

EXECUTIVE DIRECTOR'S REPORT

Changing Faces

It's a pleasure to welcome Randy Fisher, Director of the Oregon Department of Fish and Wildlife, to his first North Pacific Council meeting. I suspect that he's been well briefed by Bob Mace on the heavy issues facing the Council at this meeting. It's good to have him aboard.

This is the last Council meeting for several members. John Winther will be spending more time out on the fishing grounds and ADM Nelson is retiring from the Coast Guard. ADM Ciancaglini will take over the 17th District in a change-of-command ceremony at the end of June. In addition, CAPT White will take on new duties back in Washington, D.C. come August. Bob Ford is moving on to other responsibilities in the State Department. On behalf of the staff, I want to wish you all well and thank you for your support to us over the years.

New Council members will be announced on June 27 and come aboard officially on August 11.

Advisory Panel Short One

Steve Smith of Kemp Pacific Fisheries has given up his seat on the Advisory Panel (item B-1(a)) and an interim replacement is needed for the September and December meetings.

Executive Session

This week's executive session will be at noon on Tuesday. We'll be having a State Department briefing (if Bob Ford makes it in), a report by Craig Hammond on illegal foreign ownership, a status report on the Midwater Trawlers lawsuit, and discussions of our operating procedures. By the way, Helen Allen received a nice letter which I wanted to share with you under item B-1(b). Other than the executive session, lunch will be served in the Council meeting room. John Levy of the Southwest Alaska Municipal Conference will brief the Council at noon on Wednesday on technology available to respond to the provisions of MARPOL Annex V.

Crab Management

Our crab plan has been approved! As indicated in Steve Pennoyer's letter under item B-1(c), no federal regulations are needed at this point to implement the FMP. The Region has requested funding to cover any additional State costs. The next step under the Council's crab plan is to encourage the formation of the Pacific Northwest Industry Advisory Committee (PNIAC) later this summer. The Alaska Board of Fisheries has just called for shellfish proposals with an October 1, 1989 deadline. The PNIAC may want to meet to prepare proposals prior to the deadline. The Board will later ask the PNIAC to comment on all Bering Sea/Aleutian Islands shellfish proposals submitted prior to their meeting in April 1990. I would be happy to provide any staff support necessary to help with the formation and operation of the PNIAC.

Foreign Cooperative Research

Item B-1(d) is a list of foreign cooperative research cruises with Japan and the Soviet Union.



KEMP PACIFIC FISHERIES, INC.

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R. Stephen Smith
President

JUN 13 1989

June 13, 1989

TO: Clarence Pautzke
John Peterson
Nancy Monroe

FROM: Steve Smith

ACTION	ROUTE TO	INITIAL
	Exec. Dir.	
	Deputy Dir.	
	Admin. Off.	
cc: JP	Exec. Sec.	Ren
	Gen. Mgr.	
	Plant Mgr.	
	Quality Mgr.	
	Lab. Mgr.	
	Reg. Aff.	
	Legal Coun.	
	Finance	
	Personnel	
	Public Aff.	
	Training	

It is with great disappointment that I submit to you now the resignation of my seat on the Advisory Panel of the North Pacific Fishery Management Council.

The reason for this resignation is twofold: First, the demands of the Bankruptcy Court on my time severely conflicts with meeting dates established by the N.P.F.M.C. for ordinary business. Secondly, I have found it impossible to give the Advisory Panel the time it demands and deserves to be a worthwhile member.

My disappointment is compounded by the fact that the N.P.F.M.C. and A.P. are on the leading edge of developing our groundfish industry and I honestly feel that I could have given the Council the direction and insight it needed. Further, I regret the added burden I have placed upon you for selecting my replacement.

RSS/fv



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office of General Counsel
P.O. Box - 21109
Juneau, Alaska 99802-1109
Telephone (907) 586-7414

DATE: June 9, 1989

MEMORANDUM FOR: NPFMC - Clarence Pautzke

FROM: GCAK - Craig O'Connor

SUBJECT: Midwater Trawlers Administrative Record

The administrative record for the Midwater Trawlers v. Mosbacher lawsuit has been completed. I would like to thank Helen Allen for her diligent efforts to find the essential documents for the record. We greatly appreciate her professionalism and helpfulness in both compiling the original record and in finding bits and pieces that were missing. She was faced with an enormous task, and did a great job. Thanks!

cc: Helen Allen



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration***National Marine Fisheries Service*

P.O. Box 21668

Juneau, Alaska 99802-1668

June 2, 1989

John Peterson, Chairman
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Attn: Clarence Pautzke, Executive Director

Dear John:

This letter is to notify you of my decision to approve the fishery management plan for the commercial king and Tanner crab fisheries in the Bering Sea/Aleutian Islands (FMP) that was adopted by the North Pacific Fishery Management Council.

This FMP establishes a State/Federal cooperative management regime that defers much of crab management to the State of Alaska (State) with Federal oversight. It contains a general management goal, seven management objectives, and relevant management measures required to meet the objectives. The FMP establishes three categories of management measures: (1) fixed measures, that require an FMP amendment to change; (2) measures that the State may implement and amend, subject to Federal criteria specified in the FMP, and enforce against State-registered vessels in the EEZ; and (3) measures that the State may implement and amend, without specific Federal criteria specified in the FMP, and enforce against State-registered vessels in the EEZ. Several management measures may contribute to more than one objective, and several objectives may mesh in any given decision on a case-by-case basis. The management measures are ones that have been used in managing the king and Tanner crab fisheries of the Bering Sea/Aleutian Islands area and have evolved over the history of the fishery. The FMP encourages additional analysis to determine if alternative management measures may be more appropriate.

Under review and implementation procedures that implement the Magnuson Fishery Conservation and Management Act (Magnuson Act), and authority delegated to me on September 20, 1983, I am required to approve, disapprove, or partially disapprove plans after the 75th day, but before the close of the 95th day, following receipt by the Secretary of Commerce (Secretary) of a plan. Following receipt by the Secretary of the subject FMP on February 27, 1989, I immediately commenced a review of the FMP to determine whether it was consistent with the national standards, other provisions of the Magnuson Act, and any other applicable law. As required by procedures of the Magnuson Act, a Notice of



Availability of the FMP was filed with the Office of the Federal Register on February 28, 1989, and published in the FEDERAL REGISTER on March 3, 1989 (54 FR 9072). Public comments were invited until May 2, 1989. During this same comment period, the views and comments of the Secretary of State, the U.S. Coast Guard, and other components of NMFS and NOAA were invited.

Comments were received from the Alaska Department of Fish and Game (ADF&G), the North Pacific Fishing Vessel Owners' Association, the Alaska Crab Coalition, and the Alaska Factory Trawlers Association. My decision to approve the FMP takes their comments into account.

The Alaska Region, NMFS, has requested supplemental funding to cover any additional costs to the State, and will work with the State on determination of what such costs should be. Advance commitment of specific funding cannot be made by NMFS.

No immediate Federal regulatory action is necessary to implement this FMP. The Secretary has determined that existing State laws appear to be consistent with the FMP, the Magnuson Act, and other applicable Federal law. If the Secretary later finds that a State regulation or statute governing king or Tanner crab in the Bering Sea/Aleutian Islands is inconsistent with the FMP, the Magnuson Act, or other applicable Federal law, either as the result of an appeal or the review of measures adopted by the State of Alaska Board of Fisheries provided for in the FMP, he may publish a regulation in the FEDERAL REGISTER that supersedes such State regulation or statute as it applies in the EEZ.

I have determined that the FMP is consistent with the national standards, other provisions of the Magnuson Act, and other applicable law and, therefore, have given it my approval.

Sincerely,



SPR
Steven Pennoyer,
Regional Director

6/1989

Scheduled U.S. Cooperative Research with Foreign Governments - 1989 Alaska Fisheries Science Center, NOAA, Seattle, WA

Vessel	Nation	Operating Area	Dates	Research Program	U.S. Scientists	Ports of Call
MYS BABUSHKINA	(UWFH) USSR	B. Sea Gulf	10-7/3	Groundfish	Benjamin Miller Kessler	Kodiak 4/10-12 Dutch Harbor 5/17-18
*POSEYDON	(EWGF) USSR	WA, OR	Aug.	Groundfish	TBN	Vanc., B.C. Aug.
NEMIROV	(EWYC) USSR	N. Pacific	April-July	Salmon (Seine)	Haaga Nenth	Dutch Harbor 4/26-27 Kodiak 6/29
NOVOKOTOVSK	(UGZG) USSR	N. Pacific	4/28-5/15	Salmon (Trawl)	Leopold	Astoria April 4/5
RUBEZJNOYE	(UNBM) USSR	Aleutians Kuriles	6/1-7/20	Marine Mammals	Merrick Baker	Dutch Harbor 6/4, 7/24
OSHORO MARU	(JDVA) JAPAN	N. Pacific B. Sea	6/3 -8/11	Gill net, Longline	Meyers Rogers	Dutch Harbor 6/26-30 Vanc., B.C. 7/21-26
SHIN RIASU MARU	(7JHC) JAPAN	N. Pacific	6/1 -7/22	Gill net Longline	Davis	None
HOKUHO MARU	(JDXL) JAPAN	N. Pacific	6/6 -7/28	Gill net, Longline	None	None
HOKUSHIN MARU	(7LQV) JAPAN	N. Pacific	6/1-30	Gill net	None	None
IWAKI MARU	(8LXK) JAPAN	N. Pacific	6/1-7/10	Gill net	None	None
KAIYO MARU	(JNVF) JAPAN	Aleutian Basin	12/88- 3/20/89	Trawl	Traynor Benjamin Nunnallee	Dutch Harbor 2/8-11 3/5-8
TSUNE MARU #31	(JHNT) JAPAN	Bering Sea Gulf	5/10-9/10	Longline	Payne	Dutch Harbor 7/22-24 Kodiak 8/17-19 Seattle 9/16
SHUNYO MARU	(8JIF) JAPAN	N. Pacific	6/2-8/13	Handlines	TBN	Honolulu 6/19-23 Seattle 7/4-8 Pribilofs 7/16, 23 Dutch Harbor 7/27-30
SEIJU MARU #28	(JNUH) JAPAN	Aleutian Basin	7/20-10/16	Acoustic Pollock	TBN	Dutch Harbor 8/9-10 9/25-26 Seward 8/30-9/2

*Cooperative research proposed, status pending.