consulate of Japan, Anchorage

Jerry E. Tilley, Sea West Industries, Edmonds, WA
Gil Gunderson, Sealaska Corporation, Juneau
Gwen Z. Hale, Alaska Native Foundation
Pat Schelp, Bescom Warehouse, Goodnews Bay
Sharon Gwinn, Alaska Fisheries Development Foundation, Anchorage
Rye Kaminokado, Office of the Consulate of Japan, Anchorage
Jim Ferguson, Pelican Cold Storage, Pelican
Michael Jones, Pribilof/Highly Sea Products, Inc., Anchorage
Nick Szabo, Alaska Board of Fisheries, Kodiak
Gary Painter, Kodiak
H. Kawamura, Japan
Toshio Ueno, Japan Fisheries Association, Anchorage
Steve Black, Black & Associates, Anchorage
Paul MacGregor, Japanese North Pacific Longline and Gillnet Association, Seattle
S. Ole, Kotzebue
Stephen B. Johnson, Japan Deep Sea Trawlers Association and Hokuten Trawlers Association, Seattle
J. R. Pace, Universal Seafoods, Redmond, WA
Al Ramin, Anchorage
William Phillips, Office of Senator Ted Stevens, Washington, D.C.
Harold Jones, Kodiak
C. J. Zane, Office of Congressman Don Young, Anchorage
Nell Waage, Kodiak Times, Kodiak
M. G. Sanders, Anchorage
Robert T. Griffith, Eagle River

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

The meeting was called to order by Chairman Clem Tillion. The Chairman introduced R. Felix Dias, Commercial Counselor from the Embassy of Portugal in Washington, D.C.; Chris Dawson, alternate for Ray Arnaudo of the State Department; Finn Bergesen of the Norwegian Embassy in Washington, D.C.; and Don Martens, Office of the Canadian Consulate General in Seattle.

The Chairman called for approval of the agenda. *Harold Lokken moved approval of the agenda; seconded by Bob Mace. There being no objection, it was so ordered.*

Chairman Tillion called for approval of the minutes of the April Council meeting. *Charles Meacham noted an addition to the attendance roster and suggested re-wording a paragraph under Report on the Law of the Sea. The minutes were approved as amended.*

B. SPECIAL REPORTS

B-1 Executive Director's Report

Don Bevan, Ron Skoog, John Harville, and Jim Branson will meet in Chicago on June 4 and 5 with representatives of the other regional councils to discuss amendments to the Magnuson Act and

other matters in preparation for the Council Chairmen's meeting. Terry Leitzell and Roland Finch have been invited to attend the Chicago meeting.

The Council Chairmen's meeting will be held in Homer on June 22-24. NMFS will send most Pacific Coast regional and center directors, plus Bill Gordon, Roland Finch, Bill Stevenson, and Jay Johnson from the Washington office. Ted Kronmiller, designate for Deputy Assistant Secretary for Oceans and Fisheries Affairs of the State Department, will also attend.

The Council's meeting schedule for the rest of 1981 is as follows: July 23-24, Homer; August, no meeting; September 24-25, Anchorage; October 29-30, Sitka; November, no meeting; December 2-4, Anchorage (place and time depend on Board of Fisheries).

The Executive Director suggested that the Scheduling Subcommittee meet sometime during the summer to work up annual schedules for processing plans and amendments.

The European Economic Community's proposed surcharge on imported salmon would establish a reference price and compensatory tax system to protect markets for Atlantic salmon, particularly salmon from Ireland and the United Kingdom, at the expense of Pacific salmon. Chris Dawson said that the State Department is well aware of the EEC's proposed tax on imported salmon. If the proposal is enacted, it will be considered by the State Department when allocations are made.

Upon request of the Advisory Panel, the Council instructed the Executive Director to write a letter to Ted Kronmiller of the State Department, protesting the new trade policy and indicating that if the surcharge is enacted, the North Pacific Council will look unfavorably at future requests for allocations or joint ventures by EEC nations.

The Pacific Council wrote to Terry Leitzell concerning proposed reductions in Federal funding for regional state-federal fisheries programs. They felt that reducing funding for programs which yield badly needed research and fishery monitoring information could negatively impact their ability to manage, and that some FMP's would require restructuring. *The Council instructed the Executive Director to write a similar letter to Mr. Leitzell expressing the North Pacific Council's concern over proposed reductions in federal funding for regional state-federal fisheries programs.*

The Executive Director introduced Becky Wetzler, NPFMC bookkeeper/receptionist, who recently joined the staff.

B-2 Alaska Department of Fish and Game Report on Domestic Fisheries

Mark Miller of the Alaska Department of Fish and Game reported that U.S. fishermen took 44 million pounds of groundfish from the

Gulf of Alaska and Bering Sea during April. This was more than half the total 1981 domestic groundfish catch to date of 84.5 million pounds. Four foreign processors and 54 domestic vessels participated in the groundfish fishery off Alaska in April.

This year's C. opilio Tanner crab catch has also improved over 1980, with 42 million pounds taken through April compared to 20 million pounds taken at this time last year. Harvest guideline for opilio is 90 million pounds.

The Southeast Alaska salmon troll fishery opened on May 15. No catch reports were available as of the Council meeting.

Mr. Miller reported problems in obtaining the cooperation of fishermen in the domestic observer program. ADF&G has issued a series of news releases which explain the urgency of the program. Several members of the Advisory Panel suggested that participation by owners of remaining vessels in the salt cod fishery be sought and requested a follow-up report on this issue.

B-3 NMFS Report on Foreign Fisheries

Ron Naab, NMFS-Juneau, reported that 1981 foreign fisheries are similar to previous years. At the end of March, 208 foreign vessels were operating off Alaska; by the end of April the number had decreased to 199; and as of May 22, 1981 there were 181 foreign vessels operating off Alaska, of which 145 were Japanese.

As of May 22 Japan had 98 vessels, including 30 stern trawlers, five longliners, and 60 catcher vessels from the surimi fleet, in the Bering Sea targeting on pollock and flounders. There were 40 Japanese vessels in the Aleutian Islands fishing for pollock and Pacific Ocean perch; one Japanese stern trawler in the Bering Sea was receiving pollock in a joint venture operation north of Unimak Pass; and eight Japanese vessels, including five longliners, fished in the Gulf of Alaska for Pacific cod.

All of Poland's activity as of May 22 was in the Bering Sea, where eleven large stern trawlers and several support vessels fished for pollock. South Korea had 15 vessels in the Bering Sea fishing for pollock and flounders; three vessels were receiving pollock in joint venture operations in the Bering Sea; and one South Korean vessel fished for Atka mackerel in the Aleutians. The Soviets had four vessels in support of joint venture operations for flounder and Pacific cod in the Bering Sea.

Phil Chitwood reported that only 40,977 mt of the 208,484 mt Gulf of Alaska TALFF had been harvested as of May 2. Poland had taken 65% of its 34,003 mt allocation; Japan 15% of its 128,748 mt allocation; and Korea took less than 1% of its 44,533 mt allocation. Pollock and Pacific cod dominated the catch.

Pollock also dominated the Bering Sea catch to date, which was 259,484 mt of the 1,266,342 mt TALFF. Korea had taken 53% of its

115,049 mt allocation; Poland had taken 48% of its 51,421 mt allocation; and Japan had taken only 14% of its 1,070,885 mt allocation.

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

LCDR Doug Smith reported that since the March meeting the Coast Guard issued five citations to one Soviet, two Polish, and two South Korean vessels for catch log infractions. The Coast Guard also seized two Japanese trawlers for misreporting their catches. One paid a \$550,000 penalty; the other was released under bond until the case is settled.

The Advisory Panel noted that the vessels seized were again from the Hokuten Trawlers Association, and expressed concern that the Japanese government is not policing the actions of its vessels.

Chris Dawson said that the State Department is preparing to make allocation sanctions on a case-by-case basis in instances of recurring serious violations. She said that an allocation sanction would probably be levied against Japan when reallocations are made.

John Harville suggested that Japanese fishing companies should check logging figures at the time the vessels are off-loaded. Bart Eaton suggested that the United States could have more control over catch logging if all foreign vessels were required to undergo tank inspections in Dutch Harbor or Adak before leaving the FCZ.

B-5 Update on Joint Venture Operations

Charles Jacobsen, Vice President of Fish Producers Associates, Inc., reported that the U.S./Korean joint-venture had taken approximately 18,000 mt of groundfish since operations began on February 12. Fishing was very good in the Shelikof Straits area with 1,009 tons caught in one week by a single U.S. catcher vessel. One American catcher vessel took over 4,000 tons from February 12 through May 4; and one week's catch was 3,177 mt with seven U.S. catcher vessels participating. The fleet is now operating near Unimak Pass.

Dennis Petersen of Ocean Spray Fisheries said that Marine Resources Company's AMERICAN #1 grossed over \$1 million in a 90-day fishery from February through May with the Soviet mother-ship SULAK. Fishing 70 of the 90 days, the average daily value of the catch was \$11,230. Several smaller U.S. vessels grossed over \$600,000 each for the 90-day period. AMERICAN #1's highest daily catch was 275 mt of pollock.

Mike Jones, Project Manager for Pribilof/Highly Sea Products, Inc., reported growing pains for St. George Tanag in its venture with Highly Enterprises of Taiwan. First quarter 1981 catches were approximately 500 mt of pollock and 314 mt of Pacific cod. Their first attempt to transfer at sea was a learning experience

for both the Americans and the Taiwanese. The training program for St. George residents has lost three of its four participants. The remaining participant has been temporarily transferred to an American vessel for additional experience.

John Schmeidtke of the West Germany company Nordstern, A.G. reported that the FRIEDRICH BUSSE recently returned to Alaskan waters to resume joint venture operations. Fishing is good -- 100 tons in 20 hours -- although the catch contains more Atka mackerel than they would prefer.

The Council expressed concern over varied uses of the term "joint venture" other than in its classical sense. *The Council asked the staff to look for another term to more accurately describe such operations as those undertaken by St. George and Highly Enterprises of Taiwan.*

B-6 AP and SSC Reports on Non-Agenda Items

The SSC reviewed and updated its internal subcommittee memberships and provided an updated list to the Council staff. The SSC also established subcommittees for each outstanding contract to effectively monitor and review Council contract status. It is the SSC's intent that members of the contract review subcommittees receive and review all quarterly and final reports from contractors. Copies of SSC subcommittee and contract monitoring committee lists are made a part of these Minutes as Appendix I.

C. OLD BUSINESS

C-1 Report on the Economics of Halibut Limited Entry

Donald Bevan reported that a workshop to discuss the necessity and desirability of limited entry in the halibut fishery was held on May 14-15 in Seattle at the Northwest and Alaska Fisheries Center. He said that a number of new ideas, which would be both appealing and appalling to the Council, surfaced during the meeting. A written report of the workshop recommendations will be made at the July Council meeting.

C-2 Recommendations for Plan Maintenance Teams

The SSC reviewed recommendations from the Alaska Department of Fish and Game and NMFS for membership on plan maintenance teams. The SSC also discussed other agency participation on PMT's. The SSC believes that each PMT should have an identified scientific support group which will be kept informed of PMT needs and actions. SSC recommendations for agency and, where available, individual membership on PMT's were provided to the Council and are made a part of these Minutes as Appendix II.

The SSC recommended that the Washington Department of Fisheries be included on the High Seas Salmon PMT and that IPHC be included on both the groundfish plan maintenance teams. PMT's for Tanner crab, high seas salmon, and Gulf of Alaska groundfish should be

established immediately. Teams for Bering Sea/Aleutian Island groundfish and Bering Sea herring need not be confirmed until the plans are approved.

Don Collinsworth felt that the SSC's recommendations were not in keeping with the Council's concept of a plan maintenance team. He said that PMT members should be custodians of the administrative aspects of the plans, and should not be asked to provide analyses of data.

Donald Bevan moved that the Council accept the recommendations of the SSC for membership on Plan Maintenance Teams; seconded by Harold Lokken. Upon call for the question, the motion carried with Don Collinsworth in opposition.

D. NEW BUSINESS

D-1 Polish Joint Venture Permits

The Council received joint venture permit applications from nine Polish stern trawlers which currently hold 1981 directed fishing permits for the Bering Sea and Gulf of Alaska. The vessels propose to receive pollock and Pacific cod in the Bering Sea and Gulf of Alaska from two U.S. fishing vessels provided by Steuart Fisheries and Sea Spray Fisheries. Good quality pollock would be purchased for \$143.30/mt. Mrs. Paul's Kitchens of Philadelphia, Pennsylvania would act as agent and payer and would purchase all of the product processed into fillets (approximately 10% of the total catch). The rest would be marketed in Poland.

The Advisory Panel did not make a recommendation for approval of the joint venture permits, but discussed with Bill Fields, representative of Mrs. Paul's Kitchens, their concerns about the project.

Bill Fields also testified before the Council and explained that the reason permit requests were submitted for nine vessels to service two catcher vessels was that the nine stern trawlers would be operating off the Washington/ Oregon coast in the hake fishery and would rotate to Alaska to receive pollock and cod from the catcher vessels.

The Permit Review Committee met at 5 p.m. on Thursday, May 28 to discuss the permit applications. After questioning Mr. Fields on various aspects of the project, the Committee voted that the applications be approved with the understanding that approval of the applications would not in any way indicate that there may be additional Polish allocations.

Bart Eaton moved that the Council approve the nine Polish joint venture permit applications; seconded by Don Collinsworth. There being no objection, it was so ordered.

E. FISHERY MANAGEMENT PLANS

E-1 Salmon FMP

Report on Salmon Test Fishery

Jim Glock, plan coordinator for the Salmon FMP, told the Council that during the April 15 to May 15 closure of all Southeast Alaskan waters to commercial salmon fishing, ADF&G conducted a test fishery to tag chinooks and recover coded wire tags. The results were much better than anticipated; 764 chinooks and one coho were tagged with external Petersen disk tags. About 50% of the chinooks were mature fish. Nine CWT's were recovered, none of which were Taku river fish. The catch per unit of effort in the Juneau area sport fishery is much higher than average this year, indicating that the closure successfully moved fish inside. Tags have already begun to show up in the commercial and sport fisheries. A report on the test fishery will be available from ADF&G in the near future.

Proposed Workshop on Washington Department of Fisheries Model

On completion of the SSC's review of the Washington Department of Fisheries staff reported dated March 12, 1981, a number of unresolved questions remained. The SSC recommended that the Salmon Subcommittee review the document and provide a list of specific questions to the Washington Department of Fisheries on the analyses presented, the model used, and assumptions contained in the model. This list of questions, made a part of these Minutes as Appendix III, will be forwarded by the SSC to the Washington Department of Fisheries for response. The SSC feels that in order to properly evaluate the WDF analysis the model must be fully understood and recommended that the Council co-sponsor with the Pacific Council a one-day workshop in the fall of 1981 to be conducted by Fred Johnson, author of the model, and personnel of WDF. The purpose of the workshop would be to explore in detail the use of the model in the coastwide chinook fishery. Suggested attendees would be members of the North Pacific and Pacific Council SSC's, PMT's, Council, and management agencies who need a clearer understanding of the model's capabilities and how its analyses should be used by fishery managers.

Gene DiDonato said that the Washington Department of Fisheries would be very supportive of the workshop to bring affected agencies up to speed on use of the model. He felt, however, that since the model is so complicated a better approach may be for selected persons to attend an in-depth workshop of two or three days rather than just one day, and those persons could then take their explanations of the model back to their respective staffs.

The Council endorsed the proposal for a workshop on the Washington Department of Fisheries/National Bureau of Standards model and asked the Executive Director to begin planning the workshop and contact the Pacific Council about co-sponsorship.

Discussion of FCZ Limited Entry

At the March meeting the Council requested information on the number of trollers which would qualify under various eligibility requirements if limited entry were instituted in the FCZ. Jim Glock contacted CFEC for data on landings during the base period and assembled a series of criteria which the Council could consider and the estimated number of fishermen that would be eligible under varying criteria. Because of the high cost of generating the data on the number of fishermen making at least two landings in at least two of the base years, 1975 to 1977, the staff opted to estimate the numbers by a different method, using the average pounds per landing for hand and power trollers. The difference between the two numbers is minimal and satisfies the present need.

Graphs were prepared showing the catch distribution among the hand and power troll fleets in the 1975-1977 base period. Less than 500 pounds were recorded for the majority of hand troll permits which showed outer coastal landings. The average hand troll landing was about 98 pounds. In the power troll fleet, 50% of the permits showed landings of 4,000 pounds or more in 1975. This rose to nearly 7,000 pounds in 1977. These figures do not include trollers who no longer hold current limited entry permits.

The Council has three alternatives for determining initial eligibility for FCZ limited entry permits. First, the two fleets could be considered together and the minimum requirement set for the entire fleet based on landings. Second, the two fleets could be combined and eligibility based on poundage. Third, hand trollers and power trollers could be treated separately and a proportional poundage requirement used.

The following Advisory Panel statement was adopted and presented to the Council for consideration:

"The Advisory Panel does not endorse limited entry for the troll salmon fishery as the harvest is regulated by means of a quota and the elimination of fishing units will not result in a reduction of the total harvest."

The SSC reviewed the report by Council staff on the number of trollers who would qualify for FCZ limited entry permits under various eligibility criteria and made no recommendation.

Don Collinsworth asked the Executive Director about the status of the Limited Entry Workgroup. The Executive Director explained that the only such workgroup established is for halibut. Mr. Collinsworth suggested that perhaps the starting point for an FCZ limited entry program would be formation of a workgroup to draft the initial proposal.

Public Testimony

Lewis Schnaper, Executive Director of the Alaska Trollers Association, agreed with Mr. Collinsworth that a limited entry workgroup may be a good place to start, although he wasn't sure that limited entry would benefit either the fish or the fisherman. Mr. Schnaper said that preliminary indications are fair to good for the 1981 troll fishery, and he felt the test fishery was successful from the fisherman's view. Mr. Schnaper suggested that industry should have a place in the proposed workshop on the WDF model and proposed that a qualified industry biologist participate. He also requested that a representative of Alaska Trollers Association be allowed to participate, or at least observe, the Plan Development Team when it begins working on the 1982 troll salmon amendment. He said they want to find out what has been considered by the PDT before the package is presented to the Council.

It was the consensus of the Council that an industry representative should be invited to the WDF model workshop.

Council Action on Limited Entry

Bob Mace said that the basic issue in the Council's consideration of limited entry is economics. Effort must be controlled if the fishery is to remain viable. He cited three alternatives for controlling effort.

1. OY could be lowered for biological reasons.
2. Time/area closures could be established; however, crowding may result in remaining open areas.
3. The Council could institute a separate quota for the FCZ. This would require two management plans -- one for State waters and one for Federal waters.

Mr. Mace felt that a workgroup to study limited entry may be a good idea. He reminded the Council that several years ago it gave notice to the public that limited entry was imminent; the Council must either act on limited entry or decide that it is unfeasible, and that decision must be based upon economics of the fishery.

John Harville agreed with Mr. Mace's concept of the proposed limited entry workgroup. He suggested that the Council direct the workgroup to look at the number of participants which would allow the season to remain open long enough to make the fishery economically viable and an effort level which would permit taking of fish over the normal length of the season, but within the OY to protect stocks.

Chairman Tillion said that he would prefer to see the number of participants set at a level which would allow the troll fishery

to remain open year-round. Further, it may be the Council's only alternative to ban all trolling in the FCZ because this is a mixed stock fishery.

Donald Bevan said that if the Council is serious about appointing a limited entry workgroup, the staff's research on the number of participants qualifying under various criteria should be continued while studying the economic and long-range impacts of the fishery. The longer the Council waits, the longer it appears to the public that the Council does not intend to do anything about the troll fishery.

Don Collinsworth felt that the workgroup's membership should also include NMFS administrators, the staff economist, Commercial Fisheries Entry Commission personnel, and attorneys to get the most input possible for the best possible proposal. He said if the number of units is reduced in the FCZ, those units will be displaced to inside waters. He suggested that the Workgroup also consider enforcement problems since the State is setting up a limited entry program for hand trollers in inside waters.

Bob McVey reminded the Council that in order for limited entry to be in place by 1982 the approved limited entry package must be received by the Secretary of Commerce by August, 1981. It appears, therefore, that limited entry is not possible for 1982 and the Council should look toward having the proposal ready for 1983.

Don Bevan said that the Council should urge the Workgroup to develop a limited entry proposal which is as simple as possible, includes both transferable and non-transferable permits, and applies to both hand and power trollers.

Harold Lokken said he would prefer not to limit the proposal to the small number of potential participants that would be necessary to conduct a year-round fishery. He suggested that the Workgroup also look at less stringent options and present a total range of possibilities to the Council.

Board of Fisheries Chairman Nick Szabo said that the State has come a long way over the last five years from a totally unregulated troll fishery to one protected by area closures, trolling bans, etc., to protect the fish. He felt that escapement goals are not experience oriented and are relatively new, unprecedented data on which to base management decisions. He said the Board has acted responsibly in its management of the troll fishery, with their main concern being maintenance of a viable fishery.

Bob Mace moved that the Council instruct the Executive Director to appoint a workgroup consisting of Jim Glock, plan coordinator, and representatives of the Alaska Trollers Association, NMFS, and ADF&G, to prepare for the Council's review in July a list of limited entry alternatives and recommendations for who should be included in the resultant larger workgroup which will draft the

limited entry proposal according to the Council's direction; seconded by Harold Lokken. There being no objection it was so ordered.

Jim Ferguson of Pelican Cold Storage testified that power troll permit registrations indicate that between 150 and 200 fishermen with permits are not fishing. Hand troll registrations are down to 1350. (Preliminary CFEC records as of 5/20/81 show that 1667 hand troll permits were fished in 1980.)*

Mr. Ferguson said that competition from Norwegian farm salmon will affect the fishery. Over 10 million pounds of Norwegian farm salmon will be used in Europe this year and Alaska has already been notified that European markets will not take U.S./Canadian troll salmon. Norwegian salmon sells for \$2/pound less than U.S./Canadian troll salmon. He stressed the importance of aquaculture for the future of Alaska's fishery and rebuilding chinook stocks.

Mr. Ferguson suggested that a representative of the processing industry also be included on the larger Limited Entry Workgroup when it is appointed.

E-2 Herring FMP

Extensive revision of the Regulatory Impact Analysis/Regulatory Flexibility Analysis and editing of the FMP and EIS have been completed. The Herring Plan will be mailed to the Secretary of Commerce as soon as it is printed.

E-3 King Crab Fishery Management Plan

In March the Council accepted, but did not formally approve, the Joint Statement of Principles between the Council and Board of Fisheries for management of the domestic king crab fishery and Draft Alaska Board of Fisheries Bering Sea/Aleutian Island King Crab Management Framework. The Council referred these documents to the Board and public for review and urged the Board to formally adopt the documents and develop their regulations for the fishery. On April 1, 1981 the Board agreed to the Joint Statement and formally adopted the Management Framework as a State of Alaska fishery management plan.

It was necessary for the Council to decide whether to adopt the proposed co-management system with the Board or one of two alternatives:

1. Submit an FMP with implementing authority delegated by Federal regulation to the State.
2. Submit an FMP with Federal implementation of regulations.

* Information obtained from CFEC for purpose of comparison.

The Council reviewed a letter to the Secretary of Commerce from Congressman Don Young supporting the management concept as outlined in the Joint Statement and Management Framework and a letter to the Secretary from the Point Judith Fishermen's Cooperative opposing the joint management proposal. A letter to the State/Federal Assistance Coordinator from the Maneluk Association supported the joint management concept, but stated that the Management Framework fails to adequately stress the subsistence priority.

The Council also reviewed a letter to Governor Hammond from Bob Alverson, representing the Alaska Marketing Association of Seattle. The letter requested that the Board of Fisheries reconsider its September opening date for the Bristol Bay king crab season. During the early 80-81 season (which opened on the same date) the industry had poor recovery because the crab had not filled out completely since molting. The Alaska Crab Institute has requested hearings before the State legislative resource committees regarding this season opening date.

The SSC reviewed the Alaska Board of Fisheries' decision dated March, 1981 for management of domestic king crab fisheries in the Bering Sea/Aleutian Islands area. They felt that a critical weakness of the report was its lack of adequate documentation of the factors which led to particular decisions. They suggested that future statements of this type contain the data upon which decisions were made. The SSC recommended that the Council support a study to determine the economic and social characteristics of subsistence and commercial fisheries in the Norton Sound area in light of the Alaska Board of Fisheries' closure to commercial fishing of an area 15 miles offshore in the northern and eastern areas of Norton Sound to enhance subsistence fishing.

The Advisory Panel defeated a motion to reject the Joint Statement of Principles between NPFMC and the Board and voted 11 to 3 to adopt the Joint Statement and Management Framework. The majority of Advisory Panel members felt that the State of Alaska had done an adequate job of managing the resource, that both vessel owners and processors were sharing in a \$186 million industry, and that a cumbersome Federal bureaucracy may adversely affect future management of the resource.

Those opposing the Joint Statement of Principles felt that the document itself is illegal, questioned whether State management would represent both resident and non-resident interests, questioned who would determine consistency between State regulations and the MFCMA, expressed concern because Board membership does not include non-Alaskans, and noted that the Board's closure in Norton Sound extends into the FCZ. Those who opposed the Framework argued that the document does not provide for subsistence fishing or include justification for its consideration, and that exclusive fishery management zones do not conform to the MFCMA. Other objections of the minority are included in the statement by the North Pacific Fishing Vessel Owners Association dated May 28, 1981 which was presented to the Council at the meeting and made part of the Council's official record.

The Advisory Panel voted 8 to 4 that the Joint Statement of Principles and Management Framework do comply with the MFCMA and that the State's regulations for 1981 are sufficient for management and conservation required under the Act.

The Advisory Panel asked the Council to ask the Board of Fisheries to reconsider its opening date of September 15 for the Bering Sea king crab season. This request was supported by the Dutch Harbor Advisory Committee, a petition signed by over 100 Bering Sea fishermen, a significant portion of Bering Sea processors, and a fishermen's marketing association, all desiring a later season opening, preferably October 10 or 15.

The AP was at impasse on action taken by the Board of Fisheries to close an area 15 miles offshore in the northern and eastern portions of Norton Sound to enhance subsistence fishing. Those in favor of the closure felt that the subsistence issue and lack of crab within the proposed closure area provided sufficient justification to warrant the action. Those opposed felt there was inadequate justification for the closure, that the action of the Board did not comply with the Joint Statement of Principles, that extension of the closure to 15 miles offshore was improper for a State agency, and that there were inadequate data to indicate that a lack of crab inshore resulted from efforts of the rest of the fishing fleet.

Public Testimony

John Hall of Kodiak testified in favor of the present State of Alaska king crab management system. He felt the State has done an adequate job of managing the fishery and that joint management between the Council and Board would work. He disagreed that non-residents would suffer discrimination under the State management system. Mr. Hall said the cost of changing from State to Federal king crab management would be economically unfeasible, particularly under the current Administration, and fishermen are not willing to bear the costs to implement a Federal plan.

Bart Eaton asked Mr. Hall's opinion on the Bering Sea king crab opening date. Mr. Hall responded that crab should be harvested when they are most desirable for the marketplace, and that time may be different from year to year.

Dick Pace, representing the Alaska Crab Institute, asked the Council for a hearing to seek relief from the Alaska Board of Fisheries' decision to open the Bering Sea king crab season on September 15. The Alaska Crab Institute believes that poor quality crab will result from such an early opening date.

Dick Goldsmith, manager of the North Pacific Fishing Vessel Owners' Association, highlighted the issues contained in his written testimony to the Council dated May 18, 1981 and introduced additional testimony dated May 28, 1981. Mr. Goldsmith alleged that the proposed management scheme is illegal and undermines the Council system nationwide by placing the Council

in a subordinate role to a State management agency. NPFVOA believes the proposed scheme is inconsistent with the Magnuson Act. They feel Alaska's management practices have been and will continue to be ineffective and inconsistent with the MFCMA; that limiting the proposed management regime to western Alaska is unjustified and discriminatory; and that the Board has already breached its agreement with the Council in establishing regulations for the 1981 western Alaska king crab fishery. He said the Council has also failed to comply with the terms of the Joint Statement of Principles because during the 45-day comment period set out in the Joint Statement, the Council did not hold public hearings.

Oscar Dyson urged the Council to drop the question of the crab season opening date until next year. He said there are many possible reasons other than early opening for inconsistent crab meat quantity throughout the fishery.

Mr. Dyson favored the least Federal management possible in Alaska's fisheries. He believes that the State has done a credible job with the king crab fishery for 22 years.

Robert Alverson, speaking for the Alaska Marketing Association in Seattle, explained his association's reasons for preferring a later opening date for king crab and reviewed their letter to Governor Hammond requesting that the Board of Fisheries reconvene to reconsider the September opening date. He cited complaints from restaurant chains on the "light" quality of crab sections they received, and said that some restaurateurs have considered removing king crab from their menus.

Matthew Iya, representing Kawerak, Inc., spoke in favor of the Board's subsistence closure around the Nome area.

Jude Henzler, RuralCap, said that the people of Norton Sound are not satisfied with the Board's actions, which will still allow commercial crabbing around that area. The residents of the area want all commercial crabbing stopped until data on its effect on the subsistence fishery is available.

Harold Jones of the F/V MARCY urged the Council to adopt the Joint Statement and Framework so the Board of Fisheries and Council can work together under the Council's supervision. He said the Board has done a good job with king crab management to date.

Mr. Jones opposed changing the season opening date so close to the actual opening date. He believes that any fishery, anywhere, at any time, may have both full and partially full crab because all crabs do not molt simultaneously.

Gary Painter, commercial fisherman from Kodiak, said he felt discriminated against because of opposition to the joint management proposal by Senators and Congressmen. He felt the Council should be allowed to do its work, and anything done wrong should

be settled in the courts. He felt the regional approach provides the greatest opportunity possible for participants to contribute to management of their fisheries. He said Federal management is not necessarily in the best interest of fishermen; however, several years ago when Kodiak fishermen suffered grounds pre-emption problems, the Council did act responsibly to remedy the situation.

Richard Lauber, representing Pacific Seafood Processors, said that Alaska's seafood in general has a good reputation because of Alaska king crab. He cited negative comments from restaurant operators regarding the light quality of king crab from last year's fishery.

Steve Woodruff, representing Alaska Fresh Seafoods, said that according to Alaska crab quality regulations, all leg sections must be at least 75% full. Frozen processed crab could appear full even when it may in fact be surrounded by frozen water in the shell. He said it is impossible to do quality processing and grading in Dutch Harbor. Mr. Woodruff felt that when large numbers of crab are on the grounds competing for food, they will be smaller and meat content lighter. Likewise, in other years when fewer crab are on the grounds, they may be larger and more full. He felt a later season opening could cause economic problems for small canneries and residents who rely on canneries for work.

Council Action

Donald Bevan moved that the Council ask Board of Fisheries Chairman Szabo and the Board to reconsider the September 15 opening date for the 1981 king crab season, and the Council would support whatever decision the Board made; seconded by Bob McVey. There being no objection, it was so ordered.

Harold Lokken presented to the Council a compromise Joint Statement of Principles dated May 28, 1981 for inclusion in the Council record. Mr. Lokken's revised Joint Statement is made a part of these Minutes as Appendix IV.

Council discussion followed on the various aspects of the Joint Statement of Principles, Draft Framework, and Mr. Lokken's compromise Joint Statement of Principles. John Harville summarized the action and previous rationale of the various options available for king crab management.

Don Collinsworth moved:

- 1. That the Council adopt the Joint Statement of Principles for management of domestic king crab fisheries of the Bering Sea and Aleutians by the Alaska Board of Fisheries as revised March 26, 1981;*
- 2. That the Council approve the Alaska Board of Fisheries Bering Sea/Aleutian Islands King Crab Fishery Management Framework dated April 1, 1981;*

3. That the Council find, on the basis of the commitment of the Alaska Board of Fisheries to adhere to the Joint Statement of Principles and Framework mentioned above, that the 1981 king crab fishery in the Bering Sea and Aleutian Islands area does not require conservation and management other than that provided by the State of Alaska.

During this period of time the State will continue management and enforcement of the king crab fishery. The motion was seconded by Jim Campbell. Upon roll call vote, the motion carried 8 to 3, with Robert Mace, Gene DiDonato, and Harold Lokken in objection.

Don Bevan then moved that the Council direct the staff to prepare for consideration at the July Council meeting a fishery management plan for the management of the king crab fishery of the Bering Sea and Aleutian Islands to go into effect by the beginning of the 1982 fishery. This plan shall be a framework plan that shall maximize the authority of the managers of the fishery to change management measures without amendment of the plan itself, subject to basic policies and management standards incorporated in the plan. The plan shall be based upon the Alaska Board of Fisheries Bering Sea/Aleutian Island King Crab Fishery Management Framework dated April 1, 1981. It is the intent of the Council that the plan be implemented by delegation of Federal implementation authority to the State of Alaska, and a draft regulation having this effect shall accompany the plan through all stages of administrative review. The motion was seconded by Don Collinsworth.

Bob Mace asked permission to amend the motion to specify that a final decision will be made by the Council at the July meeting. Permission to amend the motion was granted by the mover and second. Upon roll call vote, the motion carried 10 to 1, with Mr. Lokken in objection.

E-4 Tanner Crab FMP

In March the PDT reported inconsistencies between State and Federal Tanner crab regulations. New regulations adopted by the Board of Fisheries created additional inconsistencies in OY's, area definitions, seasons, pot storage, and pot limits.

The SSC reviewed the status of the Tanner Crab FMP and the inconsistencies between the Council's current plan and State of Alaska regulations being used to manage the fishery. The SSC felt the amendment procedure for the single-year type plan has failed to function in a timely manner. Changes necessary in all areas of the regulatory scheme have not kept pace with the State's regulations. The SSC felt these inconsistencies are far greater than would appear by the table provided by Council staff. Many of the regulatory areas in the FMP are still in the process of being amended for the 1979-80 fishing year and have been re-amended for the 1981 fishing season. In both cases the fishery has been regulated by emergency order adopting the State's regulations and the fishery has become history without actual Federal regulations having been fully processed.

The SSC feels that if the current procedure continues, it may allow, through legal procedures, possible risk to proper management of the resource. The process has resulted in certain State regulations not being enforced due to conflict with non-amended Federal laws. Although this has not created a conservation problem to date, it has been unjust to the fishery's participants. The SSC feels it is not able to effectively judge the scientific merits of the data being used to manage the fishery and the future of the amendment procedure hinders management of the fishery. The SSC recommended:

1. That the PMP be fully updated to reflect the current regulatory changes;
2. That the Council consider development of a new plan or amending the existing plan to create a multi-year plan that does not require annual amendments; and/or
3. That the Council consider development of a management scheme similar to that being considered for the king crab resource.

The Advisory Panel found it imperative that pot storage areas conform between State and Federal regulations. The current area recently adopted by the Board is in the middle of the foreign yellowfin sole fishery. This was also confirmed by NMFS 1980 trawl surveys indicating where the highest abundances of yellowfin sole are located. The AP requested that the Council transmit the coordinates of the new Board of Fisheries area to all foreign nations immediately, as there are numerous reports of crab gear being lost to foreign trawl activity; that the ad hoc Crab Storage Workgroup meet with appropriate State of Alaska and NMFS enforcement personnel to discuss a new pot storage area; asked the Council to allow the opilio fishery to remain open until OY is achieved, or until five days before king crab season opens, whichever is later; and to re-open the opilio season upon the opening of king crab season if OY remains or until it is determined that for conservation reasons that the opilio season should be closed.

Richard Goldsmith, manager of the North Pacific Fishing Vessel Owner's Association, stressed the need to leave opilio season open until OY is achieved.

Don Collinworth said that to encourage full utilization of the 90 million pound OY, the State will allow the Tanner crab season to continue as long as OY remains and legitimate effort is demonstrated.

Don Bevan moved that the Council instruct the Tanner Crab Plan Maintenance Team to study the SSC's recommendations and come back to the Council in July with the PMT's recommendations for a more responsive management approach to the Tanner crab fishery; seconded by Bob Mace. There being no objection, it was so ordered.

E-5 Gulf of Alaska Groundfish FMP

The Gulf of Alaska Groundfish FMP has been amended ten times. The next amendment may include a complete revision of the FMP into a multi-year framework plan which incorporates provisions addressing the problems of incidentally-caught prohibited species.

It was the consensus of the Council that the Gulf of Alaska PMT and all other plan maintenance teams should review their respective plans to see what, if anything, is needed, to make the plans more responsive to the fishery.

E-6 Bering Sea/Aleutian Islands Groundfish FMP

The Council was scheduled to decide on the final form of Amendment #3, Reducing the Catch of Prohibited Species. Specific decisions were required on: (1) proposed procedures to control the catch of prohibited species; (2) application of the amendment to the foreign and/or domestic fishery; and (3) retention of prohibited species.

The SSC reviewed written testimony, summaries of public testimony, and various reports submitted on the proposed amendment; received public testimony during their meeting; and considered the pros and cons of each of the proposed procedures for controlling the catch of prohibited species. As a result, the SSC recommended that the Council adopt Option 2, AIC alone, modified to close a nation's fishery when it reaches its assigned AIC. An "initial" AIC (a percentage reduction of final AIC) would assure that the Bering Sea/Aleutian Islands area is closed to a nation before the final AIC is reached. The Regional Director would then be able to re-open areas to specific gear types which had demonstrated an ability to avoid prohibited species until the final AIC is reached, when the entire area would be closed to all that nation's groundfish fleets. To facilitate achievement of OY, the SSC suggested that any unused TALFF resulting from an AIC closure be reallocated to nations having remaining AIC.

The SSC reviewed and concurred with the proposed initial AIC's and reduction goal of 75% for all prohibited species over a five-year period. The SSC noted that an annual review of that goal must be conducted to assure that reductions are reasonable based on stock condition and harvesting technology.

The SSC recommended that the domestic groundfish fishery be included under the AIC concept from the beginning and that all prohibited species be returned to the sea with a minimum of injury. The SSC felt that failure to include the domestic groundfish fishery or return prohibited species to the sea is inconsistent with the recently adopted management objective to minimize the impact of groundfish fisheries on prohibited species and continue the rebuilding of Pacific halibut resources.

The Advisory Panel adopted the two guidelines proposed in Amendment #3 and stated the following preferences for the proposed procedures:

Foreign Fisheries

1. Immediate AIC's should be set for all prohibited species based on levels submitted by the PDT. AIC's to foreign nations should be pro-rated on a percentage of the total OY allocated to those nations. It may be appropriate to use an average, including 1980 data now available, to set the AIC for halibut.
2. Institute time and area closures.
3. Institute gear restrictions as new technology becomes available through gear experimentation.
4. Establish specific incidence rates as a cut-off.

Domestic Fisheries

Only time and area closures, gear restrictions based on experimentation, and specific incidence rates used as cut-off points (currently in effect for domestic fishermen in Area A of the Bering Sea) should be applied to the domestic fishery at this time, but only after an appropriate data base for the domestic fisheries has been established. Prohibited species should be returned to the sea with a minimum of harm.

The majority of AP members opposed AIC's for the domestic fleet. It was also noted that the AP does not favor specific time/area closures or gear regulations for domestic fishermen at this time, but feels that these management tools should be available to resource managers.

The AP minority felt that it is too early to subject the domestic fleet to potential regulation by any method at this time, and suggested that the potential of being regulated could slow development of the domestic fleet.

The AP noted that their action should neither be construed to mean that current regulations on foreign fishermen should be removed nor that the cut-off rate established for domestic fishermen in Area A should be changed.

Public Testimony

Jay Brevick, director of Deep Sea Fishermen's Union of the Pacific, said that Amendment #3 is a long overdue solution to the intolerable foreign incidental catch rate. He advocated tank inspections for foreign ships leaving U.S. waters to reduce

mislogging. Mr. Brevick said that the Council should do all it can to encourage the domestic fishery's development while dealing with the problem of incidental catch.

Don McCaughran, Executive Director of International Pacific Halibut Commission, testified in favor the SSC's recommendations for the AIC concept and concurred with the SSC's initial AIC levels. He felt that AIC's should cover foreign, domestic, and joint venture operations, but said the Council should be more liberal with domestic fishermen.

Dennis Petersen, Ocean Spray Fisheries, asked the Council not to severely restrict the domestic trawl industry until data is available on its activities. Mr. Petersen agreed that tank inspections for all foreigners leaving the area may result in more accurate foreign catch information.

Konrad Uri, of Trans-Pacific International and an Advisory Panel member, was disturbed that domestic trawlers may be lumped together with foreign trawlers under the AIC concept. He said that domestic trawlers could be put at distinct disadvantage if regulations based on foreign information are forced upon them, and felt the domestic trawl industry is too young to be encumbered by such stringent regulations. Mr. Uri said the numbers used in setting AIC's for Amendment #3 are not relevant to the domestic fishery.

Richard Goldsmith, manager of the North Pacific Fishing Vessel Owners Association, was also concerned about placing extra burdens on the groundfish industry, particularly since NPFVOA believes that the Bering Sea FMP does not clearly state the Council's intent for development of the groundfish fishery. He felt, however, that domestic trawlers do not have the right to complain about the lack of data when they will not cooperate with an observer program for data gathering. Mr. Goldsmith endorsed restrictions on the foreign fleet which will encourage them to develop more efficient trawl gear, and suggested that foreign and domestic trawlers get together to share technological information.

Steve Johnson, representing Japan Deep Sea Trawlers Association and Hokuten Trawlers Association, testified in support of the AIC concept to reduce the incidental catch of prohibited species, but felt that the PDT's method for establishing AIC is unrealistic; analysis of potential economic consequences was neglected by the PDT; the proposed reduction rate is too fast, the proposed target level too low, and the reduction schedule too rigid; and mortality factors for trawl-caught halibut and crab are not adequately supported.

The Japanese proposed an AIC program for each prohibited species which would establish an AIC for the first (base) year based upon the Council's best assessment of what is immediately possible, followed by annual reductions determined by formula and adjusted for variable factors, with an allowable overage of up to 10% over

target level to adjust for unforeseen or uncontrollable variations in incidental catch. Their proposal, made a part of these Minutes as Appendix V, includes annual reviews and a three-year evaluation upon which future AIC's would be based.

Henry Mitchell, Executive Director of Bering Sea Fishermen's Association, testified in favor of the PDT's proposal and stressed the need for immediate action. BSFA is not opposed to exempting the domestic trawl fishery from the AIC concept, but does favor domestic observer and logbook programs.

John Schmeidtke of Nordstern, A.G. supported the SSC's recommendations for modifications of Option 2.

Paul MacGregor, representing the Japanese North Pacific Longline and Gillnet Association, testified that foreign longliners should be exempted from the amendment because they have proven their ability to avoid prohibited species.

Norman Cohen, representing 15 villages of western Alaska, and Steve Johnson, representing Japan Deep Sea Trawlers and Hokuten Trawlers, presented an agreement for limiting interception of chinook salmon in the Bering Sea foreign trawl fishery. The proposal, based upon the overall AIC proposal of the Japanese trawl associations previously explained, set an allowable interception level of 65,000 chinook salmon for the 1981 trawl fishery, to be reduced annually for five years to a goal of not more than 16,250 chinooks. Overages of up to 10% of the interception level in any one year would be made up in the following two years.

Council Action

Don Bevan moved that the Council ask the Plan Development Team to draft a modified version of Amendment #3 based on the Allowable Incidental Catch concept which would close a nation's fishery when it reaches its assigned AIC. The draft should include the use of an initial AIC (a percentage reduction of final AIC) to assure that the Bering Sea/Aleutian Islands area is closed to a nation before the final AIC is reached, and authority for the Regional Director to re-open areas to specific gear types which demonstrate an ability to avoid prohibited species until the final AIC is reached, when the entire area would close to all that nation's groundfish fleets. The Team should explore additional incentives to minimize prohibited species catches and provide flexibility for the Regional Director to respond in emergency situations. Amendment #3 would not apply to the domestic fishery; the foreign longline fishery would be exempted for catches of crab and salmon; and further study would be conducted to explore the impact of foreign longliners on the catch of halibut. The motion was seconded by Charles Meacham. Upon call for the question, the motion was unanimously approved.

The Council expressed concern over the connotation of the term "Allowable Incidental Catch" because it infers that such catches

are permissible and retainable. They asked the Plan Development Team to find a term to replace AIC -- possibly PSC -- "Prohibited Species Catch", which would underscore the fact that prohibited species are to be avoided and cannot be retained.

F. CONTRACTS, PROPOSALS, AND FINANCIAL REPORTS

F-1 Status of Contracts and RFP's

A report on the status of Council contracts and RFP's was submitted for Council review. Final approval for Contract 79-4, "Analysis of Southeastern Alaska Troll Fisheries Data," and award of the contract for "Study of Data on Feeding Habits and Food Requirements of Marine Mammals in the Bering Sea" were required of the Council.

The SSC completed its review of the final report for Contract 79-4 and recommended approval of the final report. The SSC also recommended that means be sought to conduct the additional analyses and proposed stock identification study of chinook proposed in the Conclusions and Recommendations sections of the final report.

The SSC reviewed the four proposals received for the marine mammal feeding RFP and the recommendation of the Council's scientific/agency subcommittee which also reviewed the proposals. The SSC concurred with the subcommittee's recommendation that the contract be awarded to the Alaska Department of Fish and Game.

The Finance Committee, which met on May 28, concurred with the SSC and RFP review subcommittee that the marine mammal feeding contract be awarded to the Alaska Department of Fish and Game.

Bob Mace moved that the Council approve the final report for Contract 79-4 and award the marine mammal feeding contract to the Alaska Department of Fish and Game, seconded by Bob McVey. The motion passed unanimously.

F-2 Financial Status Report

Information only. No action required.

F-3 FY 82 Budget and Programmatic Funding Report

The Finance Committee considered the FY 82 budget and programmatic funding requests at its meeting of May 28. The FY 82 Administrative Budget was reviewed and approved for \$935,368. (The FY 81 budget was \$925,849.)

Programmatic recommendations were presented by SSC Chairman Don Rosenberg. The SSC compiled a list of research projects, but had not had time to conduct in-depth analyses or prioritize research needs. The SSC will provide prioritized programmatic recommendations at the July meeting.

Because the Council must request funding before the July meeting, the Finance Committee approved an arbitrary programmatic funding level of \$700,000 for FY 82.

Requests for proposals for audit were mailed to ten local accounting firms; four proposals were received. The Finance Committee recommended awarding the contract for audit to Price Waterhouse in an amount not to exceed \$8,000.

Bob Mace moved that the Council accept the recommendations of the Finance Committee for FY 82 administrative and programmatic funding requests and award of the audit contract; seconded by Don Collinsworth. There being no objection, it was so ordered.

G. PUBLIC COMMENTS

No further public testimony was presented to the Council.

H. CHAIRMAN'S CLOSING COMMENTS AND ADJOURNMENT

There being no further business to come before the Council, the forty-first plenary session of the North Pacific Fishery Management Council adjourned on Friday, May 29, 1981, at 2:30 p.m.

LIST OF APPENDICES

- Appendix I: SSC Subcommittees and Contract Monitoring Committees
- Appendix II: SSC Recommendations for Plan Maintenance Team Membership
- Appendix III: SSC's Questions to Washington Department of Fisheries on the WDF/NBS Model
- Appendix IV: Harold Lokken's Revised Joint Statement of Principles dated May 28, 1981
- Appendix V: Japanese Allowable Incidental Catch Proposal for Bering Sea/Aleutian Islands Amendment #3