

North Pacific Fishery Management Council

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

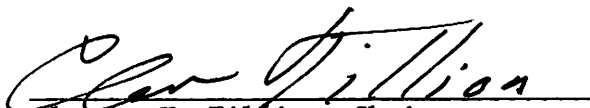
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Clement V. Tillion, Chairman

MINUTES OF
Twenty-Fourth Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
McPhetres Hall
Juneau, Alaska
March 22 - 23, 1979

The monthly meeting of the North Pacific Fishery Management Council was held in Juneau, Alaska, at McPhetres Hall, on March 22-23, 1979. An attendance roster of Council members, the Scientific and Statistical Committee which met in Seattle at the Northwest & Alaska Fisheries Center, and Advisory Panel, and the general public is attached as Appendix A.

The Council meeting was called to order on Thursday, March 22, at 8:45am by Chairman Clement V. Tillion. The SSC met at the NMFS Northwest & Alaska Fisheries Center, Seattle, on March 20-21, 1979. Chairman Steve Pennoyer conducted the meeting. The Advisory Panel meeting was called to order by Chairman Keith Specking in the Gold Room of the Baranof Hotel, Juneau, Alaska, on March 21, 1979.

The draft agenda for the Council meeting was approved with the deletion of Item #2 since the minutes for the February 1979 meeting were not available for review.

AGENDA #3, Executive Director's Report

The Executive Director reported on the 200-Mile Fisheries Impact Conference held in Seattle, February 27-28, 1979. The well-attended meeting was structured on the Combs study commissioned by the Secretary of Commerce and it brought out a wide range of participants and some healthy discussion on the way fisheries development may go. A summary and transcript of the Conference should be available soon.

The Executive Director testified on March 6 before the House Committee on Merchant Marine and Fisheries Committee on budget matters. He explained the Council's budget and indicated the NPFMC will need

restoration of some of the funds cut by NMFS, and also testified on the value of strengthening the NMFS budget in four areas: the observer program, enforcement, data analysis and the need to improve and regionalize the review of fishery management plans.

The Committee members questioned Mr. Branson about the enforcement and observer programs and Mr. Branson indicated these programs should be expanded. The observer program is particularly critical. It is funded at no cost to the United States.

Mr. Branson covered the status of the fishery management plans. The Halibut Plan and the regulations for the plan are still under review by the Secretary of Commerce. NMFS is continuing to work on the plan and the regulations so it will be ready by April 15 if negotiations with Canada fail. NOAA Counsel James K. White said there probably would be a 15-day gap between the end of the IPHC and the time NMFS has the regulations ready. Mr. Lokken questioned whether the coastal states could issue emergency regulations to cover the 15-day period. Mr. White said the 15-day period could be covered by an Emergency Order by the Secretary of Commerce.

The Gulf of Alaska Groundfish Fishery Plan was implemented December 1, 1978, and has been amended three times since it was approved by the SOC in June 1978. A fourth amendment containing 10 changes, approved by the Council in February, will go to the SOC to start review March 30. The expected time for approval and implementation is 75 to 90 days.

The Tanner Crab Plan was implemented January 1, 1979. The first amendment, sent to the Secretary in December, was approved and implemented effective March 9, 1979.

The Secretary began review of the troll salmon plan on December 14. There is a likelihood the offshore handtroll prohibition and the power troll limitations will be disapproved. There is little chance of the plan being in place by April 15.

Final approval by the Council of the Bering Sea Groundfish Plan will be decided at this meeting. If the Council approves the plan, it will go to the SOC to begin review approximately April 15. Implementation will be delayed until January 1, 1980 so that the amendments starting in June/July would be in effect at the same time.

The draft King Crab FMP was received in March for SSC review. The Council will likely review the plan in April or June with the public comment period July/August. The probable implementation date is May/June 1980.

The first draft of the Bering Sea Herring FMP will go to the Council in June with probable implementation June/July 1980.

The first draft of the Bering Sea Clam FMP will go to the Council in June with probable implementation July/August 1980.

The first draft of the Bering Sea Shrimp FMP was received November 1978 but further action will be deferred until the 1979 field work has been completed. The revised plan will probably be sent to the Council in December 1979. Implementation will probably be in early 1981.

A low priority has been given to the FMP's for Dungeness Crab, scallops, and coral.

Mr. Branson reported that the Bering Sea Clam MPDT met March 8-9, 1979, at the Council headquarters. The Comprehensive Salmon Plan development team met in Juneau March 13 with Mike Hershberger attending.

After a review of the status of the FMP's Mr. Branson suggested cancellation of the May Council meeting to allow the staff and planning teams time to catch up on the FMP's. Only the king crab and Bering Sea Herring FMP's would be delayed and then only by one month. There would be no serious delays on any other FMP. Cancellation of the May meeting would allow Council members to attend a National Conference on Fishery Development which has been scheduled for May 23-24, in Washington, D.C.

Saltonstall-Kennedy monies have been released by OMB, Mr. Branson said, but NMFS does not intend to release any of it until after this national conference, thereby keeping the Alaska Fisheries Development Corporation without funds and probably killing their program for this year.

Mr. Branson announced there would be a Finance Committee meeting on Friday, March 23, at the Baranof Hotel Nugget Room at 7:00am to consider additional funding for the Troll Salmon Observer Program of 1978, financing of the Comprehensive Salmon FMP, review travel and per diem rates for the Council and Council staff, review the second half of the FY 79 administrative budget, consider a request from ADF&G for assistance from a biometrician on the Comprehensive Salmon Plan; and consider staff help for SSC working groups or Council working groups that are established by the Council.

The FCMA Oversight Hearings will be held by Congress this spring. The Director recommended establishing a working group to examine Council problems with the Act and formulate recommendations for use at the hearings.

The first draft of the Report on the Council will be sent to the Council in June with probable implementation date 1980.

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The Chairman appointed an *ad hoc* group consisting of John Harville, Don Collinworth, Don Bevan, Ray Lewis, James Crutchfield, Donald McKernan, and Jim Branson. Rear Admiral Duin offered to assist the group.

At this point, Washington Department of Fisheries Director Gordon Sandison introduced Mr. Gene DiDonato, Assistant Director for Marine Fish, who will be replacing the retiring Henry O. Wendler as Mr. Sandison's alternate. Mr. DiDonato was welcomed to the meeting by Chairman Tillion.

AGENDA #4, Alaska Department of Fish & Game Report

Mr. Fred Gafney, who recently moved to the Juneau headquarters office from Kodiak where he had worked on the shrimp fisheries, reported on the tanner crab fishery in the westward region of the FCZ.

In Kodiak the OY was set at 35 million pounds with a guideline harvest level of 20 to 35 million pounds. The strike was settled February 16 at 55½¢ per pound. Over 200 vessels were fishing, averaging 5 million pounds a week. He reported a dramatic increase in pot lifts, about 50,000 per week compared to 18,000 per week last year. The CPUE from a sample area in the Kodiak District showed a decline in crabs per pot from 65 to 42 crabs in 1979 compared to 1978. He said the effort was concentrated on the historic grounds which do not contain the entire optimum yield. By March 26 the catch will reach approximately 30 million pounds in the Kodiak District when it will be closed by Emergency Field Order. This will allow the fishermen to move into the fringe areas which still contain a portion of the OY.

In the South Peninsula fishery where the guideline harvest is 20 to 30 million pounds about 4.3 million has been taken. In the Bering Sea area about 2.7 million pounds has been taken since the price settlement of 52¢ a pound was reached last week (mid-March).

Mr. Lokken questioned the reduction of crabs per pot from 65 to 42, asking if it was a result of the increased number of pots in the area, did the supply drop or just that the basic number of crab was divided up among a greater number of pots.

Gafney said that the surveys performed by ADF&G in 1978 showed a decline in the number of legal male crab in the western and southeastern portions of the Kodiak district. The decline was expected on the historic grounds of Two-Headed Island area and the southern part of Kodiak. The indication from the fleet catch per unit effort substantiated the survey findings.

The Chairman appointed an ad hoc group consisting of John ...
Don Hollenhorst, Don DeWitt, Ray ...
and the Bureau. ...

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Mr. Meacham said he would like the ADF&G monthly report to identify the amount of bottomfish going into processing and the amount going into bait. He couldn't tell whether the statistics were for food fish or bait. Mr. Gafney said he would include that information in his future reports to the Council. The ADF&G report is attached as APPENDIX B.

AGENDA #5, National Marine Fisheries Service Report

Craig Hammond reported that foreign effort off Alaska has been running a bit ahead of 1978. In January there were 173 vessels as compared to 128 in 1978. In February, there were 214 foreign vessels as compared to 170, Japan with 155 and the U.S.S.R. 42. On March 13 there were 139 vessels off Alaska; Japan with 111, South Korea 13, U.S.S.R. 11, Taiwan two, Mexico and Poland one each. The Japanese began fishing tanner crab on February 24 north of 58° N. with two factoryships and 13 pot fishing vessels, concentrating west and north of the Pribilof Islands. The amendment to the Tanner Crab FMP became effective March 9 which allowed them to fish south of 58° N. and west of 173° W. The KOYO fleet reported their first catches from the southern area on March 16. The KEIKO fleet began moving its gear south of the week of March 10.

The SOO GONG 51 was conducting support operations with a refrigerator transport in the Sanak Island loading zone on March 19. The vessel had been fishing in the Bering Sea. The Koreans have not as yet fished in the Gulf in 1979. Taiwan also has two stern trawlers operating west of the Pribilofs in the central Bering Sea. Poland's one stern trawler, the SATURN, began fishing west of St. George on March 15. This is the first commercial effort by Poland in the Bering Sea. The Mexican vessel, KORMEX I, was in the Chirikof area. Both BORMEX I and KORMEX II have been boarded since the last Council meeting. KORMEX II was boarded March 6, south of Unimak Island, the vessel had checked into the FCZ on January 22, and since that time had fished a total of four days, with a total of five hauls of 3.7 metric tons, mostly pollock and Pacific ocean perch with a very small amount of Pacific cod. The vessel's captain and engineer were Mexican and the rest of the crew were Korean. The ship had experienced shaft vibration problems and has departed for repairs in Seattle.

The KORMEX I was boarded March 20 while fishing east of the Shumagins and the crew was found to be Korean with a Mexican captain. Two other Mexican nationals had departed the ship when it put into Seward February 27 for provisions and radar repairs. The KORMEX I fished a total of 19 days and caught 275 tons of pollock and Pacific cod.

As of March 21, NMFS has issued 64 permits to U.S. fishermen for the Gulf of Alaska groundfish fishery. Twenty-four of those permits have been amended to include tanner crab registration. The State of Alaska has registered an additional 603 vessels for the tanner crab fishery, which would allow fishing in the FCZ as well as in State waters.

Mr. Chitwood reported the Soviet Union was warned they were approaching their quota of 20,000 tons of Atka mackerel. They have since shifted to pollock and flounder in the Bering Sea.

The National Marine Fisheries Service plans to issue a Field Order in conjunction with the Alaska Dept. of Fish & Game closing the season for tanner crab in the Kodiak District on March 26. This action supports the Council's tanner crab FMP.

Answering Mr. Lokken's question on the Japanese crab fishery in 1979 compared to 1978, Mr. Chitwood said the effort is about the same as last year but began three weeks earlier, and that ice was not a problem. The NMFS Report is attached as APPENDIX C.

AGENDA #6, Coast Guard Report

Commander Pete Buscik reported the Coast Guard Cutter BOUTWELL boarded KORMEX II on March 6 and issued a notice of violation for several infractions: failure to log their allocated species of perch to the nearest hundredth of a metric ton, fishing within a contiguous zone inside 12 miles, failure to return halibut, a prohibited species, to the sea in a timely manner, and retention and possession of halibut. Eight halibut totaling 85 pounds had been headed, gutted, butchered, and frozen. Commander Buscik said the contiguous zone violation was based entirely upon an entry in the fish log which was not substantiated by the navigational log.

The Japanese longliner EBISU MARU No. 88 was issued a citation for not logging discarded pollock or Atka mackerel. A Soviet trawler, the ALEXANDER MAXUTOV, was cited for not maintaining an accurate transfer log.

The two Japanese trawlers seized in February, the TSUDA MARU and the FUKUI MARU No. 8, were released February 24, after posting \$375,000 and \$350,000 bonds, respectively.

Commander Buscik reported the C.G.C. STORIS boarded the KORMEX I on March 20 and issued a verbal warning for having chafing gear and mud rollers on her nets. The ship was thoroughly examined and otherwise found to be in good shape.

Mr. Lokken asked what procedure is used to educate the masters when a new vessel enters the FCZ. Commander Buscik said no formal procedure is used; the regulations are available to the Permittee and the burden of compliance is on the foreign country. Mr. Rietze said the NMFS has reviewed the regulations with the foreign countries or their delegates with thorough coverage of the sensitive areas.

The Coast Guard Report is attached as APPENDIX D.

THE STATE OF CALIFORNIA, COUNTY OF ALBERTA

I, the undersigned, a Notary Public in and for the State of California, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of Alberta, State of California, and that the same is a true and correct copy of the original as the same appears in the records of the County of Alberta, State of California.

Witness my hand and the seal of my office this 10th day of August, 1900, at the City of Los Angeles, California.

Notary Public in and for the State of California
My Commission Expires August 10, 1901

THE STATE OF CALIFORNIA, COUNTY OF ALBERTA

I, the undersigned, a Notary Public in and for the State of California, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of Alberta, State of California, and that the same is a true and correct copy of the original as the same appears in the records of the County of Alberta, State of California.

Notary Public in and for the State of California
My Commission Expires August 10, 1901

THE STATE OF CALIFORNIA, COUNTY OF ALBERTA

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Notary Public in and for the State of California
My Commission Expires August 10, 1901

AGENDA #7, Scientific and Statistical Committee Report

Chairman Steve Pennoyer reported on the SSC meeting held in Seattle, March 20 and 21 at the Northwest & Alaska Fisheries Center. The SSC subcommittee (of Fukuhara, Bevan, Lechner, and Rogers) to review the King Crab FMP met on March 19 and jointly with the SSC on March 20. As a result of these meetings the SSC recognizes that the king crab fishery is entirely a domestic fishery currently under management by the State of Alaska with supportive research by NMFS and that there is no compelling urgency to implement an FMP. The current management regime covers a large area and a diversity of stocks with a great amount and variety of biological and fishery data. Any plan describing this fishery and the rationale used for management actions will be lengthy and complex. The SSC has had the King Crab FMP for review for only two weeks and that is not an adequate review period. They recommend that the Council give the FMP a careful and lengthy review and that the MPDT present an analysis of available data on one of the more important concepts, the use of harvest limits to promote a multiple age class fishery to safeguard reproduction and promote stabilization of annual yield. The SSC subcommittee will meet to consolidate substantive and editorial comments on the first draft of the king crab FMP for review by the SSC at their next meeting. The SSC will then present the MPDT with written recommendations for rewriting the draft FMP.

The SSC reviewed the final draft of the Bering Sea/Aleutian Islands Groundfish Fishery FMP, particularly the sections dealing with marine mammals, expected domestic annual harvest and processing capacity, domestic regulations and statistical reporting, limited entry, reserves, and foreign closures along the Aleutian Islands. They recommend the Council adopt the plan using the closures along the Aleutian Islands proposed by the MPDT. The winter halibut-savings longline closure landward of the 500 meter isobath during the winter should be adopted as should the domestic closures proposed in the plan.

The SSC reviewed the final report by Tetra Tech, Inc., on "The Effects of Hydraulic Clam Harvesting in the Eastern Bering Sea." Eight specific comments are made in the SSC report on this contract detailing further work necessary by the Contractor.

The SSC reviewed two progress reports prepared by ADF&G on Bering Sea herring detailing the results of work performed in 1978 and the operations plans for 1979.

Chairman Pennoyer told the Council there apparently will not be a proposal from ADF&G for a troll salmon observer program in 1979.

The Tanner crab MPDT has prepared several options for the Council to consider if the Japanese ask to fish south of 58° N. Chairman Pennoyer said. The Council may wish to receive prior Advisory Panel input on this matter.

The SSC did not review or comment on the Alaska Board of Fisheries Proposed recommendations.

The SSC Report is attached as APPENDIX E.

AGENDA #8, Advisory Panel Report

In the absence of Chairman Keith Specking, Advisory Panel member Don Rawlinson presented the Advisory Panel report (APPENDIX F). With 11 members in attendance the Advisory Panel met on March 21 in the Gold Room of the Baranof Hotel in Juneau.

AP member Ed Linkous, reporting on the observer program for the troll salmon fishery, said it was difficult to have an observer aboard most boats because of space limitations, presence of fisherman's family aboard, and the nature of the fishery. The success of the logbook program Mr. Linkous said, will affect the status of the observer program. Three years' data will soon be available when the 1978 logbooks have been incorporated into the final report.

Bob Blake, AP member, reported to the AP on ADFG's contract for an experimental groundfish fishery out of Cordova. No commercial quantities of any species have been found thus far that would warrant an investment in new processing facilities. Closer contact with local fishermen, ADF&G and Sea Grant officials and Alaska's bottomfish coordinator would improve future contracts by eliminating gear/area conflicts.

The Catcher/Processor problem in the crab fishery was discussed by the AP after reviewing a memorandum from Robert Otto of NMFS. The catcher/processor may be more efficient utilization of the resource by reducing dead loss, they did feel there is a need for supervision on size and sex regulations. Catcher/processor problems do not require urgent attention by the Council at this time. The AP, Mr. Rawlinson said, plans to continue discussion and monitoring of the catcher/processor concept.

The AP requested the Council recommend to the Board of Fisheries that they not change regulations for the troll fishery made at the December 1978 Board meeting. Mr. Linkous said that many boats from California, Washington, and Oregon were expected off Alaska during the upcoming salmon season because of predicted poor fishing in their own areas. A motion by the Advisory Panel requested the Council to inform the Secretary of Commerce that her lack of action on the Salmon Troll FMP threatens the conduct and future of the fishery.

Mr. Rawlinson said the AP agrees and supports the Council staff memorandums concerning marine sanctuary proposals, regulations and their implications.

The SAC did not review or comment on the Alaska Board of Fisheries proposed recommendations.

The SAC Report is attached as APPENDIX 1.

MEMORANDUM FOR ADVISORY PANEL REPORT

In the absence of Chairman Smith speaking, Advisory Panel member Dr. Emlen presented the Advisory Panel report (APPENDIX 1). With Dr. Emlen in attendance the Advisory Panel met on March 11 in the Gold Room of the Harbor Hotel in Juneau.

Dr. Emlen presented a working draft of the observer program for the troll fishery, and it was difficult to have an observer aboard our boats because of space limitations, presence of fishermen's family members and the nature of the fishery. The success of the observer program, Dr. Emlen said, will affect the status of the observer program. These years' data will soon be available when the 1978 logbook data have been incorporated into the final report.

Dr. Emlen, as member, reported to the W. H. WOODS' contract for an experimental program to fishery out of Juneau. We completed quantities of our species have been found that they would want an investment in the processing facilities. Closer contact with local fishermen and sea grant officials and Alaska's national coordinator would improve future contracts by eliminating cost/area conflicts.

The Advisory Panel in the trip fishery was discussed by the W. H. WOODS' contract for an experimental program to fishery out of Juneau. The contract processor may be more effective utilization of the resource by the boat, they did feel there is a need for supervision on the side and sex regulations. Advisory Panel members do not require waters attention by the Council at this time. The W. H. WOODS' contract to continue discussion and monitoring of the contract processor concept.

The W. H. WOODS' contract to the Board of Fisheries that they not change regulations for the troll fishery made at the December 1978 Board meeting. Dr. Emlen said that many boats from California, Washington, and Oregon were expected off Alaska during the upcoming salmon season because of graduated gear limits in their own areas. A motion by the Advisory Panel requested the Council to inform the Secretary of Commerce that lack of action on the Salmon Troll TFB discussion the conduct and future of the fishery.

Dr. Emlen said the W. H. WOODS' contract and reports the Council staff memorandum concerning marine regulatory proposals, regulations and their implications.

The Bering Sea and Aleutian Islands Groundfish Fishery FMP was accepted by the AP, Mr. Rawlinson reported.

AGENDA #9, Catcher/Processor

Mr. Chuck Bundrant, President of Trident Seafoods spoke to the Council on his operation of a catcher/processor. He has been operating a 135x31 ft. vessel, the BILLIKEN, for several years in the crab fishery and has built a second vessel, the BOUNTIFUL, that will be in operation this year. The BOUNTIFUL has a large refrigerating capacity and measures 165x46 ft. He fishes and packs crab in the Bering Sea/Adak area for the European and Japanese markets, producing a high quality product that brings about 10¢ a pound over regular market price for snow crab. He presently has 19 processing workers and five fishermen on the BILLIKEN. Dr. Harville asked about length of cruises and Mr. Bundrant replied, "There was some pressure for shorter fishing periods." They fished two six-week trips last season but, "if you stay out for longer than two months, you're likely to have crew problems.

Akutan is used as the base port for storage area of pots, etc. and he would like to expand in that area. He said a shore plant there would be a profitable operation.

When asked if the whole industry might shift to a catcher/processor operation Mr. Bundrant said there were too many problems presently with crews and the mechanics of the process, but it is a good way to start development of the bottomfishery.

Bundrant said he had carried ADF&G observers on the BILLIKEN and welcomed them at any time.

Mr. Jerry Tilley, an officer in Sea-West, Inc., who operates the floating processor WESTERN SEA at Akutan, discussed his operation with the Council. They had rebuilt the dock at Akutan Village and use it as a permanent mooring for the processor. Three boats fish crab for them, keeping 40 processing workers busy during the six-week king crab season and 27 to 30 for the slightly longer tanner crab season. They have done some work on bottomfish, aiming primarily at sablefish but, since they were unable to find them in quantity, doing most of the work on Pacific cod. It has been unprofitable to date with freight from Akutan a significant portion of the overhead. Freight runs as high as 16¢ a pound.

Both Bundrant and Tilley said freight from western Alaska was a problem in operations there with independent charters necessary to guarantee space during the season. Recent increases in Sea/Land Service to both the lower '48 and the orient and the new American Presidents Line service between Unalaska and the orient have helped, but not solved the problem.

The Board has and Alaska's Commission Fisheries was accepted by the U. S. Fish and Wildlife Service.

AGENCY OF CATCHER/PROCESSOR

Mr. Frank Burchard, President of Fishermen's Association of Alaska, on his operation of a catcher/processor. He has been operating a 100 ft vessel, the BURNHAM, for several years but the new 120 ft vessel will be in operation this year. The BURNHAM has a large refrigerating capacity and processor. Its design and gear is the same as the BURNHAM used for the processor and processor marketed processor a high quality processor that runs about 100 a round over regular market price for any crab. The processor has 12 processing workers and five fishermen on the BURNHAM. There were some problems about length of cruises and Mr. Burchard reported. They stayed two weeks last season for shorter fishing periods. They stayed two weeks last season but if you stay out for longer than two weeks, you're likely to have crew problems.

Alaska is used as the base port for storage area of crab, etc. and would like to expand in that area. He said a shore plant there would be profitable operation.

When asked if the vessel industry might shift to a catcher/processor operation Mr. Burchard said there were too many problems presently with crab and the mechanics of the processor, but it is a good way to start development of the bottomfishery.

Burchard said he had contacted AGFD observers on the BURNHAM and welcomed them at any time.

Mr. Jerry Tilly, an officer in Seattle, Inc., who operates the processor WUSTON 214 at Alaska, discussed the operation with the Council. They had rebuilt the boat at Alaska Village and was it as a processor working for the processor. They had a 120 ft vessel for their processor. Processing vessels have better the processor than crab processor and 120 ft for the processor. They have some vessels for the processor, at the processor at Seattle but since they were unable to find them in quantity, being most of the work on Seattle coast. It has been worthwhile to date with Seattle from Alaska a substantial portion of the processor. Freight was as high as \$12 a pound.

Both Burchard and Tilly said freight from western Alaska was a problem in operations there with transportation charges necessary to guarantee space during the season. Recent increases in fuel and charges to both the lower 48 and the outlet and the new processor processors have worked between Seattle and the outlet have helped but not solved the problem.

Council member Campbell said he hoped industry would keep the Council advised of their plans and problems since shipping was a key factor in the success or failure of any fishery in Alaska.

In response to a question from Mr. Rietze, Mr. Tilley said they had processed uncooked sections of both king and tanner crab by dipping and flash freezing. The market for the product was all Japanese and so far fairly limited.

AGENDA #10, Proposed Interim Regulations

Executive Director Branson said the comment period for the interim regulations for P.L. 95-354, the processor preference amendment to the FCMA, closes April 9, the Council's comments should be mailed by April 2 to receive consideration. NMFS held a public hearing on the regulations in Washington, D.C., on March 13, none of the Council members were able to attend. NMFS is asking for comments on guidelines for specifying U.S. harvesting capacity, the activities which should be considered processing, and guidelines for conditioning or restricting permits of foreign fishing vessels receiving fish from U.S. vessels at sea.

The 1979 joint venture permits for Korea are restricted in quantity to that amount available in reserve for any of the species and fish can be received anywhere in the Gulf of Alaska outside three miles. Mr. Branson said those restrictions will probably be the same for Permits issued to the Marine Resources Co. Permits are issued annually and can be changed at that time. He also pointed out that the Council discussed the proposed regulations in November and their comments at that time were that domestic and foreign deliveries be carefully documented and separated. The Council also had recommended striking prices of alternative fisheries when determining DAH since the data on wholesale products and values was already available from existing sources.

At the November-December meeting, the Council had appointed a working group to find a better method of specifying domestic annual processing capacity and domestic annual harvesting capacity. That group is expected to have a report for the Council in July. Mr. Tillion thought it was important to require a U.S. observer aboard when deliveries were being taken from both domestic and foreign ships. There has not yet been a joint operation off Alaska, Mr. Tillion said, and perhaps it would be better to wait until one is operating before more restrictions are put on the vessels. Another prohibition, Mr. Branson said, would be to prevent the vessel from receiving foreign-caught fish at the same time they are taking U.S.-caught fish. He reminded the Council that their February action required that the Permits state the vessel had to take an observer aboard if the U.S. so desired.

Council member Campbell said he would have very much to say on the subject of fish plants and other things which are a factor in the success or failure of any fishery in Alaska.

In response to a question from Mr. Miller, Mr. Campbell said that he had processed several sections of both fish and shrimp crops by dipping and flash freezing. The reason for this was that the fish were not far from being frozen.

ALASKA AND PROPOSED TARIFF REMOVALS

Executive Director Driscoll said the Council would be interested in the results of the study on the proposed removal of the tariff on fish and fish products. He said that the Council had been asked to review the matter and to report on it. He said that the Council had been asked to review the matter and to report on it. He said that the Council had been asked to review the matter and to report on it.

The 1970 joint venture between the U.S. and Korea was restricted in scope to that amount available in the U.S. for any of the vessels and fish can be received in the Gulf of Alaska outside the limits of the U.S. and that those restrictions will apply to the same for the remainder of the fishing season. The U.S. and Korea are to share the catch and the U.S. will be charged with the processing of the fish. He also pointed out that the Council had been asked to review the matter and to report on it. He said that the Council had been asked to review the matter and to report on it.

As the November-December meeting of the Council has approached a working group to find a better method of specifying domestic fish processing capacity and domestic annual harvest capacity. The group is expected to have a report for the Council in the next few days. He said that the Council had been asked to review the matter and to report on it. He said that the Council had been asked to review the matter and to report on it.

The Advisory Panel discussion centered about the release of information on price and marketing of fish and the definition of processing. They concluded that processing is literally anything that should or can be done to fish to prepare it for human use. The type of processing depends on the eventual use of the animal. One such suggestion was offered to the Council by the Panel as follows: "The preparation of fish products caught and/or delivered for commercial utilization."

In further discussion some Council members were reluctant to comment until they heard from the DAH working group which will report to them at the June or July meeting. The Council instructed Mr. Branson to write to NMFS expressing the Council's concerns and ask for an extension of the comment period until after the June meeting.

AGENDA #11, Review of Proposals to the Alaska Board of Fisheries

Mr. Guy Thornburgh of the ADF&G Extended Jurisdiction staff, was asked by Chairman Tillion to review the proposals the Alaska Board of Fisheries will be considering during their April meeting. He said the Board of Fisheries would adopt the Department of Commerce regulations for the groundfish and halibut fisheries as necessary and that numerous proposals on shellfisheries include management strategies based on social-economic rationale and not necessarily on biology. Mr. Thornburgh said that none of the proposals had been reviewed by the SSC. Chairman Tillion noted that the Council plans to question Greg Cook Executive Director of the Board of Fisheries, on the Board's rationale for curtailing the domestic herring fishing offshore in the Bering Sea. Mr. Lokken wanted input from the SSC as well as the AP on which to base any decisions.

Mr. Rawlinson for the Advisory Panel gave Greg Cook's explanation for prohibiting domestic fishing for herring in the Bering Sea outside 3 miles north of 56° N. as follows: (1) herring should be managed as separate stocks, harvested in terminal fisheries; (2) subsistence needs are protected in that fish get inshore; (3) there is a benefit to local users, apart from subsistence users, for an economic fishery.

The Advisory Panel consensus on the matter was that closure outside 3 miles does not permit the harvest of herring when food value is highest (winter) and that such a closure would preclude either a food fishery or test fisheries which provide valuable information. Mr. Rawlinson said the AP's recommendation to the Council was to ask the Board of Fisheries to reconsider its action in proposing that no trawl fishing be permitted in the FCZ pending the completion of work on the FMP by the Herring plan development team. They felt that there should be an opportunity for a limited effort to develop an experimental food fishery. They also suggested, Mr. Rawlinson said, that when management plans are in the formulating stage, the Board of Fisheries have a representative present to avoid conflicts in management regimes.

The Advisory Panel discussion centered about the release of information on order and control of fish and the definition of processing. They concluded that processing is essentially anything that should or can be done to fish to prepare it for human use. The type of processing depends on the eventual use of the animal. One such suggestion was offered to the Council for the Panel as follows: "The processor of fish products carry a duty or behavior for commercial fishermen."

In further discussion some Council members were reluctant to comment until they heard from the working group which will report to them at the time of July meeting. The Council instructed the fishermen to write to WDC expressing the Council's concerns and ask for an extension of the comment period until after the June meeting.

ADVISORY PANEL REVIEW OF PROPOSALS TO THE ALASKA BOARD OF FISHERIES

Mr. Guy Thornburgh of the WDC returned to Anchorage after his visit by Chairman Ellison to review the proposals of the Alaska Board of Fisheries. He will be consulting during their April meeting. He said the Board of Fisheries would submit the Department of Commerce regulations for the evaluation and without fisheries as necessary and that must be possible on a fisherman's basis. Mr. Thornburgh said that some of the proposals had been reviewed by the WDC. Chairman Ellison noted that the Council plans to question the Executive Director of the Board of Fisheries on the Board's rationale for curtailing the domestic hunting fishing effort in the future. The Board wanted to know the WDC as well as the WDC or what to pass any decisions.

Mr. Kaufman for the Advisory Panel gave their own evaluation for prohibiting domestic fishing for hunting in the future. He said that the WDC should be reviewed as follows: (1) hunting should be reviewed as separate species, reviewed in separate fisheries (2) fisheries should be reviewed as a whole (3) there is a benefit to local users, as well as to the national interest.

The Advisory Panel comments on the matter was that closure outside of which does not permit the harvest of certain fish species (fisheries) and that such a closure would provide other fish fisheries or fish fisheries which provide value to fishermen. Mr. Kaufman said the WDC's recommendation to the Council was to not have fishing fisheries to reconsider the matter in proposal that no trade fishing be permitted in the WDC pending the completion of work on the WDC. The hunting plan development team. They felt that there should be an opportunity for a limited effort to develop an experiment for fishing. They also suggested that management plan and in the fisheries area, the Board of Fisheries have a representative present to avoid conflicts in management resources.

Bering Sea Herring

On Friday morning, Greg Cook, Guy Thornburgh, and Steve Pennoyer discussed the Alaska Board of Fisheries actions in December on the Bering Sea herring fishery, which closed the area north of 56° N. latitude to domestic fishermen. Mr. Cook said the Board discussed herring at length at its last meeting. Policy was developed on when, where, and how herring stocks should be utilized. In summary, he said, the Board felt that sound management of Bering Sea herring was to harvest them as segregated stocks based on available information on the stocks and their distribution. Cook said that these fish segregate by time and area in the inside waters and it's appropriate to harvest them while they are segregated, plus their availability to both the commercial and subsistence fisheries inshore. The available information, Mr. Cook said, shows that the Board may decide no one, domestic or foreign, should harvest herring on the high seas. The Board realizes that it is not possible to prohibit both foreign and domestic fishermen from high seas fishing because it would close other trawl fisheries to foreigners. For this reason, Mr. Cook said, the foreigners have been allocated an incidental catch of herring.

The Council did not comment on the Board's action regarding herring, deferring further discussion until consideration of the draft FMP on Bering Sea herring which contains many of the same provisions.

AGENDA #12, Consideration of the March 2nd Reserve Release for Groundfish in the Gulf of Alaska

NMFS Regional Director Harry Rietze reported to the Council that the originally scheduled release of 25% of the sablefish reserve for January 2nd would be made in March but NMFS had determined that there was probably going to be enough U.S. capacity to harvest the current reserve amounts. The March 2nd release was therefore going to be withheld. Mr. Rietze said his office had been provided with vessel names, captains, and catching capacities to indicate the joint venture operations might need all of the reserve available. Operations are expected to start in April, providing a record of actual harvesting and processing of bottomfish. In two months the record will be examined again and consideration given to release of the reserves scheduled for May 2nd, and also correcting the withholding of the March 2nd release if necessary. Mr. Rietze commented on the successful joint venture operations off Oregon in 1978 and indicated some of those fishermen would like to establish themselves in the Alaska fishery. Some Alaskan shrimp trawlers were also looking into joint ventures in the bottomfish fishery since the Alaskan shrimp fishery has declined so rapidly.

AGENDA #13, Bering Sea and Aleutian Island Groundfish Fishery FMP

Mr. H. A. Larkins, of the NMFS/NW&AFC, MPDT Leader, reviewed the Bering Sea and Aleutian Islands Groundfish Fishery FMP and the sections requiring Council action. He explained the rewritten sections on marine mammals, expected domestic annual harvest and processing capacity, domestic regulations and statistical reporting, limited entry, reserves, and the specific Aleutian Island closures to foreign fishing.

SSC Chairman Pennoyer told the Council the SSC had discussed the options and recommended that the Council approve the FMP using the options for foreign fishing closures along the Aleutian Islands as proposed by the Plan Drafting Team, with a winter halibut savings longline closure landward of the 500 meter isobath during the winter.

The Advisory Panel also reviewed the FMP and Don Rawlinson told the Council the Panel accepted the plan after some discussion to clarify their understanding on foreign fishing landward of 12 miles.

The Council accepted the modified FMP by unanimous motion to be forwarded to the Secretary of Commerce, reserving the section on the Aleutian Island longline sanctuary. Amendments to the FMP, if needed, will be forwarded to the Secretary in time to be implemented at the same time as the initial FMP, January 1, 1980.

AGENDA #14, Marine Sanctuaries

After a review of this agenda material which is attached as APPENDIX G, Chairman Tillion apologized to the non-Alaskan members of the Council if the Alaskan members appeared gunshy on the subject of Federal sanctuaries, having just been subjected to similar actions under the Antiquities Act withdrawing large areas of the Alaska land mass.

Dr. Harville requested a task force be established to work with the Marine Sanctuaries group and report to the Council any areas in the State under consideration so the Council could have early input into the process.

NOAA Counsel White said in answer to Mr. Lokken's question that activities allowed in a marine sanctuary would depend on the purpose for establishing the sanctuary and the regulations affecting it.

Mr. Branson pointed out the packet materials contained an excellent synopsis prepared by Mark Hutton outlining the reasons for establishing a marine sanctuary.

ALASKA FISHERIES BOARD AND ALASKA FISHING BOARD

Mr. M. A. Landon, of the ALASKA FISHERIES BOARD, advised that the Alaska Fisheries Board and the Alaska Fishing Board are both advisory bodies. He explained that the Alaska Fisheries Board is composed of representatives of the fishing industry, the State, and the Federal Government. The Alaska Fishing Board is composed of representatives of the fishing industry and the State. Both boards are authorized to make recommendations to the State and Federal Governments regarding fisheries management.

Mr. Landon further advised that the Alaska Fisheries Board has been established since 1933 and the Alaska Fishing Board since 1934. Both boards have been instrumental in the development of fisheries management programs in Alaska. The Alaska Fisheries Board has been particularly active in the development of the salmon and halibut fisheries. The Alaska Fishing Board has been particularly active in the development of the groundfish and shellfish fisheries.

The Alaska Fisheries Board and the Alaska Fishing Board are both authorized to make recommendations to the State and Federal Governments regarding fisheries management. The Alaska Fisheries Board has been particularly active in the development of the salmon and halibut fisheries. The Alaska Fishing Board has been particularly active in the development of the groundfish and shellfish fisheries.

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ALASKA FISHERIES BOARD

After a review of the Alaska Fisheries Board, it was noted that the Alaska Fisheries Board is composed of representatives of the fishing industry, the State, and the Federal Government. The Alaska Fisheries Board is authorized to make recommendations to the State and Federal Governments regarding fisheries management. The Alaska Fisheries Board has been particularly active in the development of the salmon and halibut fisheries.

Mr. Landon requested a check be made to determine if the Alaska Fisheries Board is authorized to make recommendations to the State and Federal Governments regarding fisheries management. It was noted that the Alaska Fisheries Board is authorized to make recommendations to the State and Federal Governments regarding fisheries management.

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The Marine Sanctuary concept overlaps the FCMA and the jurisdiction of the Council as well as most other agencies controlling coastal areas. The proposed regulations are quite flexible so that it would be possible to establish a marine sanctuary almost anywhere for any reason. The Executive Director was directed to write a letter to the Office of Coastal Zone Management expressing the Council's thoughts on marine sanctuaries for Alaska. Mr. Lokken requested action be taken to confirm the Council's 3-200 mile authority where marine sanctuaries are proposed.

AGENDA #15, Permit Review

Mr. Branson reviewed this material for the Council. The New England Council had requested a review of Permit application procedures throughout the Councils in order to establish national guidelines for approval or disapproval of permits. The North Pacific Council has already established guidelines for review of permit applications and they are working quite well. Chairman Tillion asked Mr. Branson to collect any necessary information to forward to the other Councils and NMFS on this matter.

Status of Seized Foreign Vessels

NOAA Counsel James K. White briefed the Council on the status of the cases against the Japanese vessels TSUDA MARU and FUKUI MARU No. 8 for underlogging and mislogging their catch. A complaint had been filed by the U.S. Attorney requesting civil forfeiture of the vessels. Lawyers representing the Japanese companies allege the U.S. Coast Guard and NMFS cannot board and search a foreign vessel at sea without a warrant. The allegation regarding the necessity of a warrant for boarding at sea is a serious one, hinging on interpretation of the GIFA with Japan which says the Japanese government will make every effort to insure that vessels subject to its control do comply with boardings by our enforcement authorities. That has been interpreted as allowing warrantless searches at sea and it is our understanding that signatories to a GIFA interpreted it in the same way. The Japanese have filed a motion to dismiss the action on the TSUDA MARU. Both vessels have left Kodiak and are now fishing.

In answer to Mr. Campbell's question, Mr. White said the boarding issue had not been raised during other seizures of foreign vessels.

Mr. Lokken pointed out their argument is self-defeating. If the U.S. doesn't have a boarding right, our only alternative is to prohibit foreign fishing. Mr. White said the Permit Application could contain a provision whereby permittees specifically accept boardings and searches without a warrant. The seriousness of the two violations was pointed out again by Mr. Rietze. He said underlogging and mislogging seriously

The Board's primary concern was the fact that the Japanese Government had not established a system of control over the Japanese vessels as well as over other vessels operating in the area. The Board's primary concern was the fact that the Japanese Government had not established a system of control over the Japanese vessels as well as over other vessels operating in the area. The Board's primary concern was the fact that the Japanese Government had not established a system of control over the Japanese vessels as well as over other vessels operating in the area.

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In answer to Mr. Campbell's question, the Board said the position taken had not been raised during other sessions of foreign vessels.

The Board pointed out their argument as self-defeating. If the U.S. doesn't have a boarding right, our only alternative is to prohibit foreign fishing. The Board said that the United States could consider a provision whereby certificates could be issued to vessels without a permit. The Board said that the Board's position was not one again by Mr. Campbell. He said understanding and making sure that

impacts the conservation and management of our stocks, negating the work of our scientists. He felt the seriousness of the violations should be impressed on the foreigners and the U.S. should be very strict in enforcing the Act.

Mr. Arnaudo, State Department representative on the Council, agreed with Mr. Lokken's statement and said the the U.S. State Department had raised the subject of the two seizures with the Japanese Government.

Mr. Campbell stated this case adds to the arguments for increasing observer coverage aboard foreign vessels.

FINANCE COMMITTEE REPORT

Mr. Campbell reported the Finance Committee approved the request for an additional \$3,600 for the Troll Observer Program Contract with ADF&G.

Also, the Committee approved a request to let ADF&G use Contract 79-1 for expenses incurred in the development and writing of the Comprehensive Salmon Fishery Management Plan.

The Committee reviewed and thoroughly discussed the travel and per diem rates as proposed by NOAA. The Executive Director was asked to write to NOAA expressing the Council's disapproval of the separate treatment of Council staff.

Budget

The FY 79 Council budget indicates a probable shortfall of \$41,000. Mr. Campbell said heavier spending is expected in the latter part of the year. The \$41,000 would be reduced if the May meeting is cancelled. Executive Director Branson said \$23,000 additional funds should be requested from NMFS to complete the fiscal year in the black. The budget was accepted by the Finance Committee who recommended Council approval. Hearing no disapproval, the Council Chairman declared the Finance Committee report approved.

Mr. Tillion canvassed the Council on the desirability of a May Council meeting; the consensus was there should not be a May Council meeting. Mr. Mace suggested reducing the number of Council meetings. After much discussion it was decided the Executive Director should poll the Council members before each meeting but they will be scheduled monthly to reserve the time slot on everyone's calendar. The sense of the Council is to minimize the number of meetings held and leave it to the discretion of the Executive Director.

Mr. Collinsworth pointed out that a committee which included himself had been formed to look at the interactions of the Council, SSC and AP, and the sequencing of FMP's, updating FMP's, the meeting schedule and a general overview of the whole operation to see where there are efficiencies and deficiencies, and determine how operating procedures can be improved. The group will report at the next Council meeting.

Chairman Tillion recognized the new Japanese Consulate, Mr. Masahiro Sasakai, and thanked him for honoring the Council with his presence and welcomed him to the meeting.

The Council discussed the April Council meeting, finally deciding to hold the April meeting unless the Chairman and Executive Director decided it was unnecessary.

The meeting adjourned at 10:55 am, Friday, March 23, 1979.

Future Agenda Items

The problem of incidental catch of rattails caught by the Japanese longliners in the Gulf of Alaska will be discussed at the next Council meeting.

Public Comment

The public comment period took place on Thursday, March 22. Those testifying before the Council were:

1. Robert A. Davenny - American Fisheries Corporation

Five boats are expected to be fishing the first week of April delivering to a Korean processor. He felt the fees paid by foreigners to fish in the FCZ should be raised as they presently cover only 20% of the administrative costs. He also reported the fish purchased from U.S. fishermen would not be made into blocks but sold in the round in Korea.

2. Jay Hastings - Japan Fisheries Association

Mr. Hastings requested the Council delay action on the Aleutian Island closures until his clients are able to reach an agreement among themselves.

3. Mr. Shinji Endo - Hokuten Trawlers Association
Mr. Hiromi Kawamoto - Japan Deep Sea Trawlers

These gentlemen presented a jointly issued statement commenting on the herring closure in the central Bering Sea to foreign fishermen, they felt it would prevent them from catching a large part of their groundfish allocation.

4. Mr. Tsuneo Takahashi - Japan Tanner Crab industry representative

Mr. Takahashi told the Council there was a possibility the tanner crab fleet may not be able to take all its quota of crab this year because of a decrease and shift in C. opilio populations. He requested the Council continue to keep track of this situation.

5. Mr. H. Nakamura - North Pacific Longline Gillnet Association

The Association requested the Council amend the Gulf of Alaska Groundfish Fishery FMP to exempt foreign longliners from the provision that closes a foreign fishery once a nation's allocation of any species has been harvested.

6. Mr. Scott Stafne - representing Alaska Longline Fisheries Association

Mr. Stafne requested the Council to designate longline gear as the only method to use for harvesting sablefish. He told the Council that many lower '48 troll salmon fishermen were planning to fish in Alaskan waters this season for sablefish and for salmon on the Fairweather grounds.

He said that most of the lower '48 fishermen planning the move do not hold Alaska Limited Entry Permits.

7. Mark Miller - Institute of Marine Studies, University of Washington

Mr. Miller is a coastal anthropologist and plans to look at the coastal populations and study their living styles. He has not yet selected any specific areas to scrutinize but he will be traveling the whole coast speaking to fishermen on commercial, recreational, and subsistence fishing. He has a cooperative agreement with the Northwest & Alaska Fisheries Center for this study and will try to slant his studies so they will be of use to the Council.

Mr. J. Edgar Hoover - Director, Federal Bureau of Investigation

Dear Mr. Hoover: The Council on Alaska Fisheries has the honor to acknowledge the receipt of your letter of the 11th instant regarding the proposed Alaska Fisheries Act. The Council is currently engaged in a study of the proposed Act and will report to the President on the subject of this legislation.

Very truly yours,
W. M. G. ...

The Alaska Fisheries Council is a non-profit organization established in 1946 to study and report to the President on the proposed Alaska Fisheries Act. The Council is currently engaged in a study of the proposed Act and will report to the President on the subject of this legislation.

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