

Summary Minutes
Third Plenary Session
North Pacific Fishery Management Council
Hill Building, 6th Avenue and G Street
Anchorage, Alaska
January 26-28, 1977

The North Pacific Fishery Management Council convened in joint session with its Advisory Panel and Scientific and Statistical Committee in the 8th floor auditorium of the Hill Building in Anchorage, Alaska at 8:50 a.m., Wednesday, January 26, 1977. The members in attendance were:

Elmer Rasmuson, Chairman
Harold Lokken, Vice Chairman
Douglas B. Eaton
Charles H. Meacham
Henry F. Eaton
Clem Tillion
James Brooks
Henry O. Wendler (for Mr. Donald W. Moos)
Dr. John Donaldson
Harry L. Rietze
Mr. James Barry (for Jan E. Riffe)
Rear Admiral J.B. Hayes
Carl Price (for Lorry Nakatsu)
John Harville
Don McKernan

Members of the Scientific and Statistical Committee present were:

Dr. D.L. Alverson, Chairman
Dr. Donald Bevan
Mr. Robert Loeffel
Mr. Steve Pennoyer
Dr. George Rogers
Mr. Donald Rosenberg
Mr. Carl Rosier
Dr. Charles Woelke

Absent were:

Dr. Edward Miles
Mr. Bernard Skud

Members of the Advisory Panel present were:

Mr. Nick Szabo, Vice Chairman
Judith Ayres
Keith Specking
Sig Jaeger
Ray Lewis
James Beaton
Oral Burch
Bud Boddy
Truman Emberg
Paul Guy
Charles Jensen
Joseph Kurtz
Richard Lauber
Robert Moss
Daniel O'Hara
Kenneth Olsen
Al Otness
Robert Starck

The Council considered the draft agenda and adopted it unanimously (NPFC/AP#2) (attachment #1).

The minutes of the December 2-5, 1976 meeting were discussed by the Council and were approved with the provision that a rewritten section on the summary minutes covering the last paragraph on page 32, regarding the Scientific and Statistical Committee report on tanner crab harvesting capability, would be incorporated as soon as it was submitted by Vice Chairman Steve Pennoyer.

Dr. D.L. Alverson, chairman of the Scientific and Statistical Committee, gave a report on the Committee meeting of January 25 (NPFC/SSC/AP#1) (attachment #2). He reported on (1) the development of a document identification system, (2) a review of the Committee minutes and the Council summary report for the December meeting, (3) status of the scientific subcommittee optimum yield report, (4) development of management plans, (5) new membership and (6) a statement of further deliberation to be carried out during the remainder of the January 26-27 session. These items are covered more fully in the document cited.

The Committee recommended to the Council that the Council formally identify fishery management units (FMU), and (2) go ahead with the development of a troll salmon plan, should be coordinated with the Pacific Council's troll salmon plan and recommended that the Alaska Department of Fish and Game take the lead role in developing such a plan.

The Scientific Committee had reviewed the flow plan for Advisory Panel input into management plan development and concurred as it related to the Scientific Committee. They did, however, object to routing reports from the Scientific

Committee and the Advisory Panel through the Executive Director, feeling that each advisory body should give its own reports to the Council.

Dr. Alverson said that the Committee would deliver to the Council before the meeting was over a better set of definitions of working terms, and would bring in two papers on establishing size of tanner crabs.

Following some discussion by the Council on the coordination of salmon plans with the Pacific Council, Mr. Meacham moved to accept the SSC report. The motion passed unanimously.

Discussion followed in the Council on the Statement of Organization, Practices, and Procedures, and the permit applications from foreign vessels to fish off Alaska. The Chairman established two working groups - the first, to consider the Statement of Operating Practices and Procedures and amendments to the Interim Regulations, consisting of Council members Meacham, Donaldson, and Harville, Scientific Committee member Carl Rosier, and requested the Vice Chairman of the Advisory Panel to appoint three of its members to the working group. They were identified as Judith Ayres, Dan O'Hara, and Bud Boddy. For the working group to consider foreign permit applications, GIFA's, draft regulations, and fee schedules, the Chairman appointed Mr. Harry Rietze, Mr. James Brooks, Mr. Ralph Giffin for Admiral Hayes, Bart Eaton, Mr. Carl Price, and as advisors Mr. Fukahara and Mr. Naab. The Advisory Panel Vice Chairman appointed Mr. Keith Specking, Truman Emberg, Charles Jensen, Sig Jaeger, and Ken Olsen to this working group.

Chairman Rasmuson reported on the meeting of Council chairmen in Houston, Texas on January 11, 1977 and covered the following items:

1. Council budgets - Director Schoning had advised going ahead with regular Council work since he felt there would be additional monies coming in, but not make substantial consultant expenditures.
2. Inter Council stocks - would formulate written response to the Councils.
3. Housekeeping matters, handling of expense items, and compensation to other Council members employed by other governmental agencies. Liability of Council members and other matters.
4. The Councils ~~and~~ NMFS will co-chair a workshop on the subject of optimum yield. Time, place and agenda as yet not set.

5. There will be another meeting of Council chairmen tentatively set for Portland, Oregon in September hosted by the Pacific Council.

Vice Chairman Lokken elaborated on some of the items discussed at the Houston meeting, including the overall Council budget concept and gave a brief report on other Council activities. Executive directors have been hired for the Middle Atlantic Council, John Byson; for the Gulf Council - name unavailable; Western Pacific Council, Wil Van Campen; for the Pacific Council, Lorry Nakatsu, and for the New England Council, Spencer Appolonio.

He also noted the problem with reciprocal arrangements with Canada for fishing, the fees required from foreign fishermen, and the possibility of one-time Congressional relief for some of the Act requirements for foreign fishing.

Mr. Rasmuson recommended signing and sending in the first grant application furnished the council in October by the Central Office in order to get grant funding started. He reported that he had been assured by the Director of NMFS, Mr. Schoning, at the Houston meeting, that further funds would be forthcoming if required. There was some Council discussion on general budget matters following the report.

The Acting Executive Director, Jim Branson, reported on budget expenditures (NPFC/ID#5) (attachment 3), noting that budget expenditures for January would be approximately \$50,000. Expenditures through the first half of the fiscal year, that is til March 31, 1977, still appeared to be running above the original \$182,000 budget promulgated by NMFS. How much over would depend on the actual amount of salary lapses, money not spent for moving personnel, and so on.

The Acting Executive Director reported that he had opened a permanent Council office in the Post Office Mall Building, 333 W. 4th Avenue, Anchorage, Alaska on January 17th. That both he and Florence Mynarski were presently in the offices. The office comprises 1,860 square feet and has been leased for a period of two years at \$1.20 per square foot, which included everything except telephone and janitor service. A number of office sites in the core area of Anchorage had been investigated and from the standpoint of price, location, and immediate availability, the ones located in the Post Office Mall Building were superior. The lease had not yet been signed, and was available for Council perusal and approval during this meeting. A third clerk-typist had been hired on January 20th, Miss Janet Murray, and Mrs. Norma Jean McCorcle employed by the Council in Juneau since last October would terminate early in the week of February 1st.

Under correspondence, the letter from the Sea Use Council of

December 15, 1976 was discussed and it was noted that communications would be a problem if further reporting requirements are required from ships since the current Coast Guard radio network is already carrying a full load. Dr. Alverson noted that at least part of the material requested was already required as a part of the observer program from the Northwest and Alaska Fisheries Center. The Chairman appointed Admiral Hayes as a committee of one to continue the investigation of foreign fishing vessels as ships of opportunity for weather and other reporting services and the Acting Executive Director was directed to answer the letter.

The original letter and answer are attached as attachment #4.

The Council then considered the Pacific Marine Fishery Commission resolutions #1, 2, and 9 (attachment #5), dealing respectively with (1) a proposal to evaluate the effects of limited entry, (2) controlling the relocation of vessels sold under gear reduction programs, and (3) unifying fish hold inspection and validation systems. During discussion on these resolutions by the Council it was noted that a study on limited entry by the Institute of Social and Economic Research was in the proposal stage and was being submitted to the NWAFC for consideration. The use of boats from another state's buy-back program was not considered a particular problem in limited entry fishing, that excess available gear would not impact the fishery under those circumstances. On resolution #9, unification of hold inspection and validation procedures, it was noted that these would be considered during development of fishery management plans by the Council. The Council Chairman directed the Acting Director to acknowledge the resolutions by letter. No other action was taken.

On the subject of foreign ownership of U.S. fishing vessels, as outlined in the December 28, 1976 memo from the Director of National Marine Fisheries Service to all Regional Directors (attachment #6), it was acknowledged by the Council as a complicated issue requiring detailed study. A recommendation was deferred until a study panel chaired by Mr. Kenneth Olsen could report back to the Council at a later meeting.

After the lunch break, the Council adjourned as a group and the Scientific and Statistical Committee returned to the staff offices in the Post Office Mall Building to continue their meeting. The Advisory Panel met briefly in the Hill Building auditorium, and the working groups met in the Sheffield Hotel. The working group on regulations, permit applications, and GIFA's in the Windsor Room, the working group on Council policies and procedures meeting ~~the~~ Suite 1217.

Summaries of the meetings are:

SSC - Attachment 7
Advisory Panel - Attachment 8

Working group on regulations, permit applications and
GIFA's - Attachment 9

Working group on practices and procedures - Attachment 10

Third Plenary Session
North Pacific Council
Second Day, Thursday, January 27, 1977

The North Pacific Council convened at 8:30 a.m. in the 8th floor auditorium of the Hill Building in Anchorage, Alaska. Council members present were:

Chairman, Elmer Rasmuson
Jim Barry (for Mr. Riffe)
James Brooks
John Donaldson
Bart Eaton
Henry Eaton
John Harville
RADM Hayes
Harold Lokken
Don McKernan
Charles Meacham
Harry Rietze
Clem Tillion
Henry O. Wendler (for Don Moos)
Carl Price (for Lorry Nakatsu)

and approximately 50 people in the audience.

Chairman Rasmuson made the announcement that Jim Branson had been selected by the Council as the Executive Director at the executive session of the Council held for personnel purposes at 4 p.m. January 26, 1977.

The Chairman also introduced Tyler Jones from the audience, representing Senator Gravel's office, and Mr. Moriya, the senior planning officer of the International Affairs Division of the Japanese Fisheries Agency, also in the audience.

The Chairman called for reports from the working committees organized the day before. Council member Meacham, chairman of the committee working on the Statement of Organization, Practices, and Procedures, reported that they had not finished their task, and would require more time.

Advisory Panel member, Mr. Keith Specking, reported on the working group for review of GIFA's, regulations, and permit applications. He reported that they would need at least two more hours to complete their report, but that he could report on some of the items they had been assigned. Mr. Specking said that the committee had reviewed the draft regulations, but primarily as a study of the detailed suggestions for change made by the U.S. Coast Guard and the National Marine Fishery Service - that they felt those recommendations adequately covered any comments the working group could make.

Dr. Alverson made a brief progress report on the Scientific and Statistical Committee as follows: (1) They had prepared a draft for the section of the Statement of Organization, Practices, and Procedures requested by the Council concerning the organizational structure of management teams. The draft was completed and would be submitted to the Executive Secretary today. (2) They would soon complete a redraft of a proposed management plan outline containing the essential format for all management plans. They requested that, following review by the Scientific Committee and the Advisory Panel, the Council endorse the outline so that management teams now working on plans would have a standard format to follow. (3) The Committee was continuing work on development of definitions, and that in order to ameliorate some minor differences, they are asking their sub-panel on this matter to meet with the sub-panel from the Pacific Council to resolve the differences. (4) The Committee had examined two working papers dealing with the size limit on tanner crab in the Bering Sea from a biological basis, that because of differences in the two documents they had been returned to the sub-group for further study. (5) The Committee had reviewed the troll salmon management plan of the Pacific Council and evaluated it in terms of need for similar type of development by the North Pacific Council. And finally, the Committee still had more work to do.

Discussion followed by Council members and Mr. Alverson on the promised set of guidelines for development of management plans to come from a national level. Dr. Alverson recommended that the North Pacific Council go ahead with developing an outline, that it would not be desirable to wait for something to develop on a nationwide basis, although major definitions used in the plan should be standardized nationwide even though it would be expected that most plans would differ somewhat at least from an operational context.

Discussion followed on the working operation of the Council and its subsidiary bodies, with the Chairman recommending that the Council adopt a general procedure involving adequate deliberative time, by introducing important matters at one session and acting on them at a subsequent session.

Mr. McKernan moved for the Council to authorize a management team with respect to troll salmon, that it be referred to the Scientific Committee for specific recommendation on the composition of that committee. The motion was seconded by Mr. Meacham and carried unanimously.

Mr. Alverson recommended to the Council the establishment of a small consultant panel to assist the Committee in the development of economic data and OY, and requested authorization to expend a nominal amount of funds to allow Dr. Frank Orth of the University of Alaska and Dr. Collinsworth of the Alaska

Department of Fish and Game to work with economists on the Scientific and Statistical Committee in developing solutions to OY.

Mr. McKernan moved to approve the expenditure of funds for consultants to the Scientific Committee, as recommended. Mr. Wendler seconded the motion. Discussion followed. Mr. Alverson said that the amounts required would be only for travel and per diem, and would be very small. The motion passed unanimously.

Mr. Nick Szabo, vice chairman of the Advisory Panel, reported on Advisory Panel activity. The Advisory Panel had discussed its relationships with the Council and the consensus was that the Panel would like to retain its identity as a single group, but was receptive to the idea of breaking into sub-panels and working groups in specific areas of interest, then reporting back through the full Panel to the Council.

It was noted that the whole Panel should not necessarily be required to attend every Council meeting, if the agenda was known far enough in advance Panel members who are interested could attend meetings; those who were not, would not have to.

A subcommittee with Sig Jaeger as chairman to discuss black cod problems had been appointed. A proposed black cod fishery in the Dutch Harbor, Aleutian Islands area was under study as was the black cod fishery out of Southeastern Alaska. Other members of the committee were Bob Starck and Chuck Jensen. The Advisory Panel subcommittee chaired by Ken Olsen to study foreign ownership of American fishing vessels hoped to get a report to the Council on this matter at the next Council meeting. The Advisory Panel expects to be prepared to give a report tomorrow to the Council on the tanner crab allocation problems in the Bering Sea.

On agenda item #6, the matter of legislative action to reduce the time for Council review of foreign permit applications, the Chairman asked Mr. Rietze to report. He said the three points that required relief to meet the March 1 deadline were the 60-day review of GIFA's by Congress, the requirement to have permits posted in the wheelhouse of foreign fishing vessels before they can fish, and the Council's 45-day review period of foreign fishing applications. Mr. Rietze noted that the Department of Commerce is petitioning Congress for one-time relief to alleviate these three particular problems. Discussion followed on the necessity of Council action, it being noted that most of the individual members of the North Pacific Council had indicated in writing their support for the concept of one-time legislative relief. Considerable discussion followed on the review of foreign permit applications, noting that it was impossible to do a comprehensive review without

the figures in the PMP's available, or without some idea of country allocations. The Council agreed in general that comments on permit applications would have to be on a qualitative basis, that the information was not available to review them on a quantitative basis. The working committee chaired by Keith Specking was charged with continuing their review of that basis.

Mr. Alverson told the Council that a current research program to recover wire code tags from king salmon originating in the Columbia River was going to be cancelled for Alaska this next year. Dr. Alverson noted that both the Pacific and North Pacific Councils would be dealing with management plans covering these runs, and that the information generated by the tag recovery program was vital to developing the management plans. The Scientific Committee had directed Dr. Alverson to write to Mr. Rietze and Mr. Johnson, pointing out their concern that the program be strongly supported and continued for at least another year. Discussion followed by Council members, and the matter was referred back to the Scientific Committee by the Chairman, requesting a recommendation on action by the Council the next day. It was pointed out during the discussion that the State of Alaska also had a vital interest in the coded wire recovery program and should also be petitioned for strong support of the recovery program.

The Council adjourned at 10:30 a.m. with the working groups meeting in room 1217 and the Windsor Room of the Sheffield House, and the Scientific and Statistical Committee meeting at Council headquarters.

NOTE: It was pointed out during the discussion that the State of Alaska also had a vital interest in the coded wire recovery program and should also be petitioned for strong support of the recovery program.

Thursday, January 27, 1977, 1:30 p.m. the Council reconvened in the 8th floor auditorium of the Hill Building to conduct a public hearing.

Mr. Keith Specking, speaking as a state legislator, was the first person to testify. He told the Council that the Alaska Legislature had passed unanimously Joint House Resolution No. 2, urging the renegotiation of the International Pacific Halibut Convention so that foreign fishing of halibut stocks would be prohibited at the earliest possible time. Mr. Specking delivered a copy of the resolution to the Council Chairman (attachment #11).

Mr. Meacham said he had asked the State of Alaska Attorney General's office to make a legal interpretation regarding the International Pacific Halibut Convention and the International North Pacific Fisheries Convention and their conflict with Public Law 94-265. He said that both opinions (attachment #12 and #13), indicated that the Halibut Convention and the North Pacific Fisheries Convention are in conflict with PL 94-265.

Mr. Hank Ostrosky testified next, representing the Kvichak Naknek Aquatic Cooperative. He spoke concerning tanner crab allocations in the Bering Sea, and other matters having to do with aqua culture and the role of the North Pacific Council.

The next person to testify was Mr. Tesuo Yamaguchi, mayor of the city of Kushiro, Japan. Mr. Yamaguchi spoke on the impact of the Fishery Management and Conservation Act of 1976 on the fishing industry of his city and presented two prepared papers to the Council, shown as attachments #14 and #15, and a printed brochure on the fishing industry of Kushiro (attachment #16).

The next person to testify was Mr. Yong Nok Kim, a member of the Seoul delegation of the North Pacific Fisheries Promotion Association of Korea. Mr. Kim spoke on the importance of the catch from off Alaska to the Korean fishing industry, noting that protein intake from fish was an important part of the Korean diet, and that since they did not have diplomatic relations with the Soviet Union, they did not expect to be able to take very many fish from inside the Soviet 200-mile limit in the future. During discussion by the Council, Mr. Kim said that over two-thirds of the Alaska pollack catch taken by the Korean fishermen was from within the 200-mile zone of Soviet Russia. He also said that most of the Alaska pollack caught by Korean fishermen was exported to the United States.

Mr. Tom Casey of Kodiak was last to testify. He presented a paper shown as attachment #17, dealing with the tanner crab

harvest and potential in the eastern Bering Sea.

The public hearing ended at 3:30 p.m. and after a short break the Council resumed regular session. Mr. Meacham, as chairman of the subcommittee working on the Statement of Organization, Practices, and Procedures, asked Admiral Hayes to report on the flow chart showing the interaction of the Advisory Panel, the Scientific and Statistical Committee and the Council during the development of management plans. Admiral Hayes presented the revised flow chart as approved unanimously by the subcommittee, attachment #18, and noted that the role of the Executive Director had been recognized as expediting the flow of information and exercising control over documents prepared by the working groups.

Discussion followed on the flow chart and the recommended changes to the charter of the Advisory Panel. Mr. Meacham moved to accept the flow diagram as presented and the recommended revisions on pages 2 and 3 of the Advisory Panel Charter. It was seconded by Mr. Lokken. The motion carried unanimously.

Mr. Meacham then called on Dr. Harville to discuss agenda items 13, 14, and 15 (attachments #19, #20, and #21). Dr. Harville noted that the most important of these were the problems relating to the transboundary stocks and called the Council's attention to agenda item 16 (attachment #22), a letter from Don Moos, the Director of the Washington Department of Fisheries, recommending the North Pacific Council adopt the Pacific Council's position on transboundary stocks. Dr. Harville said it was a recommendation of the subcommittee that the North Pacific Council endorse that position. The intent of the change in the Interim Regulations is to establish the initiative of the Council to develop management plans for stocks within their jurisdiction, regardless of whether they are transboundary or not. Such management plans would take into account the development of treaties or agreements with other nations, including Council involvement in that development. Considerable discussion by the Council followed on the subject. The Chairman suggested a change in the wording of the recommended language (attachment #23, section 602.2(d)(2)), from the Pacific Council by dropping out the words "...of the Councils" (the second sentence of the first paragraph), to read "...shall support the approved fishery management plan in its negotiations for the United States."

Mr. Meacham moved to adopt item 14 as amended, seconded by Mr. Tillion, carried unanimously.

Mr. Meacham reported that item 15, the remainder of the working group's comments on the Interim Regulations, was not finished, but would be available early the next day.

Dr. Harville brought up the portion of attachment #22, the letter from Don Moos, regarding the definition of registered and licensed as addressed in Section 306(a) of the Act, noting that the Pacific Marine Fisheries Commission is seeking legislative assistance for a minor change in the Act to clarify the situation, a change which would make registered and licensed mean the same thing. Mr. Brooks reported that legislation would be introduced into the Alaska State Legislature to make licensing mean the same as registered under the laws of the state where ever it appears in the federal regulations. Discussion followed on the history and intent of the Act as it relates to vessel licensing and registration. The general feeling was that it was best not to proceed through Congress to change this portion of the Act, but rather to work through state legislation or the Department of Justice. The Council decided that no action need be taken by the Council to recommend changes in the federal legislation.

The Council adjourned at 4:45 p.m.

Third Day
Third Council Meeting
Friday, January 28, 1977

The Council convened at 9:00 a.m. in the 8th floor auditorium of the Hill Building, Anchorage, Alaska. Council members in attendance were:

Chairman Elmer Rasmuson
Jim Barry (for Mr. Riffe)
James Brooks
John Donaldson
Bart Eaton
Henry Eaton
John Harville
Rear Admiral Hayes
Harold Lokken
Don McKernan
Charles Meacham
Harry Rietze
Clem Tillion
Henry O. Wendler (for Don Moos)
Carl Price (for Lorry Nakatsu)

The first item of business was the lease for Council headquarters space. Mr. Lokken moved to approve it, Mr. Tillion seconded, the motion carried unanimously.

The annual report required by the Council to the Secretary was the next item of discussion. It was noted that a draft report, prepared by NMFS staff, was in the agenda jacket and had already been forwarded to NMFS for input to the Secretary's report to the President. The Chairman instructed Council members to study the draft report and if they had any corrections or additions to notify the Executive Director within the next week so he could make necessary changes and forward the annual report. Mr. Lokken moved to accept the report, Mr. Tillion seconded, the motion was carried unanimously.

The next item of discussion was the recommendation from the Council Chairman that the Council approve him signing the request for a grant in the sum of \$182,800.00 for the first half of fiscal 1977, the grant application was originally prepared by the Central Office, National Marine Fisheries Service. Mr. Lokken moved to approve that action, seconded by Mr. Tillion, carried unanimously. The Chairman said that he would write a letter explaining that this amount would not be sufficient for Council operations, but that in order to expedite the grant procedure the Council was submitting the original application as requested.

The time flow for management plans developed by the Council was discussed. Dr. Alverson said that they could not expect drafts of the first management plans before June 1977, and the Executive Director noted that it takes approximately 200 days from the time a management plan is approved by the Council before it can be in effect as law. Discussion followed and it was decided to remain with the current priorities, that is, the two trawl plans, the tanner crab plan, and to draft the troll salmon plan as quickly as possible.

The next meeting of the Council was set for February 17th and 18th, with a closed session after lunch on the first day followed by a public hearing. The motion carried unanimously.

The Chairman called for a report from the subcommittee on Organizational Practices and Procedures. Mr. Meacham reported that committee members included members of the Scientific Committee, Advisory Panel, and Council, and members of the public were present during their deliberations. Mr. Meacham presented the redrafted Statement of Organization, Practices, and Procedures (attachment #24), and went through the changes from the first draft with the Council members. Mr. McKernan moved to accept the document with the understanding that if, within the next few days the Council members found any problems, they would communicate those problems to the Executive Director to be resolved, that barring major changes, the Council submit this document as their official Statement of Organizational Practices, and Procedures. The motion was seconded by Mr. Lokken and carried unanimously.

Mr. Meacham moved to instruct the Executive Director to arrange the necessary medical and insurance protection to employees during the interim period until a permanent plan could be devised. The motion was seconded by Mr. Tillion, carried unanimously.

Mr. Meacham continued his committee report on the review of Interim Regulations for the operation of the Councils under the Fisheries Conservation and Management Act. He submitted seven recommended changes (attachment #23). The Council went through the recommended changes items by item, with some discussion on all of them, particularly those having to do with limited entry. The Council felt that the proposed regulations were far more restrictive than the Act itself.

Mr. McKernan moved to adopt the suggested changes to the Interim Council Regulations. The motion was seconded by Mr. Lokken, and carried unanimously.

Nick Szabo, vice chairman of the Advisory Panel, asked Sig Jaeger as chairman of the black cod subcommittee, to report

on their work. Mr. Jaeger said that their working group had by consensus decided that because the preliminary management plans were in an advanced stage, it would be impossible to incorporate new material at this time. Instead, they would take the black cod material and develop it more fully for the Council management plans.

Dr. Alverson reported that the Scientific and Statistical Committee had developed a recommendation for the formation of a salmon management team with ADF & G as the lead agency. Five individuals were recommended to make up the team with 19 other specialists to assist the management team. The Committee recommended that the two Pacific Councils (NPFC and PFC) use key individuals to ensure proper interface between the two salmon management plan teams. The Committee further recommended that the management plan, as a first priority, recommend to the Council the units to be managed. (NPFC/SSC/AP#2) (attachment #25).

The Scientific and Statistical Committee recommended the Council support coded wire tagging studies as a viable tool of their salmon management program.

Dr. Alverson reported that the Scientific Committee had completed a draft outline for Fishery Management Plans (NPFC/SSC/WP#8) (attachment #26), and would submit it to the Council for their consideration. The Council was also presented with a list of definitions (NPFC/SSC/WP#6) (attachment #27) the Committee felt might help in their understanding of the plans. The Council was asked to take action on these two documents at the next meeting.

Considerable discussion arose as to the role of Canada in ocean salmon management plans. The discussion concerned the voluntary compliance of Canadian fishermen with a 28" salmon limit and NPFC general salmon management plan. During the discussion the question was raised, "Can Canada fish without a GIFA or can they fish on a reciprocity status quo for one season?" Further clarification and study was needed but no action was recommended. The position of the management team was that of providing the scientific and management data but not to recommend or enter into the negotiation level of responsibility.

Dr. Alverson and Mr. Pennoyer stated that they would draft an interim statement of goals and objectives for management teams until the Council laid out their specific objectives and goals. The Scientific Committee planned to have further drafts developed for the next session. The Committee also recommended that WP-6 (attachment #27) and WP-8 (attachment #26) be distributed to the Advisory Panel for discussion and comments.

A motion was made by Mr. McKernan and seconded by Mr. Tillion to approve the Scientific Committee recommendation for individuals to serve on the Ocean Salmon Management Plan Development Team. It was unanimously carried.

Mr. Specking reported to the Council on progress from the subcommittee charged with reviewing foreign permits and fee schedules:

1. Recommended that the access fee be raised to \$2.00/ton with no upper limit on tonnage.
2. The allocation fee should remain at 3.5% of ex-vessel values.
3. Draft regulations were discussed (as mentioned on page 7 of these minutes).
4. Requested the Scientific and Statistical Committee draft a general section to subpart A of all management plans stating that it is unlawful to take Continental Shelf creatures unless otherwise authorized. It was felt necessary to make a specific prohibition against taking crab in the shrimp, snail, and black cod plans.
5. Requested a summarization of certain overall statistical data to enable a proper review of foreign permit applications. The subcommittee had designed a data form for that purpose and submitted it to the Council (NPFCA/AP#1) (attachment #28).
6. Recommended that permit reviews should include past violations.
7. Urged that by-catch of all species be limited as appropriate to the area in which the fishing takes place, considering TAC's, surpluses, and allocation of species involved in the by-catch.
8. Requested the Council to make a very strong presentation to the Secretary of State and the Secretary of Commerce prior to their making the foreign allocations and not merely comment 'after the fact.'
9. Reported that nothing meaningful had been done in reviewing GIFA's since it was felt all should be available but as yet there was no GIFA from the largest user.
10. Mr. McKernan reported on the principles that should serve as the basis for allocations of surpluses among

nations.

- (1) There was no basis for allocation except on historic proportions of catch, but should be modified by other considerations as provided for in the law.
- (2) Recent increases in fishing effort for black cod should be noted, including those which were discouraged by our government.
- (3) No allocation be made to third parties or newcomers on species that are now over-fished.
- (4) Allocations of surpluses to nations must be based on separate stocks and not by species.

Mr. McKernan moved, and Mr. Wendler seconded a motion to accept in principle the reports presented by Mr. Specking and Mr. McKernan and to send by telegram parts of the report immediately to Washington, D.C. for consideration by Congress in the process of Congressional GIFA approval. (Reports: Specking (attachment #29) McKernan (attachment #30)).

The motion carried unanimously.

Mr. Brooks commented that there was no reference to size limits on tanner crab in the subcommittee reports and since the state had approved a size limit this created a disparity between the U.S. fishery and the foreign fishery - a disparity that should be addressed.

Mr. Cotant reported that the Advisory Panel requested the Council to urge the U.S. government take immediate action to inform the government of Japan of the U.S. intention to abrogate the INPFC.

Considerable discussion followed concerning the abrogation notice date for the INPFC and the Canadian agreements, including the International Pacific Halibut Convention.

Mr. Price stated that he expected that within a week the U.S. would give notice to abrogate the INPFC; he said that it was not the State Department's objective to eliminate the multi-national cooperative program of the North Pacific but to renegotiate the agreement.

Considerable discussion followed and was directly concerned with the ramifications and consequences of issuing a blanket Council request to abrogate all treaties as opposed to requesting renegotiation in conformance with P.L. 94-265. It was pointed out that the abstention line of 175° west longitude, if lost, would be detrimental to our salmon management; and that we may want to use a reciprocal agreement with Canada for salmon and halibut.

Mr. Meacham moved, seconded by Mr. McKernan to put the Council on record as: Expressing its concern for early conformity with the Act by renegotiation of the treaties that apply, including INPFC, the Pacific Halibut Convention and the Pacific Salmon Convention, and that such notification as is appropriate be given to begin the process.

Motion carried.

Mr. Szabo reported that the Advisory Panel had recommended that no foreign harvest of tanner crab be allowed south of 58° north latitude and east of 173° west longitude and that foreign fishing of C. bairdi tanner crab be restricted to male crab greater than 140 mm carapace width.

Mr. Szabo explained the Panel's reasoning (attachment #31) regarding derivation of OY from TAC and reason the U.S. could harvest and market an expected 65 million pounds of tanner crab in 1977. Mr. Chuck Jensen said his company, Pacific Pearl, felt marketing of that amount would not present any problems.

Mr. Tillion noted that this information was too late for consideration in the PMP but should be used for the Council management plans.

Mr. Brooks reported that in his role as Commissioner of Fish and Game he had submitted to the Secretary of Commerce a recommendation that the PMP be modified to exclude foreign fishing for tanner crab in the area south of 58° latitude and east of 173° longitude. He felt the new tanner crab information could be used since Japan had not as yet signed the GIFA's, the allocations for tanner crab have not been made for Japan and the PMP is not finalized.

Mr. Rietze reported that three of the four PMP's would be signed soon, but he had no indication of the final action to be taken on the tanner crab PMP. In summary the tanner crab PMP showed C. bairdi with a MSY of 108 million pounds and C. opilio with a MSY of 333 million pounds. The total foreign allocation was 10,200 metric tons in 1975.

A lengthy discussion followed. Mr. Rietze justified the PMP's for tanner crab by breaking down the catch ratios and volume of opilio and bairdi in areas A and B and discussed a proposed change of the southern boundary of area A that would move it north 30 minutes of latitude to 56° north. A second change would increase the foreign take of opilio by 23 hundred metric tons in the area north of 58° and west of 173°, increasing utilization in the large surplus of opilio. He said that Mr. Jensen's projection of a market potential of 55 million pounds was in line with the 50-55 million pounds NMFS had projected the U.S. would take of bairdi.

Mr. Rietze also pointed out that changes had been made in the Sablefish, Gulf of Alaska Trawl and Bering Sea Trawl PMP's.

Mr. Szabo questioned the timing of Advisory Panel recommendations into the tanner crab PMP, as did Mr. Lokken. Mr. Rietze said the cut-off date had passed and the he didn't believe new recommendations would be considered.

Mr. Brooks then suggested that while it was too late to alter the PMP that the group consider amending the PMP during the course of the year and schedule further consideration of the major differences to be reconciled by the Scientific and Statistical Committee and Advisory Panel.

There was general vocal agreement with this thought. Mr. Brooks then moved that the Council accept the report made by Mr. Szabo and Mr. Jensen and express intention of giving the subject matter further consideration at a future meeting. Mr. Lokken second; motion carried.

Mr. Meacham asked the Executive Director to follow with a letter to Director Schoning regarding the funds for ground fish research.

Meeting adjourned by common consent at 11:30 a.m.

North Pacific Fishery Management Council

CHAIRMAN

Mr. Elmer Rasmuson
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Attachments to Minutes of January 1977 Meeting

1. NPFC/AP#2 - draft agenda
2. NPFC/SSC/AP#1
3. NPFC/ID/#3 - budget report Oct.-Dec.
4. Letter from Sea Use Council and answer
5. 3 Resolutions from PMFC with answer
6. Memo on foreign ownership of fishing vessels
7. Summary of SSC meeting
8. Summary of AP meeting
9. Summary of working group on permits, etc. 1/26
10. Summary of working group SOPP, 1/26
11. Joint House Resolution #2
12. State Attorney General opinion on IPHC
13. State Attorney General opinion on INPFC
14. Yamaguchi's speech
15. Yamaguchi's background paper
16. Brochure on Kushiro
17. Paper on tanner crab from T. Casey
18. Flow chart of planning activities
19. Recommended changes in interim Council Regulations

20. PFC Resolution on transboundary stocks
21. Bevan's recommendations for changes in regulations
22. Letter from Don Moos
23. Recommended changes in Interim Regulations
24. Statement of Organization, Practices, and Procedures.
25. NPFC/SSC/AP#2 Salmon Management Team
26. NPFC/SSC/WP#8 draft outline of Fishery Management Plans
27. List of definitions from SSC
28. Summary form for Permit Applications (NPFC/AP#1)
29. Keith Specking's report for subcommittee on Permit Applications, reg. GIFA's etc.
30. McKernan's report of foreign allocations
31. AP report on tanner crab - Szabo & Jensen
32. List of persons in attendance
33. Memo - R.Naab to H.Rietze "Comments on Draft Foreign Fishing Regulations (NPFC/ID#1)
34. Memo Coast Guard Draft DOC Regulations, Comments Concerning (NPFC/ID#2)
35. Memo Coast Guard Draft DOC Foreign Fishing Regulations (NPFC/ID#3)
36. Minority report on tanner crab from AP (refers to enclosure #31)
37. Letter from Sig Jaeger re: blackcod
38. Approved summary of SSC, November 29-December 5, 1976 as submitted January 25, 1977.
39. Names of those who testified at the public hearing.

North Pacific Fishery Management Council

CHAIRMAN

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January 12, 1977

The next meeting of the North Pacific Fishery Management Council, the Advisory Panel and Scientific and Statistical Committee will be held January 26-28, 1977, in the Hill Building, 623 W. 6th Avenue, Anchorage. The meetings will be held in the 8th floor conference room and convene at 8:30 A. M.

The Scientific and Statistical Committee will convene at 10:00 A. M. on Tuesday, January 25, 1977, at the new office location: Suite 32, Post Office Mall, 333 W. 4th Avenue, Anchorage.

The new mailing address is:

North Pacific Fishery Management Council
P. O. Box 3136DT
Anchorage, Alaska 99510

Our telephone number will be:

(907) 274-4563.

The Government Transportation Requests and Travel Orders have been mailed out. Please keep your receipts to turn in with your travel reimbursement claims.

An agenda for the Council meeting will be available by next week.