North Pacific Fishery Management Council

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

411 West 4th Avenue Anchorage, Alaska 99510



Mailing Address: P.O. Box 103136 Anchorage, Alaska 99510

Telephone: (907) 274-4563

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J.O. Campbell, Chairman

Date

MINUTES

62nd Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
September 25-28, 1984
Old Federal Building
Anchorage, Alaska

The North Pacific Fishery Management Council met September 25-28, 1984 at the Old Federal Building, Anchorage, Alaska. On Tuesday, September 25, the Council met with the Advisory Panel. On Wednesday, September 26, the Council met with the Alaska Board of Fisheries to discuss Tanner crab fishery management measures.

The Scientific and Statistical Committee met in the Old Federal Building September 24-25 and the Advisory Panel met September 24-26.

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

Council

James O. Campbell, Chairman
Rudy Petersen
Don W. Collinsworth
Charles Walters for
Ray Arnaudo
Gene Didonato for
Bill Wilkerson
RADM Robt. Lucas
Jon Nelson for
Robert E. Putz

Robert U. Mace for
John Donaldson
Robert W. McVey
Henry Mitchell
Jeff Stephan
John Harville
Sara Hemphill
John Peterson
John Winther

NPFMC Staff

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

Doug Larson Ron Miller Jeff Povolny Ron Rogness Helen Allen

Support Staff

Choate Budd, USCG Ron Berg, NMFS Craig Hammond, NMFS Pat Travers, NMFS Thorn Smith, NMFS Janet Smoker, NMFS Donna Turgeon, NMFS Gary Stauffer, NMFS-NWAFC Loh-Lee Low, NMFS-NWAFC Fred Gaffney, ADF&G Daphne White, NMFS Fritz Funk, ADF&G Marty Eaton, ADF&G

Scientific and Statistical Committee

Don Rosenberg, Chairman Bill Aron Robert Burgner John Burns William Aron John Clark Richard Marasco, Vice-Chairman Don Bevan Jack Lechner Steve Langdon Al Millikan Larry Hreha

Advisory Panel

Robert Alverson, Chairman Pat Barker Alvin Burch Larry Cotter Barry Fisher Eric Jordan James O'Connell Harvey Samuelsen Tom Stewart

Joseph Kurtz
Richard Lauber
Barry Collier
Dan O'Hara
Don Rawlinson
Bud Boddy
John Lecture
Walter Smith
Anthony Vaska

General Public

Oliver Holm Ken Kobayashi Evan Haynes Ed Zeaser Han Mo Kim Masao Tamura Spike Jones Chris Blackburn Chris Mitchell Danny Graham Robert J. Gustafson Mel Monsen Gary Painter Walter Sargent Oscar Dyson Alan D. Guimond Mike Zacharaof Nick Delaney Sig Mathiesen Jim Hubbard

John Filey Alvin Osterback Ted West Dennis Petersen T. J. Harrington Ken Ogato Bill Jacobson Steve Heimel C. Riley David Woodruff Eric Manzer Ole Harder Kevin O'Leary Pete Hannah L. Dochtermann John Schmiedtke Paul Jones Richard Thummel Ken Tisen Dave Harville

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Carl Christensen
D. Molenkamp
Al Osterback, Jr.
Kurt Schelle
H. Park
Norman Stadem
Chris Terpak-Malm
John Chatham
H. Mauritzen
R. Ford
Terry Reeve
Ron Hegge
Cynthia Wentworth
Neil Huff
Kelly Brennan

Al Cratty, Jr.
Phil Chitwood
Tadashi Nemoto
Terry Thomas
D. C. Harrison
Dave Clausen
Dennis Lodge
Donald Swisher
Keith Gotz
Andy Wikan
Dennis Wagner
Warren Westfall
Mark Lundsten
David G. Barrow
John Coyne

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

The meeting was called to order by Jim Campbell, Chairman, at 9:05 a.m. on Tuesday, September 24, 1984. The minutes of the May 1984 Council meeting were approved as submitted.

Mr. Campbell introduced new Council members John Peterson and Henry Mitchell and Ray Arnaudo's alternate, Chuck Walters.

Jim Branson presented the agenda and explained that the Advisory Panel would sit with the Council to hear reports on Tuesday and meet alone Wednesday to formulate their recommendations for the Council.

Chairman Campbell made the following committee assignments and asked Council members to let him know if they had specific requests for additional assignments: John Peterson - Finance Committee, Halibut Committee; Henry Mitchell - Advisory Panel Nominating Committee, Permit Review Committee; Bob Mace - Permit Review Committee.

A-1 Election of Officers

Bob Mace moved to elect Jim Campbell as Chairman and Rudy Petersen as Vice-Chairman for the coming year. The motion was seconded by Jeff Stephan and carried unanimously.

B. SPECIAL REPORTS

B-1 Executive Director's Report

Jim Branson summarized the ED report found in the Council notebooks. He reminded Council members that the Council offices would be moved the week following the meeting. Council members were asked to submit travel expense claims as soon as possible, because the fiscal year ends on September 30.

Mr. Branson told Council members of current work by the Marine Mammal Commission, Auke Bay Lab, and the U.S. Fish & Wildlife Service concerning discarded and lost fishing gear. The Council is coordinating a debris and gear reporting system that will tie in Coast Guard and NOAA ships and, as soon

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as possible, vessels engaged in oil industry activities and the fishing industry through the use of a standard reporting form. Information will be funneled into the Auke Bay Lab for compilation and analysis. Congress has appropriated an additional \$1 million to NMFS in 1985 for work on entanglement problems.

Council members were provided with information on insurance coverage for observers on domestic vessels in the Gulf of Alaska groundfish fishery. The Finance Committee will review the information and make recommendations to the Council.

B-2 Domestic Fisheries Report by ADF&G

The 1984 troll salmon fishery harvested approximately 240,000 chinook salmon; 33,000 in the winter fishery and 207,000 in the summer fishery. Another 31,000 chinook were taken in net fisheries targeting on other species of salmon. The 1984 catch of chinook was 20,000 less than in 1983 and the summer troll chinook season was 45 days, 25% shorter than the 60 days in 1983. In 1984 Southeast Alaska coho salmon continued the pattern of strong returns experienced during the last several years. The 1984 commercial harvest is expected to reach 1.8 million fish, the third largest since statehood. The troll coho harvest accounted for about 60% or 1.1 million, down somewhat from the 1983 catch of 1.3 million.

A total of 25,989 mt of herring was harvested in the eastern Bering Sea sac roe commercial fishery and Aleutian Islands food and bait fishery during 1984. Wasted herring, mostly because of gear loss, were estimated at less than 300 mt for all fishing districts. Spawn-on-kelp fishermen harvested 202 mt. Value to the fishermen was estimated at \$8.9 million, with 45 buyers participating. The number of fishermen increased from 1983 levels in Togiak, Goodnews Bay, and Cape Romanzoff districts but decreased in Security Cove and Norton Sound. Biomass for spawning herring from Togiak to Norton Sound was estimated at 139,000 mt. The commercial exploitation rate was 16.4%. Approximately 70% of the run was ages 6 and 7 fish and recruitment was poor. The 1984 Aleutian Islands herring fishery was prosecuted by 9 seiners who harvested 3,246 mt in state waters near Dutch Harbor and Akutan. The ex-vessel price was \$200-\$300 per ton for the food and bait fishery.

All 1983/84 Tanner crab fisheries are now closed except for the Bering Sea opilio fishery north of 58°N. latitude; preliminary catch statistics indicate a total Tanner crab catch of 46 million pounds.

The only Gulf of Alaska sablefish fishery still open is the Western District. Preliminary harvest figures are 994 mt for Southeast inside, 2,654 mt for Southeast outside/East Yakutat, 1,600 mt for West Yakutat, 2,830 mt for the Central Area, and 156 mt for the Western Area, with a total Gulf catch of 8,234 mt.

B-3 Foreign Fisheries Report by NMFS

By September 15 foreign fleets in the Gulf of Alaska harvested 63,622 mt of groundfish, or 32% of the current foreign allocation for that area. The catch included 45,228 mt pollock, 12,718 mt Pacific cod, 2,389 mt Pacific ocean perch, and 403 mt sablefish.

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In the Bering Sea and Aleutians they harvested 691,068 mt, about 58% of the current foreign allocation. The catch included 562,198 mt pollock, 24,162 mt Pacific cod, 61,336 mt yellowfin sole, 36,837 mt flatfish, and 734 mt sablefish.

There were 193 foreign vessels off Alaska on September 19, 158 from Japan, 18 from South Korea, 6 from the U.S.S.R., 5 from Poland, 4 from Taiwan, and one each from West Germany and Spain. Last year at this time there were nearly 250 foreign vessels off Alaska.

Special Enforcement Report

Dave Flanagan of the Enforcement Branch of NMFS gave a special report to the Council on documents seized from Japanese fishing vessels which indicate organized measures have been used by Japanese fishing associations to frustrate U.S. observer programs and at-sea enforcement. The documents seized cover the years 1981-82 and indicate the same system was in effect in 1980. According to the translated documents, tactics included purposeful reductions in catch and restricting fishing areas to bias observer data, allowing foreign vessels to avoid payment of poundage fees and resulting in inaccurate estimates of fish stocks by fishery managers.

Council members expressed concern that the violations eroded their confidence in the data base for all groundfish fisheries since they are derived in large part from observer reports and foreign catch figures. They also felt that the Japanese had not been living up to the agreements they had made for reciprocal trade in fisheries and that their commitment to direct purchases from American processors and in joint ventures had not been fulfilled.

COUNCIL ACTION

John Winther made the following statement:

We have heard that Japanese fisheries associations which we have trusted and worked with for years have been engaged in a scheme to under-report their catches. They have confused and frustrated the U.S. observer and enforcement programs and in doing so have greatly increased their catches and profits. Based on that information, I move that the North Pacific Fishery Management Council recommend that the Department of State not allocate any more fish to Japan to catch off Alaska. The motion was seconded and passed unanimously. Mr. Winther added the following statement:

The two Japanese fisheries associations implicated in this conspiracy to steal fish say they can explain the documents found aboard their ships last year. I am willing to reassess my motion once that explanation is brought before the Council. Council members agreed.

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

The U.S.C.G. reported that enforcement effort through September 24, 1984, totaled 648 cutter patrol days and 2,714 aircraft patrol hours for over 450,357 patrol miles.

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The U.S.C.G. reperted that informement eifor through September 14. 1984, torreled 648 outler parnol dive and 2,774 sinorull matrol bourn ton over 456,057 retrol miles.

Enforcement effort since May resulted in 14 reports of violation and 53 written warnings issued to foreign fishing vessels. The infractions included failure to submit required activity reports upon beginning or ending fishing, to maintain legible International Radio Call Signs, to properly maintain cumulative catch logs, and to promptly return prohibited species to the sea.

The Coast Guard seized three Canadian salmon trollers for trolling or processing salmon north of the A-B convention line.

B-5 Joint Venture Operations

The total joint venture catch off Alaska through September 1, 1984 was 525,631 mt. In the Gulf of Alaska joint ventures harvested 187,803 mt including 179,608 mt pollock, 3,021 mt Pacific cod, 1,707 mt flatfish, 1,460 mt Pacific ocean perch, 248 mt sablefish, and 1,759 mt other species. The Bering Sea and Aleutians harvest was 337,828 mt including 225,529 mt pollock, 40,520 mt flatfish, 36,537 mt Atka mackerel, 31,855 mt Pacific cod and 3,387 mt other species. Of the 20 different joint venture arrangements in 1984, eight were still operating at the time of the Council meeting employing 29-35 U.S. trawlers.

B-6 1984 Bering Sea/Aleutian Crab Survey Results

Bob Otto, NMFS, summarized the preliminary results of the 1984 Eastern Bering Sea crab survey. The survey, conducted between June 9 and August 10, consisted of 434 successful trawl tows covering the geographic ranges of all commercially exploited segments of crab stocks except for golden king crab. Abundance of legal and pre-recruit males in all of the fisheries covered remains low with little indication of improvement for the next two or three years.

C. NEW OR CONTINUING BUSINESS

C-1 Halibut Fishery Management

At the December 1983 Council meeting staff was directed to prepare material on methods (other than a moratorium on new entry) for achieving the halibut management goals adopted at that meeting. Ron Miller prepared a report on possible management options which was mailed to Council members prior to the meeting.

Don McCaughran, IPHC, gave a brief report on the 1984 halibut season. He said that this season the quality of fish was worse than ever before because of the glut of product coming into the processors within such a short period of time. Processors are concerned with the quality of the product. Many fishermen fishing the one- or two-day openings did not gut the fish before bringing them in and sometimes not even on ice. Halibut stocks may increase next year, but Dr. McCaughran thinks the number of vessels participating in the fishery will also increase. The only action the IPHC could take which might alleviate some of the pressure would be to go to a series of one- or two-day openings every couple of weeks or every month and not have areas opened at the same time,

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R-6 1984 Bering Sec/Alegaian Greb Survey Sesulica

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generally spreading the catches over the whole summer which would create some hardships on certain groups of fishermen.

Public Testimony for this agenda item is found in APPENDIX I to these minutes.

Report of the Advisory Panel

The AP recommended the Council take an active role in the management of the halibut fishery. It was felt that there are problems within the industry that the IPHC may not be able to address. The AP stressed that this recommendation should not be construed as a vote endorsing limited entry.

COUNCIL DISCUSSION

There was some discussion on Goal #5 for halibut management. It was felt that the goal should be expanded and clarified to make the need for longer seasons more explicit.

It was the general consensus of the Council that they should be actively involved in the management of the North Pacific halibut fishery. It was recommended that a special Council subcommittee be appointed to address specific recommendations to be brought before the Council at the December meeting. The following Council members were appointed to the subcommittee: Henry Mitchell, John Harville, John Peterson, Jeff Stephan, John Winther, and Jim Campbell. Mr. Campbell will act as chairman of the subcommittee.

Bob McVey suggested the need for industry advice when the options are being studied and recommendations developed.

COUNCIL ACTION

John Winther moved to change the wording of Goal #5 to read as follows: "Extend the length of the halibut season to make available high quality fresh and frozen halibut to the consumer over as long a period as practicable and thereby maximize the economic return to the fishing industry and to maritime communities." The motion was seconded by John Peterson and, there being no objections, it was so ordered.

John Winther moved that the North Pacific Fishery Management Council take an active role with the IPHC in the management of the halibut fishery and exercise its option to implement regulations in the North Pacific halibut fishery in accordance with \$5(c) of the North Pacific Halibut Act of 1982 and that the Council staff and a special Council subcommittee prepare material on management options in the North Pacific Halibut Fishery to be presented to the Council at its December 1984 meeting. The material should put emphasis upon, but not be limited to, exclusive area registration; license limitation, and share quotas. The motion was seconded by Bob Mace and carried, 9 to 2.
Rudy Petersen and Jeff Stephan were opposed.

The Subcommittee was also asked to consider the sablefish fishery when they are formulating management options for the halibut fishery.

C-2 Comprehensive Fishery Management Goals

Written comments and public testimony received on the Council's proposed comprehensive fishery management goals were available for Council review prior

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to and during the meeting. Sara Hemphill reviewed the general concerns expressed during the public comment period and outlined the revisions made as a result of the comments.

Report of the Advisory Panel

The AP recommended the addition of a goal to monitor effects by the U.S. industry to artificially enhance existing fishery habitats and stocks and introduce non-native species, with full consideration for possible impacts on existing fisheries and interactions with other elements of the ecosystem. There were also some specific suggestions on Goals 5, 7 and 8. Bob Alverson suggested that the Council might want to wait until after the reauthorization of the MFCMA.

Public Testimony

Oliver Holm, Kodiak. Goals should not be looked at in the context of the economics of the fishery.

COUNCIL DISCUSSION

John Peterson said he had some difficulty in working with two sets of goals - the Council's and the MFCMA. Bob Mace cautioned against locking the Council into certain procedures by adopting specific goals. There was some concern that Council members had not had enough time to submit their comments on the goals. Action on this item was delayed to give Council members until November 1 to submit any additional comments. The Stragetic Planning Subcommittee will then meet and develop a final recommendation for the December Council meeting. It will not be necessary to reopen the subject for public hearing in December.

C-3 FMP Plan Teams

The Council was asked to approve agency recommendations for plan teams.

Report of the Scientific and Statistical Committee

The SSC submitted their recommendations for plan team appointments (included as APPENDIX II to these minutes)

COUNCIL ACTION

Bob Mace moved to approve the plan team appointments as recommended by the SSC with the understanding that the appropriate agencies will be notified. John Peterson seconded the motion and, there being no objection, it was so ordered.

C-4 Joint Venture and Foreign Allocations Policy

The Council's workgroup on Joint Venture and Foreign Allocations Policy submitted a draft policy (included in Council notebooks) for Council consideration.

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"sport of the Advisory Panel

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COUNCIL DISCURSTON

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into certain procedurar by odopting specials greats. There was seen concern
that Council hembers had not had enough time or submit that accessing on the
goals. Action or this from was delayed to give Council members until
Movember 1 to submit any additional comments. The Stripetic Middle Subcommittee will then meet and covering a first recommendation for the
December Council mouling. It will not be uncountry to we be subject for
pullic hereing in December.

C- ? ENF Plan Tuams

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wolfor Western Foreign allecations Tollow

The Council's verbgroup on Joint Menture and Joreign Allocations Roller submitted a draft policy (lackuded to Council not books) for Council confidential confidentials.

Report of the Advisory Panel

The AP suggested that categories A and B of the draft policy be dropped as they basically represent a domestic operation. Categories C and D should be treated equally due to problems of verification and varying degrees of involvement in marketing that may be only a subterfuge. The AP submitted their own revised draft policy which included recommendations from Larry Cotter and Barry Collier.

Report of the Scientific and Statistical Committee

The SSC reviewed the criteria in Table 1 of the proposed policy and recommended that three items be moved to the higher priority category or that the priority levels be removed and each item allowed a maximum of 5 points. The SSC did not feel that the willingness of U.S. vessels to take observers is a high priority. The SSC also identified two items which the Council might wish to address: potential net economic contribution of the joint venture to the fishing industry; and the possible elimination of Categories A-D in the policy since A&B do not relate to joint ventures and because C&D do not seem to be a useful separation tool.

Public Testimony for this agenda item is found in APPENDIX I to these minutes.

COUNCIL DISCUSSION

The Council workgroup met during Council week to rework the policy in light of public comment and recommendations of the AP and SSC and resubmitted a revised draft.

COUNCIL ACTION

John Peterson moved to adopt the amended Interim Policy on Joint Ventures and Allocations. Sara Hemphill seconded the motion and, there being no objection, it was so ordered. (A copy of the adopted policy has been mailed to all Council family members.) It was the consensus of the Council that the policy be called "Interim" to allow for review after the Council has had some experience with the policy.

Council Policy on Permit Review

A draft proposed policy on review of foreign fishing vessel permit applications was also submitted for Council consideration by the Council workgroup. The policy outlined the criteria for delegation of authority to the Executive Director for recommendations of applications for directed fishing under certain circumstances. The previous policy was changed to allow the Executive Director to act on applications for vessels with previous assessed civil penalties of \$10,000 or less. The make-up of the Permit Review Committee will include two non-voting Advisory Panel members to be designated by the AP Chairman.

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The AF suggested that eauxgories A and h of the destination be dapped an they basically a present a domestic operation. Categories C and D should be treated equally one to problems of verification and couring degrees of involvaent is restoring that may be only a subterfuga. The AF substred that own series deriving which included recommensations from larry Cottem and Early Califor.

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Public Testimony for this against item is lend to APPIBLE I to determines.

COUNCIL DESCUSSION

The Council workgroup met during Grand Leek to revert the politey is light of public comment and seconmenderious of the AF and SGO and resubmitted a partner draft.

COUNCIL ACTION

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COUNCIL ACTION

Don Collinsworth moved to adopt the Permit Review Policy as drafted under Agenda item C-4(a) with the changes noted (Permit Review Committee make-up). The motion was seconded by Rudy Petersen and approved with Henry Mitchell abstaining.

(Council members have received copies of the revised Joint Venture and Permit Application policies by mail for inclusion in their Reference Books.)

C-5 Groundfish Data Monitoring

The Council's Interagency Workgroup on Alaska Groundfish Fishery Data Collection met in May to review fishery data bases, develop a consensus on data needs, and give further direction on how to improve the U.S. domestic data base in light of the eroding foreign data base. The Committee recommended that a technical team composed of the two groundfish plan teams combined and several economists meet to examine data needs species by species, fishery by fishery. The technical team met in June and reviewed state and federal data programs. A report on economic data needs was drafted at an earlier meeting of economists. The Council was provided with a report of the technical team's meeting.

The Team recommended fish tickets, logbooks, observers, and processor reports as primary methods of obtaining data needed for managing the groundfish fisheries and recommended expanding the domestic data gathering program immediately.

Report of the Scientific and Statistical Committee

The SSC agreed with the Team's recommendation that two people each from the Northwest and Alaska Fisheries Center, NMFS Regional Office, and ADF&G, and a Council staff member be brought together to facilitate development of a data collection plan.

This was explained to the Council and there were no objections voiced to this approach.

C-6 Advisory Panel Operations

Sara Hemphill, Chairman of the Ad-hoc Committee on Advisory Panel Operations, briefly summarized several alternative structures they had discussed. In addition to the status quo, a modified version was suggested which would utilize a 25-member panel but broaden the representation. This group would have a permanent core group from each interest sector plus several "satellite committees" for shellfish, groundfish/halibut, and salmon which would be called to meet with the core group when appropriate. Another suggestion which was not included in the original report suggested the option of reducing the number of permanent members on the panel to 12-15 and keeping 6-8 slots open to call in advisors to discuss particular items.

Report of the Advisory Panel

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COUNCIL ACTION

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C-5 (comadian Para Montes, inp

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Bepond of the Advionry Panch

The Advisory Panel favored a group similar to the existing AP and recommended against decreasing the number of panel members. It was felt that a core group concept could tend to polarize decisions within a small AP. The AP felt it is important that they represent the major geographical areas involved in the NPFMC, the gear types, harvest sectors, financing and consumer affairs. They also felt that representation of the oil and gas industry is not necessary because of an existing oil fishery group which represents all major participants in the fishing industry and 15 major oil companies. The AP had no problem with the concept of staggered terms and suggested that three-year terms might be considered to maintain continuity. AP members felt that provisions should be made to replace individuals who change professions or fail to participate. AP members also suggested that the Council may wish to change its original direction to the AP in regard to participating in the Council process after the AP adjourns. If business has been completed for the Advisory Panel, they should be dismissed.

COUNCIL DISCUSSION AND ACTION

It was suggested that the Ad-hoc Committee on Advisory Panel Operations meet again to formulate a recommendation for Council action at the December meeting. Bob Alverson and Rick Lauber were asked to participate in the process.

Sara Hemphill moved to extend terms of Advisory Panel members for 30 days, to January 31, in order to allow time for the Committee to return to the Council with their recommendations. John Winther seconded the motion. There being no objection, it was so ordered.

C-7 NMFS Habitat Policy & Effects on Council FMPs

Bob McVey reviewed the NMFS Policy on Habitat Conservation which included provisions for inclusion of habitat considerations in FMPs. The Region has indicated that they would take the responsibility for drafting appropriate amendments for the Council's FMPs to include the suggested information.

Public Testimony

David Benton, United Fishermen of Alaska. He's currently working with the UFA Oil & Gas Committee to review the data base available on the North Aleutian Shelf and to identify data gaps that might exist concerning fisheries, oceanography, weather and other things that would affect oil field trajectory analyses. He urged the Council to get involved.

Oliver Holm, Kodiak Halibut Assn. Identification of critical habitats for fisheries should be a high priority, particularly for crab and other threatened species.

COUNCIL DISCUSSION AND ACTION

It was pointed out that these provisions are optional and not mandatory in Council FMPs. It was the consensus of the Council to accept the Region's offer to take on this project as long as it would not detract from other Council projects. In response to a question about funding for this, Bob McVey

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The firstern Panel Lawrend a strong similar to the saisting AP and recommended against decressing the number of panel members. It was first that a cors aroup consequences to polacize decresions within a realities. The AP felt is frequency that the corse test the major geographical arcar is alved in the MRWMC, the gear types, harvest rectors, financing and consumer affairs. They also test that representation of the city of and sas industry is not necessary because of an existing firstey, group which represents all major perticipants to the if-thing industry and 15 major and companies. The AP had no problem with the acquart of staggard terms and entagested that Three-year terms regard be considered to recutanisty. AP madders left that the provisions should be readent also major provisions change its readent also major that the densely with to change its circuit to participate. At members also major change its reighted circuit also major to participate. At members also the founcil may wish to change its reighted circuit the Council passes after the Au adjounce. If hundress has been appointed for the Aduleyry Panel, they should be dismissed.

COUNCIL DISCUSSION AND ACTION

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C-7 NWFS infittet Policy & Chiecks on Council RWFs

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told Council members that some funding had been made available to each Region for this work. Jim Branson was asked to review the FMPs and recommend priorities for the development of this information; any amendments would be handled in the appropriate Council annual management cycle. Bob McVey said work on this project would probably not begin until after the first of the year.

C-8 Joint Venture Permit Restrictions

The Regional Director asked the Council for advice on two joint venture permit restrictions which apply to foreign vessels receiving fish from U.S. fishermen: (1) all joint venture fishing in a management area must cease when the JVP for any species has been caught; and (2) the amount of sablefish which may be retained by a foreign processing vessel may not exceed 1.5% of all fish received in the FCZ from U.S. vessels.

Thorn Smith, NMFS, gave a brief presentation on the two issues. The Interim Action Committee had addressed the question of whether to modify or remove the 1.5% restriction for sablefish retention and felt that it should be taken up in the regular annual groundfish cycle.

As more species become completely utilized by U.S. fisherman, the problem of whether all joint venture fishing in a management area should cease when the JVP for any species has been caught will arise again as it did this year in the Atka mackerel fishery.

Janet Smoker, NMFS, presented a discussion paper on joint venture closures when the JVP for any species has been caught. One option included in the discussion paper was to eliminate the restriction on joint venture permits with suboptions for revising domestic regulations or assigning quotas for each species to each joint venture. Another option suggested was to revise the language of the permit restrictions.

Public Testimony

Richard Thummel, fisherman, Kodiak. Domestic sablefish fishermen are supposed to have first priority and he doesn't want their capabilities in the Gulf underestimated again this year. He doesn't want any TALFF or JVP for sablefish.

Bob Gustafson, fisherman, Kodiak. He agrees with Richard Thummel; he would like to see all sablefish go to domestic longline fishermen.

Ron Hegge, Alaska Longline Fishermen's Assn. They feel sablefish is a fully utilized species by the domestic industry. They recognize the need for joint ventures to have bycatch but ask that the levels be determined through observer programs and the history of the fishery. Domestic fishermen should not have to compete with foreign fishermen.

Report of the Advisory Panel

The AP recommended approval of Option IIb in the NMFS JV Discussion Paper which suggested revision of the permit restriction language to state that "... no further fish of that species may be received in that fishing area

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told Scaped's members that some shading had see and available to each Englandian work. The Branste was asked to neriow the EMPA and recorded priceties for the development of this information; has emendments tould be readed in the appropriate founds cause manyoners exclude to vote work on this project would probably not begin acting effective of the rear.

C-U Joint Venture Permit Pratrictions

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Support of the Advisory Fauch

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from U.S. vessels except in bycatch amounts, (those amounts to be specified by the Regional Director)." The AP also recommended that all aspects of the processor preference amendment be enforced regarding sablefish as it is totally utilized by the domestic industry and recommended that NMFS prepare an appropriate bycatch amount for joint venture and foreign catches in other fisheries for the Council's December meeting.

Report of the Scientific and Statistical Committee

The SSC also felt that Option IIb of the NMFS JV Discussion paper was the most viable option. However, they feel a major problem with implementation may exist since the target species are not allocated on an individual joint venture basis making it difficult to calculate a bycatch amount to be allocated to each joint venture. The SSC had no recommendation on the amount of sablefish bycatch. They did, however, recommend that the Council not take any action on an amount or rate until they have reviewed the estimates of OYs or TAC for sablefish, the DAP and JVP survey results, and the proposed DAPs and JVPs.

COUNCIL DISCUSSION AND ACTION

Because the sablefish fishery is pretty much fully utilized by domestic fishermen, the 1.5% restriction on joint venture permits for retention of sablefish is no longer an issue. Bob McVey agreed that this is true for most of the areas in the Gulf but he isn't sure that they have looked at the issue for the Bering Sea. He agreed that no further action is necessary at this time.

With regard to the restriction in the permit that closes down an entire fishing area when the JVP for a given species has been taken, Bob McVey said they would prefer Option IIb which would revise the language in the permit (stated above in the AP report). Thorn Smith pointed out that under the Council's newly adopted joint venture policy, the Region will likely be dividing up the bycatch amounts among individual JVPs which would probably eliminate the problem. He asked that staff be given more time to work on this before any action is taken. The Council concurred.

C-9 Foreign Permit Review

The Council received vessel applications for directed fishing and joint ventures from Portugal. Four of the permits were for vessels using sunken gillnets for Pacific cod in the Bering Sea. The Council also reviewed the West German directed fishing allocation due to be released even though West Germany has only purchased about half of the 8,000 mt in joint ventures previously committed to.

Report of the Permit Review Committee

The Committee recommended against approving the use of sunken gillnets by the Portuguese vessels. They also recommended against issuance of the eight directed fishing permits until such time as NMFS is satisfied and has written evidence that Portugal will meet the terms negotiated in its fish 'n chips agreement. They recommended approval of the FCZ joint venture permits between

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Report of the Scientific and Statistical Commictor

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Alaska Contact and Portugal provided that (1) an import license is granted by the Portuguese government to bring fish into Portugal, and (2) there is written evidence provided to NMFS of a firm contract to purchase product from U.S. processors.

The Committee also reviewed a requested 5,000 mt pollock joint venture between Quest Export Trading Company and Poland for the remainder of 1984 and a request by Poland for an additional 5,000 mt in direct allocation of pollock in the Gulf of Alaska. The Committee recommended approval of the 5,000 mt joint venture and the additional 5,000 mt directed allocation, but stated that they were very concerned with part of the product coming back into U.S. markets.

The Committee also discussed a request for directed fishing permits for the U.S.S.R.; however the permits had not yet been published in the Federal Register. It was suggested that the Executive Director could recommend approval when they had been published. The Committee also suggested the Soviet Attache, G. Chursin, be invited to attend the December Council meeting.

The Committee reviewed requested augmentations for the South Korean joint venture and had no objections although they were concerned with payment problems associated with the FPA/Korea Wong Yang Fisheries joint venture.

The Committee also recommended that no further direct allocations be made to West Germany until an additional 4,000 mt joint venture is completed.

Report of the Advisory Panel

The AP recommended that no permits should be provided to the Portuguese until they live up to their agreements. They also recommended that absolutely no bottom gillnet operations be allowed. The AP advised against the use of sunken gillnets for both domestic and foreign purposes and recommended that the Council adopt an amendment that would establish legal gear off Alaska similar to those adopted by the Pacific Council.

COUNCIL DISCUSSION AND ACTION

John Winther moved to adopt the recommendations of the Permit Review Committee. The motion was seconded by John Peterson and, there being no objection, it was so ordered. Sara Hemphill was excused from voting by Chairman Campbell.

D. FISHERY MANAGEMENT PLANS

D-1 Herring FMP

The Council discussed the possibility of requesting the Secretary of Commerce to implement a data collection program for the development of the herring fishery management plan under \$303(e) of the Magnuson Act. It was pointed out that the Secretary may say that there are no funds for this research or may take funds away from other projects to respond to a request for a data collection program. Don Collinsworth suggested that if funds were available for research, it may not be in the best interest of the Council to use them on

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Alaska Contact and Portugal provided that (1) an impost shores is stanted by the Portugal, and (2) there is the Portugal, and (2) there is tritten evidence provided to MESS of a firm construct to parchase product from U.S. precessors.

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The Committee also recommended that no further direct ellocations he medal to. West Cernany unril or redistronal 6,000 negritor canture in completed.

Report of the Adviserty Penel

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COURCIL BESCUSSION AND ACTIONS

John winther moved to adopt the recommendations of the Paratt Peview Communities. The motion was seconded by John Esteron and, those being no objection, it was so ordered. Save Heaph'd vas excheed from voting by Chairman Campbell.

E. FISHERY HAMAGEMENT PLANS

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The Council discussed the presibility of requesting the Sepretary of Countries to implement a deed collection program for the development of the learning of the Magnusce Acc. In respect out that the Secretary may say that there are no summe for this repeat to the montals. Indeed out that indeed one the indeed one that indeed one this indeed one this indeed one this indeed one way from given projects to respond to a request for a dote while of the program. Bear Collingwoodth suggested that in dead reserved to use them on acceptant to use them on

herring at this time. Rudy Petersen said he would like the Council to petition the Secretary to determine if there are funds available for research in this area. The Council asked Jim Branson to draft a letter to the Secretary asking him to start formal proceedings for a data collection program for the herring fishery. The Council will review the draft at the December meeting.

Bob McVey commented on a recent request by industry for a Secretarial FMP for the herring fishery off Alaska. Mr. McVey recently met with representatives of the industry group making the request. He has asked the Northwest & Alaska Fisheries Center to provide the most up-to-date biomass estimate and then will try to advise Bill Gordon about how the Secretary should respond to this petition.

Report of the Scientific and Statistical Committee

The SSC noted that a data collection program would be very expensive and such a request might result in reprogramming of resources from existing programs. They also noted that some of the foreign data sources in the groundfish fisheries are about to be lost and U.S.-supported programs are going to be needed to provide information on which to maximize existing fisheries. The SSC expressed concern that a Council request to implement the herring data collection program could result in a loss of some existing programs and, although they agreed that the information is needed, did not support the Council making such a request.

D-2 Tanner Crab FMP

On Wednesday, September 26, the Council met with the Alaska Board of Fisheries to review and discuss regulatory proposals on Tanner crab before the Council and the Board.

Bob Otto, NMFS, provided a brief summary of the current status of stocks for crab in the Eastern Bering Sea.

Marty Eaton, ADF&G, also provided a report on king and Tanner crab stocks for the Gulf of Alaska.

Steve Davis, NPFMC, reviewed state and federal regulations on Tanner crab and provided the Council and Board with a summary of a report prepared by staff members of NMFS, ADF&G and NPFMC on exclusive registration areas and pot limits. The full report had been mailed to Council/Board members before the meeting. Doug Larson, NPFMC, explained the model developed for the report and Steve Davis reviewed the enforcement section.

There were five proposals before the Board of Fisheries:

<u>Proposal 1</u> to re-establish Southeast Alaska as a super-exclusive registration area in the Tanner crab fishery.

<u>Proposal 2</u> to classify Southeastern-Yakutat, South Peninsula and Chignik Tanner crab districts as non-exclusive Tanner crab fishing areas.

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berging of this time. Rudy Pacapson eatd is would like the found! papering of the Secretary to determine if there are into dividentiable for research in this area. The Council select if the Pacapson to deaft a letter to the Secretary arbing the to store of any for a date and the program for the berging fields. The Coasti will review the draw at the the incomber soulding.

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Property of the charsten Scothoastern-Teinton, South Lendacolt and Chiga D. Manger at all districts of con-exclusive Term of crab Eighburg areas.

Proposal 3 set out proposed season dates for the 1984-85 Tanner crab fisheries.

Proposal 4 to eliminate the pot limits for the Kodiak district Tanner crab fishery.

<u>Proposal 5</u> to correct an administrative error by changing the Tanner crab pot storage areas in the Bering Sea District to conform with the king crab pot storage areas.

Public Testimony for this agenda item is found in APPENDIX I to these minutes.

Report of the Advisory Panel

The AP voted 10-5 to recommend against exclusive registration areas in the Peninsula area. They were evenly split, 7-7, on a pot limit for Kodiak. Some felt that pot limits provide a conservation benefit by helping to slow down the rate of harvest by reducing the number of boats on the grounds and by reducing handling mortality on sublegal crab. On the other hand, vessels are not using the large number of pots as in the past due to the low abundance of crab. Some members felt that a 100-150 pot limit would not affect the current number of pots now being used in the Kodiak Tanner crab fishery.

Report of the Scientific and Statistical Committee

The SSC reviewed the report prepared by NMFS, ADF&G and NPFMC staff members on exclusive registration areas and pot limits. The SSC stated that the assessment of the merits of these two measures is difficult by the lack of well defined goals. It was further concluded that neither measure addresses a conservation issue and that the major impact of the measures would be allocative in nature.

COUNCIL/BOARD DISCUSSION AND ACTION

Both Board and Council members were concerned about inconsistent state and federal regulations which can confuse fishermen. Based on those concerns, the Board made the following revisions to state regulations:

Repeal the exclusive area designation for Chignik, South Peninsula and Yakutat Districts.

Suspend the 200-pot limit in the Kodiak District until January 1, 1986.

Change the Yakutat Tanner crab opening date to January 15 from February 10. The Southeast District will still open on February 10.

Except for the state designation of the Southeast district as an exclusive area and a needed season adjustment in Yakutat, federal and state Tanner crab regulations are the same for 1985. Since the Tanner crab harvests in the Southeast district have historically been taken within state waters, the exclusive area designation should not present a problem to federal management.

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Proposed 3 set out prophed session dates for the 1981-15 Teoret creb

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Don Collinsworth moved that the Council request Bob McVey to adjust the federal seasons in Yakutat to match those of the state for 1985 and that the Council support the Board request to provide Council staff to work with the state in developing a set of management objectives and goals for the combined state/federal Tanner crab fisheries. Bob Mace seconded the motion and, there being no objection, it was so ordered.

D-3 Gulf of Alaska Groundfish FMP

NOTE: Public testimony on all issues under this agenda item are found in APPENDIX I to these minutes.

D-3(a) Incidental Catch Ceilings for the Domestic Trawl Fishery

The emergency regulation approved in December 1983 to raise the halibut bycatch limits on the domestic trawl fleet from 26 mt and 52 mt to 270 mt and 768 mt in the Western and Central areas, respectively, expired on May 31.

A workgroup of Kodiak and Alaska Peninsula fishermen met in Kodiak to formulate recommendations on the emergency rule for the Council. A written report with recommendations was in the Council notebooks.

Report of the Advisory Panel

The AP recommended adoption of the workgroup's recommendations on halibut bycatch limits.

Report of the Scientific and Statistical Committee

The SSC suggested that internal water joint venture permits be conditioned for halibut bycatch limits in the same manner as federal permits. The SSC was concerned about two aspects of the DAP part of the bycatch limit: 1) enforceability, and 2) allocation of the bycatch limit among various DAP participants. At present the ability to monitor incidental catch of prohibited species is limited. With respect to allocation, the current draft recommendation does not specify how the bycatch limit will be allocated among various DAP participants. The SSC recommended that the Council approve an emergency regulation that is consistent with recommendations 1 and 2 of the draft workgroup report. They also recommended that the Council request that NMFS-RO start to use ADF&G observer information in its management of the halibut bycatch and that the Council ask the State of Alaska to condition their internal waters joint venture permits.

COUNCIL ACTION

John Winther moved that the Council approve an emergency regulation for the period December 1, 1984 to May 31, 1985, which exempts pelagic gear from the halibut bycatch regulations, and sets the halibut bycatch limits at 270 mt and 768 mt in the Western and Central Gulf of Alaska, respectively. The motion was seconded by Rudy Petersen and, there being no objection, it was so ordered.

The Council accepted the recommendations of the workgroup.

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Report of the Triencific and Statistics Committee

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The Constant accented the recommendations of the vorigroup,

Jeff Stephen moved to approve for action items 2(a) and (b) of the working group's report:

- (a) the halibut bycatch limits be apportioned to the JVP and DAP fisheries according to their projected harvests available prior to implementing the emergency rule and the best estimated DAH plus reserves for the period December 1, 1984 to May 31, 1985.
- (b) specific halibut bycatch amounts should be attached to federal joint venture permits.

The motion was seconded by John Winther and, there being no objection, it was so ordered.

Mr. McVey said there will be a great deal of work involved in implementing these two suggestions but that NMFS should be able to implement the Council's motions.

D-3(b) Emergency rule to close sablefish fishery in the federal culs-de-sac of Southeast Alaska.

The plan amendment to resolve the problems with the opening dates of the sablefish fishery in Southeast Alaska will not be in effect by January 1, 1984 when the emergency rule closing the areas expires. An emergency rule is necessary to keep the fishery closed until the amendment is in place.

Thorn Smith pointed out that an emergency regulation would only be in effect through June which would not help in the northern areas which do not open until September 1. He suggested that the Regional Director use his field order authority instead of an emergency regulation. They would draft the order and put it out for public review. If there are any problems in using this method, the Council could act on an emergency regulation at the December meeting. The Council agreed with this suggestion.

D-3(c) Set 1985 DAP, JVP and OY for Gulf of Alaska

Gary Stauffer, NWAFC, briefly summarized the status of stocks report prepared by the Gulf of Alaska Plan team and mailed previously to Council members.

Report of the Advisory Panel

The Advisory Panel recommended the Plan Team's suggested numbers go out for public review.

Report of the Scientific and Statistical Committee

The SSC reviewed the DAP and JVP values in the survey and adjusted the values suggested by the Plan Team taking into consideration the regulation that requires that initial DAH be set at either the value obtained by the survey or the catch for the previous year, whichever is greater. Where necessary, the values were further reduced to be consistent with the proposed OYs. (See Table 2, APPENDIX III to these minutes)

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with Stephen moved to approve for action icoms 2(n) and (b) of the morking group's topout:

- (a) he ballibut bybatch limins in appendicted to the WE and DAF visherfor, according to their projected horsesus available prior to implementing the engine of the angular balling and the best bathacted DAH plant reserved for the period bacombes in 1984 to Mev II, 1984.
- (b) specific believe by early amounts should be attached to federal joint venture normates.

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Mr. Pover said riese will be a great deal of work involved in implementing the conceing the average tions of the conceing manual and the Councer's second one.

U-3(b) . Haurgrosy mile to close subjection statemy in the sectoral onland - sac of Southeast Lister.

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D-C(c) Set 1975 BAP, JVP and the for Gulf of Alaska

Garn Struffer, MMATC, briefly summarined the statur of siccia report prepared by the Gulf of Alaska Main team and massed proviously to Consoli mambers.

Sepond of the Advisory Panel

The Adriauxy harel recommended the Flar Team's suggested aumbers go out for jubile review.

Report of the Scientiffs and Statisvical Cosmittee

The SSC reviewed the DA2 and JVI values in the survey are rejursed the values suggested by the Tlan Team taking into consideration the remission that requires that initial DAF he set at elder the value obtained by the survey on the catch for the previous year, whichever is greater. There is secured the values were further reduced to be consistent with the propessed Oto. The Teble 1. APPLANTE 177 to these missions.

The SSC also noted that joint ventures occurring in internal waters are being reported as DAP in the catch statistics and in the estimates of DAH when the catch occurred in state waters.

COUNCIL DISCUSSION AND ACTION

Bob Mace moved to send the DAP, JVP and OY estimates for the Gulf of Alaska for 1985, as revised by the SSC, out for public review. Sara Hemphill seconded the motion which carried unanimously.

Amendment 12 - Southeast Alaska Sablefish Pot Ban

Because of problems encountered with Amendment 12 during the initial review by NMFS and changes in regulatory and documentation requirements since the preparation of the amendment, it may be difficult to get the amendment approved as currently written. The Council was presented with three possibilities for action: rescind their approval of Amendment 12 and give the Plan Team an objective for the amendment so they can prepare a new amendment in the regular groundfish cycle; rescind approval and drop it entirely; or reaffirm the Council's original position and submit the package for Secretarial review.

Report of the Advisory Panel

The AP felt that there is adequate rationale for Amendment 12 and recommended that the Council prepare necessary supporting documents.

COUNCIL ACTION

John Winther moved to rescind Council approval of Amendment 12 as now written and give the Plan Team direction for preparation of a new amendment for the regular groundfish cycle. The motion was seconded by John Peterson and carried unanimously.

Don Collinsworth said that the Plan Team needs to look at gear conflict issues for the whole Gulf.

Sunken Gillnets

The Council received two written reports on the use of sunken gillnets for groundfish, particularly sablefish, off Alaska and Washington. No action was required.

Report of the Advisory Panel

The AP does not endorse the use of sunken gillnets.

Observer Regulations

Jeff Stephan asked about the status of observer regulations for the domestic fisheries.

Thorn Smith said that the FMP provides that the Regional Director can assign observers to foreign vessels and that ADF&G can assign observers to domestic

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The CCC also numed that joint ventures occurrity in internal watern are being rejected as BAP in the catch efectation and in the estimates of DAP when the natural occurred in atom watern.

COUNCLE DISCUSSION AND ACTION

Rob Econ moved to send the DAP. AVP and OM estimates for the Cult of Alaska for 1975, as revised by the ESC, out or public review. Each be shill secured the motifical which carried unsufaces.

Amendment 12 - Southeart Alaska Seisefich Pot-Ban

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The AP does not endorse the use of sucken rillents.

Observer Regulautons

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D-4 Bering Sea/Aleutian Islands FMP

The Council was scheduled to release for public review preliminary 1985 TACs and estimates of groundfish needed for JVP and DAP for the Bering Sea/Aleutian Islands groundfish fishery.

A brief review of the status of stocks was provided by Loh-lee Low, NWAFC.

Public Testimony for this agenda item is found in APPENDIX I of these minutes.

Report of the Advisory Panel

The AP questioned the accuracy of NMFS reports of the anticipated levels of harvest for sablefish in the Bering Sea for 1985. They recommended that all sablefish should be put into a reserve category or DAH category in the BS/AI area, eliminating TALFF entirely. The NMFS survey greatly understated the interest in the sablefish fishery last year and in light of that, the AP recommended against TALFF from any district in 1985.

Report of the Scientific and Statistical Committee

The SSC received an update of the status of stocks from the NWAFC which indicated that the EY values for some species were different than those which the team used in developing its recommendation. Therefore, the SSC recommended that the proposed TACs for those species which changed be revised. The SSC submitted their recommendations of TAC, JVP and DAP in Table 3 (attached to these minutes as APPENDIX IV).

COUNCIL ACTION

Bob Mace moved to send the TAC, JVP and DAP estimates for the Bering Sea/Aleutian Islands for 1985, as revised by the SSC (Table 3), out for public reivew. Sara Hemphill seconded the motion which carried unanimously.

E. CONTRACTS, PROPOSALS AND FINANCIAL REPORTS

The Finance Committee reviewed the budget request for FY/85 in light of the Council's decision to pursue the management of halibut. The Committee instructed Jim Branson to immediately request the necessary operating funds from NMFS. Should these funds not be available in the regular NMFS administrative budget, a request will be made to reprogram programmatic monies. The Committee also discussed the state pass-through funds which will now be administered through the Council's budget. The Committee recommends these funds continue to be given to each state as in the past. No recommendations were made on research projects pending review by the SSC at the December meeting.

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COUNCIL LOTION

Pob Mace moved to send the LAC. AVE and DAA estimate, for the Portuga-Ses/Alecaism letends for 1985, as revised by the SSC (Toble 3), out to public setwer. Sets Hemphill seconded the motion which largical confiners;

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Don Collinsworth moved to adopt the Finance Committee Report and its recommendations. The motion was seconded by Rudy Petersen and, there being no objection, it was so ordered.

F. PUBLIC COMMENTS

Harold Sparks addressed the Council on habitat conservation.

G. ADJOURNMENT

Chairman Jim Campbell adjourned the meeting at 3:09 p.m. on Friday, September 28, 1984.

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