

North Pacific Fishery Management Council

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

411 West 4th Avenue
Anchorage, Alaska 99510



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

Telephone: (907) 274-4563
FTS 271-4064

Certified: *James O. Campbell*
Chairman
Date: 5/30/85

MINUTES
65th Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
March 27-29, 1985
Captain Cook Hotel
Anchorage, Alaska

The North Pacific Fishery Management Council met March 27-29, 1985 at the Captain Cook Hotel, Anchorage, Alaska.

The Scientific and Statistical Committee met at the hotel on Monday and Tuesday, March 25-26. The Advisory Panel met Monday afternoon, March 25, for an orientation for new members, met alone on Tuesday, and with the Council on Wednesday. The Gulf of Alaska Goals Subcommittee met on Tuesday and the Permit Review Committee met on Thursday.

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

Council

James O. Campbell, Chairman
Rudy Petersen
Don Collinsworth
Henry Mitchell
Jeff Stephan
Gene Didonato for
Bill Wilkerson
RADM Robt. Lucas

Robert U. Mace for
John Donaldson
Jim Brooks for Bob McVey
John Peterson
John Harville
Sara Hemphill
John Winther

NPFMC Staff

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

Jim Glock
Doug Larson
Helen Allen
Peggy Kircher

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Support Staff

Choate Budd, USCG
Ron Berg, NMFS
Craig Hammond, NMFS
Pat Travers, NMFS

Gary Stauffer, NMFS-NWAFC
Loh-Lee Low, NMFS-NWAFC
Fred Gaffney, ADF&G
Thorn Smith, NMFS

Scientific and Statistical Committee

Don Rosenberg, Chairman
Bill Aron
Douglas Eggers
Larry Hreha
Tom Northup

Richard Marasco, Vice-Chairman
Robert Burgner
Don Bevan
Scott Marshall

Advisory Panel

Robert Alverson, Chairman Pro-tem
Al Burch
Barry Collier
Gregory Favretto
Ron Hegge
Robert Hunter
Nancy Munro
Al Osterback
Julie Settle
Walter Smith
Dave Woodruff

Terry Baker
Joseph Chimegalrea
Larry Cotter
Barry Fisher
Oliver Holm
Pete Isleib
Dan O'Hara
Don Rawlinson
Cameron Sharick
Richard White
John Woodruff

General Public

Kwang Yul Lee
Shinataro Enomoto
Kenneth Wallack
Stephan T. Grabacki
J. Mercurio
Jon Gudmundsson
Clem Tillion
Chris Blackburn
T. Moen
Elizabeth Hastorf
Steve Dickinson
Ted West
C. Meacham
Del Molemkamp
Ted Evans
Steve Mulder

Sukil Jung
Toshio Hidaka
Robert R. Rublemann
Jon C. Zuck
David Harville
Keith A. Goltz
Robert Gorrell
Francis Miller
M. Kandianis
Woodrow Morrison
Terry Reeve
John C. Cleveland
Greg Baker
C.Y. Hwang
Rick Lauber
Sam Hjelle

Ken Kobayashi
Fred Myers
Brad Stevens
Annie Burnham
Dobuko Tokaji
Philip Fuller
Peter Block
John Sjong
Steve Mulder
Mel Monsen
W. Westfall
Dick Lenahan
Jay Hastings
Mick Stevens
Steve Kammier

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

Chairman Jim Campbell called the meeting to order at 9:05 a.m. on Wednesday, March 27. Jim Branson asked to add two items to the agenda: Don Collinsworth's request to add sablefish seasons to the 1985 groundfish amendment for the Gulf, and Bill Gordon's telegram requesting the Council consider the single-species OY problem in the Gulf. The Council agreed to add these two items to the agenda.

Jim Branson suggested that the minutes of the previous meeting be held until the March meeting for approval to allow Council members additional time for review.

B. SPECIAL REPORTS

B-1 Executive Director's Report

Jim Branson told the Council that the longline-only emergency regulation to restrict the sablefish fishery east of 147°W longitude to hook and line only was published in the Federal Register on March 27. He briefly reviewed the Executive Director's report in Council notebooks and told the Council that the permit request from Iceland had not been received. He also asked the Council to consider changing the May 1986 Council meeting to the latter part of June to allow more time for amendment work and to shorten the time between spring and fall meetings. The Council agreed with this suggestion. Rudy Petersen asked staff to be sure to schedule the spring shellfish meeting to coincide with the Board of Fisheries meeting in March.

B-2 Domestic Fisheries Report by ADF&G

The winter chinook troll fishery has harvested about 20,000 salmon since opening October 1. Fishing effort is about the same as last year when 33,000 chinooks were caught. However, the distribution of the catch is different with lower harvests in outside waters because of inclement weather.

In the Southeast Region approximately 850,000 pounds of Tanner crab have been landed by 70 vessels since the season opened on February 10. ADF&G estimated that 1.0 million pounds would be taken by the season closure on March 28. In the lower Cook Inlet approximately 2.8 million pounds of Tanner crab have been landed for the season. Tanner crab harvests in the Westward Region, totalled 27.7 million pounds. The South Peninsula and Chignik Districts closed March 10 with harvests of 2.5 million pounds and 0.3 million pounds, respectively.

King crab catches in the Westward Region totalled 12.8 million pounds. The Adak brown king crab fishery is the only area left open and five vessels are participating. Four are catcher/processors and are expected to transfer to the Bering Sea Tanner crab fishery soon.

Through March 22, 1985, ADF&G reported a total domestic groundfish catch of 157,263 metric tons. The domestic sablefish fishery east of 140° longitude closed on March 18 as the harvest neared the optimum yield of 2,570 mt for the East Yakutat and Southeast Outside areas combined.

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In response to a Council request for more information, Mr. Gaffney provided some preliminary sablefish data. The sablefish average CPUE rate for last year during the February-March period was about 0.7 lb. per hook; this year it is nearly the same at 0.67 lb. per hook. However, conversations with individual fishermen have indicated a discrepancy and they are trying to refine the information. Circle hooks predominated in both years. Sixty-one vessels, including three pot boats, have delivered 2,013 mt from the Southeast and Eastern Yakutat areas and may deliver another 20 tons from the West Yakutat/East Yakutat Area. The catch is approximately 500 mt below quota in those areas.

B-3 Foreign Fisheries Report by NMFS

By March 9 the foreign fleets in the Gulf of Alaska harvested 7,060 mt of groundfish or 30% of the current foreign allocation for that area. It was mainly Pacific cod taken by Japanese longliners.

Foreign fleets from Japan, Poland, South Korea, and the USSR in the Bering Sea harvested 64,274 mt or about 15% of the current foreign allocation. The catch included 19,451 mt pollock, 14,231 mt yellowfin sole, 10,320 mt Pacific cod and 2,239 mt assorted other species of groundfish.

There were 86 foreign vessels off Alaska on March 21, 1985, 40 from Japan, 20 from South Korea, 14 from the USSR, 11 from Poland, and 1 from Portugal. Last year at this time there were about 50 foreign vessels off Alaska.

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

The Coast Guard issued nine reports of violation and nineteen written warnings through March 19. Reports of violation were issued to one Polish and two Japanese vessels for failure to properly maintain daily cumulative catch logs. A Portuguese vessel received a report of violation for not having their International Radio Call Sign painted on an appropriate weather deck and for not keeping its call sign on the hull in clear view. Written warnings were issued to Japanese and Soviet vessels for not reporting 24 hours before fishing within the FCZ, and to four Polish vessels for various logging violations. A Soviet and a South Korean vessel were issued written warnings for not keeping their International Radio Call Signs in clear view.

The Coast Guard logged 170 cutter patrol days and 387 aircraft patrol hours for over 71,676 patrol miles through March 19, 1985.

B-5 Update on Joint Venture Operations

The total joint venture catch off Alaska through March 9, 1985 was 151,160 mt. In the Gulf of Alaska, joint venture trawlers harvested 139,820 mt pollock, 764 mt Pacific cod, 11 mt Pacific ocean perch, 34 mt flatfish and 1,793 mt other groundfish, for a total of 142,422 mt. In the Bering Sea and Aleutians, the joint venture harvest was 8,738 mt including 2,300 mt pollock, 5,726 mt Pacific cod, 572 mt flatfish and 140 mt of other species. There were about 75 U.S. trawlers involved in these harvests.

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Mr. Branson brought up the high incidental catch of salmon in the trawl joint ventures and directed foreign trawl fisheries in the Gulf and Bering Sea. They occurred predominantly in the Bering Sea in August and September and in the Gulf in the last three months of the year. In 1984 joint ventures caught 58,900 salmon in the Gulf compared to 4,200 in 1983. The Northwest and Alaska Fisheries Center has been asked to compile data on exactly when and where those salmon were caught. That information, with recommendations from the plan teams on what can be done to alleviate the situation in 1985 should be available at the May meeting. Any Council action would have to be taken at the May meeting in order to have an emergency regulation in place for the 1985 season.

C. NEW OR CONTINUING BUSINESS

C-1 Approve AP Officers

The Advisory Panel asked Bob Alverson to serve as Chairman for the March meeting to give members a chance to get acquainted. They will elect officers during the May meeting.

C-2 MFCMA Reauthorization

Jim Branson reported on the Chairmen's meeting in Hilo February 25-27. The consensus position on reauthorization developed by the Chairmen was included in Council notebooks as was the letter to Congressman Breaux on where NPFMC's position differs from the Chairmen's consensus. Henry Mitchell attended part of the House subcommittee hearings on March 26 and brought the Council up to date. There was some discussion of foreign fishing phase-out. Jim Campbell said there wasn't a consensus by the Chairmen on this subject because of the differing needs of the various regions. Henry Mitchell said that he doesn't think there are enough votes on the Subcommittee at this time to completely eliminate foreign fishing in the FCZ.

C-3 Foreign Vessel Permits

The Council received six joint venture requests by Japan for 19,730 mt, including 16,400 mt yellowfin sole and flounders, and 2,500 mt Pacific cod. If granted, these requests would fulfill the Japanese commitment to purchase 30,000 mt of groundfish other than pollock in joint ventures during 1985. The Japanese had also committed to purchase 430,000 mt pollock in joint ventures during 1985.

The Council also was asked to comment on three internal waters joint ventures: (1) Bristol Bay Herring Market and Japanese Longliners for flounders; (2) ProFish and Solseca-Portugal for cod and pollock; and (3) KEG Fisheries and Japanese Longliners for salmon.

Representatives of Poland and South Korea asked the Council for small allocations in the Gulf in support of their joint venture operations.

Jim Campbell asked Al Burch and Barry Fisher to represent the Advisory Panel on the Permit Review Committee for this meeting.

Report of the Permit Review Committee

The Committee recommended approval of the six Japanese joint venture requests but cautioned that the operators should be aware of the potential for high bycatches of prohibited species and suggested that they work with the ad hoc industry group to address this problem.

The Committee did not have enough information to comment on the internal water joint venture for flounder and sole in the Togiak area. They also felt more information was needed on the Portuguese cod and pollock venture, specifically how much of the 25,000 mt requested was for cod, because of the possible displacement of potential U.S. markets overseas. The Committee could see no reason why the salmon internal waters venture in Norton Sound should not be approved, but recommended that the State make a processing capacity determination for the salmon.

They also considered the request from Quest Export Trading Company to extend their joint venture with Poland to the Bering Sea and Aleutians. Since the permit materials were not available, they suggested leaving the final determination to the Executive Director when the materials arrived. The Committee did not discuss requests for directed fishing allocations in the Gulf.

The Committee reviewed draft regulations developed by Taiwan to control salmon interceptions on the high seas. They recommended approval of Taiwan's permit requests (submitted at the February meeting) but warned that the Council will closely review Taiwan's fishing activities when considering permit requests for 1986.

The Permit Review Committee suggested that the Council may want to appoint a workgroup to review its interim policy for joint venture applications and foreign directed allocations. It is important that the Council make any revisions and get industry input so the policy can be in place by the December meeting.

Public Testimony

Admiral C. Y. Hwang, Korea Deep Sea Fishermen's Assn., asked the Council to consider a direct allocation of 10,000 mt in the Gulf in support of their joint ventures. The Admiral said that Korea has been very cooperative in joint ventures and they are willing to abide by the same restrictions placed on Japan to avoid excessive bycatches.

Barry Collier, North Pacific Fishing Vessel Owner's Assn, and Al Burch, Alaska Druggers Assn., said that there will be an industry-to-industry conference with Japan within the next two weeks to discuss fulfillment of the agreements made in December.

Mick Stevens, ProFish Int'l, spoke in support of the allocation for the Koreans because of the benefit to U.S. fishermen.

Annie Burnham, Alaska Joint Venture Fisheries, also spoke in support of Korea's request for an allocation in the Gulf.

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Jan Mercurio, Alaska Contact, told the Council of Korea's cooperation in their joint ventures over the past year and asked that they recommend an allocation.

Steve Kammier, Alaska Contact, asked the Council to approve Poland's request for a directed allocation in the Gulf in support of joint venture operations because of their satisfactory performance last year.

Jay Hastings, Japan Deep Sea Trawlers, gave the Council a status report on the December industry-to-industry agreement. All pollock joint ventures in the Shelikof area have reached or exceeded the 120,000 mt agreed upon. There are still no contracts to buy surimi, but they are currently working out some problems. Japan has reaffirmed their commitment to fulfill their agreement this year.

Dave Harville, reported on recent developments with the industry group on the release of additional allocations to Japan. They still do not have signed contracts for the surimi and hope to iron out the problems at a meeting next week.

Rick Lauber, Pacific Seafood Processors, relayed information from Bob Morgan who said he has not at this time agreed to support the release of Japan's allocation pending agreement and contracts for surimi.

COUNCIL DISCUSSION AND ACTION

Jim Campbell asked Admiral Lucas to represent the Council as a standing member on the Governor's Advisory Committee for Fisheries which reviews permit applications for internal waters joint ventures.

Jim Brooks reminded the Council that only 12,985 mt remains in TALFF for the Gulf (12,500 pollock, the remaining is flounders and Atka mackerel). The reserve for the Western and Central area is 51,667 mt, 23,129 mt of which is pollock.

Bob Mace moved to adopt the recommendations of the Permit Review Committee. The motion was seconded by Jeff Stephan. Sara Hemphill abstained from voting and, there being no objections among voting members, the motion carried.

Jim Campbell suggested that when an agreement is reached by the American industry on the performance by Japan on the terms of the 1985 industry-to-industry agreement, a special Council teleconference be held to make a recommendation on the release of the Japanese allocation. Council members agreed.

Several Council members expressed concern that the Taiwanese have not yet actually adopted the proposed squid fishing regulations and said the Council will monitor the situation closely, keeping this year's performance in mind when making recommendations on permits for 1986.

Rudy Petersen moved to recommend that the Department of State release 10,000 mt of pollock in the Gulf of Alaska to Korea. The motion was seconded by Sara Hemphill. The allocation would come out of the 12,500 mt TALFF remaining in the Gulf. The same restrictions that were placed on the Japanese operations in the Gulf would apply. Henry Mitchell moved to amend the motion to reduce the amount to 4,000 mt. The motion to amend failed, 6 to 5, with Mace, Hemphill, R. Petersen, J. Peterson, Jeff Stephan and Gene Didonato voting against. The main motion carried, 9 to 2, with Collinsworth and Mitchell voting against.

Jim Campbell expressed concern over reopening the Gulf. Don Collinsworth agreed but felt that since the Japanese were allowed back in other nations should have the same consideration.

Rudy Petersen moved to recommend that the Department of State release 2,500 mt in the Gulf to Poland. The motion was seconded by Bob Mace and failed, 6 to 4, with Mace, R. Petersen, J. Peterson, and Didonato voting yes. Sara Hemphill abstained from voting. Council members were very concerned about the high incidental catch of king salmon in previous Polish joint ventures in the Gulf. Ms. Hemphill assured the Council that the fishery would be monitored very closely to avoid this.

Jim Brooks cautioned the Council that they may be over-allocating and could cause a "squeeze" for the domestic industry if reserves are needed later in the season.

D. FISHERY MANAGEMENT PLANS

D-1 Tanner Crab FMP

During March 20-26, 1985, the Alaska Board of Fisheries met to review the Tanner crab fishery and its management. Regulatory proposals were considered and acted upon with only one Board decision requiring a federal response under the Tanner crab FMP. A proposal to open the Tanner crab season on November 1 instead of November 10 to better coordinate the king and Tanner crab seasons was approved by the Board. For consistency between state and federal crab seasons, a similar change to the federal opening date is necessary.

Bob Otto, NMFS, reviewed Tanner crab stock status and harvest projections. The abundance of prerecruit and legal male C. bairdi Tanner crab in the Bering Sea has been declining since 1975. Commercial harvests have also declined and many fishermen have switched from bairdi to C. opilio Tanner crab. Abundance of prerecruit and legal male C. opilio has increased from 22 to 74 million crab. However, while abundance of large C. opilio will remain high in 1985 NMFS surveys indicate some weaker prerecruit age classes will reduce recruitment into the fishery in two to three years. Fishermen harvested approximately 24 million pounds of C. opilio in 1984. Harvests in 1985 will probably be more dependent on market conditions than on availability of Tanner crab.

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Public Testimony

Barry Collier, NPFVOA, said that their organization proposed the November 1 season opening date for the Adak district to coordinate seasons and decrease lag time between fisheries.

COUNCIL DISCUSSION AND ACTION

Jim Campbell said he will write to Ron Jolin thanking the Board for their recent decisions.

Rudy Petersen moved to adopt the November 1 opening date for the Tanner crab season in the Western Aleutians District and to ask the Regional Director to implement this change using the rule-related notice procedure outlined in the FMP. The motion was seconded by John Peterson and, there being no objection, it was so ordered.

D-2 King Crab FMP

Bob Otto, NMFS, reviewed stock status and harvest projections. Recent NMFS surveys indicate some evidence of rebuilding in Bristol Bay but crab stocks in general remain in poor condition. A preliminary forecast for Bristol Bay king crab estimates the 1985 commercial harvest at 2 to 7 million pounds. The 1984 king crab catch was 4.2 million pounds; 1985 won't be much different. Stocks around the Pribilof Islands remain critical, there may not be a commercial fishery this year. The St. Matthew area is expected to continue producing low harvests of about 2 million pounds.

Jim Glock told the Council that the King Crab FMP currently requires an annual public hearing on crab by the Alaska Board of Fisheries and the Council in Seattle. However, because of lack of interest and poor attendance the past two years, Barry Collier has suggested that the hearing be held only when there are issues which generate a lot of public interest.

Jim Glock reported on the Board's actions for king crab. The King Crab FMP does not require Council action unless the Board adopts a regulation that requires an amendment to the management framework. All the Board actions fell within the framework this year. They adopted new season opening dates (see below), reduced the Adak brown crab size limit from 6½" to 6", and made the Dutch Harbor brown crab fishery non-exclusive. Pot storage on the grounds will be allowed for seven days following a Bering Sea closure (except Norton Sound). The Board adopted the following opening dates:

	<u>Adopted</u>	<u>Was</u>
Norton Sound (Q)	Aug. 1 and Jan. 1	(Aug. 1 and Jan. 1)
St. Lawrence (Q)	Aug. 1	(Sept. 1)
St. Matthew (Q)	Sept. 1	(Sept. 1)
Pribilof (Q)	Sept. 25	(Oct. 1)
Bristol Bay (T)	Sept. 25 - red and blue	(Oct. 1)
Adak (R)	Nov. 1	(Nov. 10)
Dutch Harbor	Nov. 1 - red and blue	(Nov. 10)

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The Council also discussed the excessive bycatch of king crab in the Soviet yellowfin sole fishery. The total foreign PSC limit for all nations for 1985 will be approximately 675,000 king crab, and the 50,000 taken by the Soviets represents about 7% of the total; however, the Soviets have exceeded their annual PSC limit and may be prevented from further fishing in 1985.

Thorn Smith, NMFS, reviewed a field order allowing the Soviets back in the groundfish fishery in the Bering Sea and Aleutian Islands to fish for their pollock allocation. It was the opinion of the Regional Director that there would be only a minimal incidental catch of crab in this fishery.

COUNCIL DISCUSSION AND ACTION

Council members were concerned because the excessive incidental catch was not brought to the attention of authorities in time to take action. Jim Brooks said that the circumstances were such that it would have been very difficult to act in time to correct the situation. In this case, the king crab were congregated in the same area as the yellowfin sole fishery which accounted for the large bycatch which occurred in about three weeks. The Soviets had reached their yellowfin sole quota and left the FCZ before the magnitude of the problem came to the attention of NMFS. There was some discussion of ways to avoid this in the future, such as better communication among observers and radio communications between the foreign vessels and NMFS. Larry Cotter suggested limiting the number of vessels allowed to participate in a foreign fishery in order to monitor catches better. Jim Campbell asked the plan team to look into this problem and report back to the Council.

The Council also discussed the poor attendance at their annual Seattle shellfish hearing and asked the Plan Team to draft an amendment to the FMP make that hearing discretionary rather than mandatory.

D-3 Gulf of Alaska Groundfish FMP

Chris Mitchell, Executive Director of the Alaska Fisheries Development Foundation gave a brief report on the surimi project in Kodiak. The plant has produced 450,000 lbs. of surimi of as good or better quality than some Japanese surimi production. They are presently developing product specifications and working with the Alaska Seafood Marketing Institute to develop markets for the product.

a. Approve amendment package and decision documents for public review.

In February the Council reviewed numerous proposals for changes to the Gulf of Alaska Groundfish FMP and directed the plan team to prepare the relevant economic and environmental analyses for six proposals. The documents were distributed for Council review.

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The proposed amendments were:

1. Establish a gear and/or area restriction in the sablefish fishery.
2. Establish rockfish areas and quotas.
3. Implement new optimum yields for pollock, Pacific ocean perch, rockfish, Atka mackerel, and other species.
4. Implement reporting requirements for catcher/processors.
5. Establish measures to control the Pacific halibut bycatch.
6. Implement the NMFS habitat policy.

Public Testimony

Oliver Holm, Kodiak Halibut Assn. Kodiak fishermen are concerned about the season dates for sablefish and don't think the proposal to close the winter fishery should be put off until the 1986 amendment cycle. They are opposed to a license limitation proposal going out for public review.

Ron Hegge, Alaska Longline Fishermen's Assn., was also concerned that the sablefish season proposal was omitted from the current amendment cycle. Processors and longline fishermen are almost unanimous in support of this change.

Dave Woodruff, Alaska Fresh Seafood, said he too would like to see a later opening date for the sablefish season. Sablefish are going to be an extremely important part of the Kodiak economy this year and he is concerned about smaller boats not being able to fish if it is largely a winter fishery. The longliners have pioneered this fishery and should have some consideration.

Ted Evans, Alaska Factory Trawlers Assn., was particularly interested in proposal 1 (gear regulation in the sablefish fishery). The alternatives seem to list various areas of preemption at different degrees of longitude. Trawlers feel that not all viable options were addressed. His association did not comment on the season opening date because they were not aware of the proposal. They have no problem with the observer proposal, but feel it should be applied equally to all vessels.

Bob Alverson, Fishing Vessel Owners' Assn. They are concerned about the sablefish season change not being included in the amendment package.

Barry Collier, North Pacific Fishing Vessel Owners' Assn., feels that not all viable alternatives for proposal 1 (gear regulation in the sablefish fishery) were explored. They are not opposed to the observer proposal, but feel that observers should be not be restricted to catcher/processors and would also like cost, liability and enforcement information included in the analysis.

Steve Mulder, Bogle & Gates, representing the Fishing Company of Alaska. The Fishing Company of Alaska is beginning operations out of Seward. He concurs with Barry Collier's comments but feels the RIR focuses narrowly on the pot vs. longline issue and should be expanded. With respect to the sablefish bycatch, he suggested that 10% of the OY be set aside for bycatch and 90% be left open to all gear types in the directed fishery.

Report of the Scientific and Statistical Committee

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The Gulf of Alaska Groundfish Amendment 14 package consists of six proposed amendments to the FMP. The following comments are directed to each amendment separately. [See SSC Minutes for detailed comments (Appendix I to these minutes)].

Amendment 1 - Establish a gear and/or area restriction in the sablefish fishery: The SSC felt that it was unclear whether the amendment is only to address gear conflicts/local fisheries issues or a combination of gear conflicts/local fisheries issues and effort limitation. The EA provides alternatives which address gear conflicts only and the RIR provides alternatives which address both gear conflicts and effort limitation. If the Council intends to address the gear conflict issue, then the RIR should be modified to reflect those alternatives provided in the EA; if the intent is to address effort limitation, then the EA needs to be modified before public review. Also, the SSC felt that the alternatives in the RIR should be reexamined to ensure they address both gear conflict and effort limitation before release for public review.

Amendment 2 - Establish rockfish areas and quotas: The SSC noted that the alternatives provided in Council documents did not match the alternatives in the EIS or RIR. Also, in reviewing the five rockfish OY alternatives, they noted that there is no scientific basis for dividing up the 5,000 mt OY by area. The SSC recommended an additional alternative be included: to remove the Southeast shelf demersal rockfish fishery (less than 200 meters) from the Gulf of Alaska Groundfish FMP and find that there is no need for federal management.

Amendment 3 - Implement new optimum yields for pollock, Pacific ocean perch, rockfish, Atka mackerel, and other species: The SSC recommended this amendment and supporting documents be sent out for public review.

Amendment 4 - Implement reporting requirements for catcher/processors: The SSC recommended that Alternatives 4 and 5 in the RIR be modified to include the costs of observers.

Amendment 5 - Establish measures to control the Pacific halibut bycatch: The SSC noted that there are problems with enforcing PSC limits in purely domestic fisheries without observers and recommended that a mandatory observer program be included in the four alternatives for this amendment if the domestic catch is to be included in the PSC limit. The SSC also noted that Alternative 3 does not identify how PSC limits will be set or the criteria to be used in setting them.

Amendment 6 - Implement the NMFS Habitat Policy: The SSC had problems with several sections of the habitat policy document and felt that this information would not necessarily be needed in the FMP but could be a Council document and referenced in the FMP to make future changes less cumbersome.

Report of the Advisory Panel

The Gulf of Alaska Groundfish Amendment 14 package consists of six proposed amendments to the FMP. The following comments are directed to each amendment separately. [See AP minutes for detailed comments (Appendix II to these minutes)].

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Amendment 1 - Establish a gear and/or area restriction in the sablefish fishery: The AP recommended this amendment be sent out for public review but expressed concern that the section should include such options as pot-only, trawl-only and gillnet-only for certain areas. The alternatives suggested may be too narrow to fully address the management issues on sablefish.

Amendment 2 - Establish rockfish areas and quotas: The AP recommended this amendment be sent out for public review. However, some members felt inadequate stock analysis is available for public review. Regarding Alternative 2 (set Southeast District shelf demersal rockfish OY at 600 mt between 56°N and 57°30'N latitudes and set the OY for the pelagic and slope rockfish species within the Southeast-East Yakutat District at 880 mt for a combined other rockfish OY of 1,480 mt), the AP was concerned that little or no documentation of resource decline or isolated resource depletion is actually taking place and requested that a status of stock analysis be available for the section on other rockfish.

Amendment 3 - Implement new optimum yields for pollock, Pacific ocean perch, rockfish, Atka mackerel, and other species: The AP recommended that this amendment go out for public review although there was still concern about inadequate data on the status of stocks.

Amendment 4 - Implement reporting requirements for catcher/processors: The AP recommended this section go out for public review; however, they suggested it be expanded to include information such as who will finance, how liability will be handled, and whether the observer will be a biologist or enforcement agent.

Amendment 5 - Establish measures to control the Pacific halibut bycatch: The AP recommended this section go out for public review.

Amendment 6 - Implement the NMFS Habitat Policy: The AP felt the habitat document fell short of addressing the economic impact on auxiliary industries and asked that in the future studies be expanded to include socioeconomic shoreside impacts. The AP recommended this amendment be sent out for public review.

The AP also recommended that a seventh amendment on sablefish seasons be included in the package sent out for public review.

COUNCIL DISCUSSION AND ACTION

Several Council members were concerned that the sablefish season dates were not included in the amendment package for this cycle. Mr. Branson was concerned about developing supporting documents for this amendment in time for public review with the rest of the package but agreed it would be valuable to do it this year.

Bob Mace moved to send Amendment 1 (Establish a gear and/or area restriction in the sablefish fishery) out for public review after incorporating SSC comments. Rudy Petersen seconded the motion.

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Jeff Stephan moved to amend the motion as follows: That another alternative be added to gear/area restrictions in the Gulf: Put a cap on the number of vessels permitted to harvest sablefish using pot gear. The vessels to be included under this limit are those vessels who have actively participated with pot gear in the sablefish fishery before 1 March 1985. The motion was seconded by Henry Mitchell. The amendment carried, 7 to 4.

The main motion, as amended, carried 9 to 2, with Gene Didonato and Rudy Petersen opposed.

There was some concern by Council members about adding alternatives at this stage of the process. It was verified by Pat Travers that alternatives could go out for public comment without the supporting EA and RIR as long as the documents were available for the Council's final decision.

Bob Mace moved to adopt Amendment 2 (Establish rockfish areas and quotas) for public review. Sara Hemphill seconded the motion.

Don Collinsworth moved to amend the motion to include the SSC recommendation to include an alternative to exclude shelf demersal rockfish from federal management. The motion to amend was seconded by Jeff Stephan. The amendment carried with no objection. The main motion carried, as amended, with no objection.

Gene Didonato said he would like to see the analysis expanded to discuss the stocks in terms of their distribution.

John Peterson moved to adopt Amendment 3 (Implement new optimum yields for pollock, Pacific ocean perch, rockfish, Atka mackerel, and other species) for public review. Bob Mace seconded the motion and, there being no objection, it was so ordered.

John Winther moved to adopt Amendment 4 (Implement reporting requirements for catcher/processors) for public review. The motion was seconded by Henry Mitchell and, there being no objection, it was so ordered.
Council members agreed that the AP's comments in reference to Alternatives 4 and 5 and the addition of information on costs of observers should be included.

Rudy Petersen moved to amend the motion to include all vessels involved in this activity. The motion to amend was seconded by John Winther but later withdrawn by Mr. Petersen with the second's concurrence.

Henry Mitchell moved to adopt Amendment 5 (Establish measures to control the Pacific halibut bycatch) for public review. The motion was seconded by John Winther and, there being no objection, it was so ordered. Mr. Mitchell said he thought that under Alternative 2 it would be important to include information on specific target catches for halibut over the past few years with an indication of the magnitude of this in poundage and information about what the traditional foreign bycatches have been.

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John Peterson moved that Amendment 6 be sent out for public review after being revised according to SSC and Council comments and the addition of another alternative which would leave the habitat document outside the FMP, but referenced in it. Don Collinsworth seconded the motion and, there being no objection, it was so ordered.

Don Collinsworth moved to add a seventh amendment to the package which would create a winter closure for sablefish in the Gulf. The motion was seconded by Henry Mitchell and, there being no objection, it was so ordered.

Suggested alternatives for the amendment were (1) status quo; (2) March 15; and any other alternatives the staff may feel are relevant.

(b) Single Species OY and Council action in February on DAP trawl fisheries for sablefish.

There has been some concern over the regulation in the Gulf FMP that requires all groundfish fisheries to close in a management area when the OY for any one species is taken. The sablefish fishery was closed in the Southeast and East Yakutat Districts on March 18 and all further fishing on the other ten target species or species groups identified in the FMP should also end, preventing continuation of the Southeast rockfish fishery even though OY remains for that species. Bill Gordon sent a telegram to the Council expressing concern over the situation and asked them to take action.

The Council also discussed the apparent confusion about the intent of the motion the Council approved in February to provide bycatch in the DAP trawl fisheries for sablefish. The motion made at the February meeting was:

John Winther moved that, in regard to sablefish, the DAP (1,670 mt in the Western area and 3,060 mt in the Central area) be distributed in accordance with the industry agreement of 95% to the non-trawl fishery and 5% to the DAP trawl fishery, that JVP trawl vessels may take no more than 245 mt in the Western area and 545 mt in the Central areas, and that this sablefish may be taken only from stocks at depths shallower than 300 meters and will not be part of the sablefish OY. It must be discarded, and may not be sold either to foreign or to United States fish processors. When the total amount of this sablefish has been taken, all joint venture trawling in the management area must cease. The foreign PSC limit will be set at 140 mt in the Western area and at 31 mt in the Central area. Sara Hemphill seconded the motion.

The motion was amended by a motion made by Bob Mace and seconded by John Peterson to give the Regional Director a 25% flexibility for bycatch in the foreign fishery. The amended motion carried unanimously.

Public Testimony

Ted Evans, Alaska Factory Trawlers Assn., said an allocative approach to the sablefish bycatch problem would be quite devastating to the trawl fleet and would be contrary to one of the plan objectives by allowing excessive privileges to one group over another.

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Oliver Holm, Kodiak Halibut Fishermen's Assn., said that it was his understanding that 95% would be for longliners and trawlers would use the 5% for bycatch throughout the year and that at the February meeting they (trawlers) indicated they could live with that.

Ron Hegge, ALFA, said it was his understanding that at the Sitka meeting the Council was trying to accommodate trawler bycatch needs on a short-term basis.

Dave Woodruff, Alaska Fresh Seafoods, said he feels that the longliners have "pioneered" the sablefish fishery in this area and if the trawlers need more, they should move farther west.

Barry Collier, NPFVOA. Their interpretation was that this was not an allocative decision and that it was for all gear. They could not support it if it was an allocative issue.

Bob Alverson, Fishing Vessel Owner's Assn., said that the industry agreement made at the February meeting in Sitka was supposed to make everyone happy. If the trawl fishery is allowed to target on blackcod there will be increased amounts going overboard which will have to be counted against the resource take.

Report of the Advisory Panel

The AP feels the current management plan for the Gulf is not sufficiently flexible and is becoming inadequate in the face of the rapid expansion of the domestic industry. The AP recommends that the Council overhaul the Gulf FMP concerning the OY inflexibility problems. They offered a possible solution for the 1985 season: When OY levels have been achieved or nearly achieved for a particular species, the target fishery will close, with all further incidental catches to be treated as a prohibited species.

COUNCIL DISCUSSION AND ACTION

In reference to the single-species OY issue, Jim Branson said that any solution at this point would be short-term. But, because this could be handled by a regulatory change rather than a plan amendment, it could be accomplished outside the regular amendment cycle. The Plan Team could develop something to bring back to the Council in May or it could be distributed for public comment and the Council could make a decision in May.

Thorn Smith said that NMFS has looked at the problem and one proposal they have developed would be an amendment to their field order authority which would allow the termination of directed fishing for a species before an optimum yield is reached in order to leave a bycatch of that species for other fisheries.

Jim Brooks asked the Council to allow the Regional Director to handle this through field order authority for this season and if further action is needed the Council could do so at the May meeting.

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It was the consensus of the Council to ask the Regional Director to handle any emergency situation in the Southeast sablefish fishery between now and the May meeting, leaving a buffer for bycatch, and if an emergency regulation is necessary, the Council could address that at the May meeting.

In discussion of the Council's February action on DAP trawl allocation of sablefish, some Council members said they did not think that they were discussing allocation when this motion was made. John Winther, the maker of the motion, said his understanding from the industry workgroup was that the trawlers felt that 5% of the OY for bycatch would keep their fisheries going for the rest of the year and the rest of the sablefish could go to pot, longline and gillnet directed fisheries.

Don Collinsworth said his interpretation and that of several other members he has talked to is that which is reflected in the Council newsletter and minutes from the February meeting.

John Peterson said that his interpretation differed from that of John Winther and did not believe the Council was discussing allocation by gear types when they discussed this motion; they were talking bycatch, and that the 95% of the OY could be caught by any gear type. Rudy Petersen agreed that this was also his interpretation.

Gene Didonato moved to adopt the AP recommendation for the Western and Central Gulf for 1985: that the Council approve an emergency order for the 1985 seasons for the Western and Central areas of the Gulf to allow an all gear fishery up to 90% of the respective OY amounts and establish trip limits on all gear types of 500 lbs. round weight per vessel per week for the remaining 10% of the OY. The motion was seconded by Sara Hemphill and failed, 6 to 5, with Campbell, Collinsworth, Brooks, Mitchell, Stephan and Winther voting against.

Jeff Stephan moved that NMFS proceed with an emergency regulation allocating 5% of the sablefish OY to the DAP component of the domestic trawl fleet and that NMFS specifically provide in the emergency regulation that this 5% is the maximum amount allowed to be harvested by the DAP component of the domestic trawl fleet for the remainder of 1985 to be effective as of this date. The motion was seconded by John Winther. The motion was amended to read 8% instead of 5% with the concurrence of the maker and the second. The motion failed, 7 to 4, with Collinsworth, Mitchell, Stephan and Winther voting for.

John Peterson said that he would be unable to support the motion because it has the potential of discouraging the developing trawl fishery. In further discussion, Jim Brooks suggested that they could treat sablefish as a prohibited species and avoid the need to shut down the fisheries that still have resource available.

Rudy Petersen moved that in the Central and Western Gulf 80% of the OY for all gear types, 20% of OY set aside for bycatch to be used by all gear types for the remainder of the year to be taken by percentage per vessel. The motion was seconded by Gene Didonato. The motion failed, 8 to 3, with Hemphill, R. Peterson and Mitchell voting for.

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Bob Alverson presented a possible solution worked out by several industry members present which would allow up to 92% of the current OY to be taken by all gear types at which time the directed fishery of all gear types would cease and the remaining 8% would be established for bycatch. Of that 8%, it was suggested that it be split so that 4% goes to trawl and 4% to the other gear types (longline, sunken gillnet, pot) and to include the AP suggestion of trip limits which would go into effect after the 92% is taken.

Bob Mace moved that of the OY established for the Western and Central areas, 92% be allowed to be harvested by all gear types for 1985; at which time the remaining 8% would also be allowed to be harvested by all gear types but trip limits would be imposed of a maximum of 250 lbs. per vessel per week and the 8% would be divided between trawl and other gear types. The 8% would be divided 5% to trawl and 3% to other gear types. The motion was seconded by John Winther and carried, 9 to 2, with Collinsworth and Rudy Petersen voting against.

D-4 Bering Sea/Aleutian Islands FMP

The Council was provided with the draft Environmental Assessment and Regulatory Impact Review/Initial Regulatory Flexibility Analysis for the Amendment 9 package. The proposed amendments were:

- A. Increase the upper end of the optimum yield range to 2.5 million metric tons.
- B. Reduce the incidental catch of chum salmon by joint venture trawlers.
- C. Establish measures to reduce the incidental bycatch of fully utilized domestic species by foreign trawlers in the Aleutian Islands area.
- D. Establish a reporting system for catcher/processors.
- E. Reduce the specified groundfish reserve from 15 percent to 10 percent of the annual optimum yield.
- F. Implement the NMFS Habitat Policy.

Public Testimony

Ted Evans, Francis Miller, and Sam Hjelle, Alaska Factory Trawlers Assn. Mr. Evans described the new association of trawlers which is fishing primarily for cod. They are operating at 50% of their capacity because of lack of cod and pollock is not selling well. They have created 800 new jobs, totally American. They feel it is very important for the Council to consider the impact on the U.S. domestic industry when making decisions in the foreign fisheries. Mr. Miller, representing Arctic Alaska Seafoods, said that they have invested in the development of this fishery because the MFCMA says that domestic fishermen will be given first priority and they don't feel that this is being accomplished.

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Jay Hastings, Japan Fisheries Assn., said that he didn't agree with the AP's suggestion that the OY amendment (A) and Amendment E (reduce groundfish complex reserves) be omitted from the package for public review. He felt that they should be sent out for public review before the Council makes any decision.

Report of the Scientific and Statistical Committee

Amendment A - Increase the upper end of the optimum yield range to 2.5 million metric tons: Recommended that the amendment and supporting documents be released for public review with minor editorial changes which were given to the plan team.

Amendment B - Reduce the incidental catch of chum salmon by joint venture trawlers: Recommended that this amendment not be released for public review at this time because the decision documents have not been fully developed. They suggested the Council work with industry to see if a non-regulatory solution can be reached to keep 1985/86 bycatches to a minimum.

Amendment C - Establish measures to reduce the incidental bycatch of fully utilized domestic species by foreign trawlers in the Aleutian Islands area: Recommended this amendment be sent out for public review with the editorial comments and changes provided to the plan team.

Amendment D - Establish a reporting system for catcher/processors: Recommended that Alternatives 4 and 5 in the RIR be modified to include the costs of observers before sending out for public review.

Amendment E - Reduce the specified groundfish reserve from 15 percent to 10 percent of the annual optimum yield: Recommended this amendment be sent out for public review.

Amendment F - Implement the NMFS Habitat Policy: The SSC had problems with several sections of the habitat policy document and felt that this information would not necessarily be needed in the FMP but could be a Council document and referenced in the FMP to make future changes less cumbersome. (See SSC minutes for specific comments.)

Report of the Advisory Panel

Amendment A - Increase the upper end of the optimum yield range to 2.5 million metric tons: Recommended eliminating because of inadequate supporting data.

Amendment B - Reduce the incidental catch of chum salmon by joint venture trawlers: Recommended this amendment be sent out for public review; however, the second paragraph in the summary should be clarified. (See AP minutes for specific comments.) It was also suggested under Alternative 3 that the recent industry group on prohibited species in the pot sanctuary and their conclusions be referenced.

Amendment C - Establish measures to reduce the incidental bycatch of fully utilized domestic species by foreign trawlers in the Aleutian Islands area: Recommended that another alternative be added that would establish a zero TALFF for all species in INPFC Area 4 (Aleutian area) except for pollock.

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Amendment D - Establish a reporting system for catcher/processors: Recommended this amendment be sent out for public review; however, suggested that a lead agency needs to be designated.

Amendment E - Reduce the specified groundfish reserve from 15 percent to 10 percent of the annual optimum yield: Recommended against sending this amendment out for public review because there is no need to change the existing situation.

Amendment F - Implement the NMFS Habitat Policy: Recommended sending this amendment out for public review.

COUNCIL DISCUSSION AND ACTION

There was considerable discussion on the habitat section because of SSC remarks (See Appendix I). Jim Brooks said that it was the general consensus within NMFS that habitat considerations would carry more weight if they were included in FMPs which have been approved by the Secretary. He said their staff would be willing to revise the habitat document to remove specifics and use broader language.

Gene Didonato moved that Amendment A (Increase the upper end of the optimum yield range to 2.5 million metric tons) be sent out for public comment with SSC comments incorporated in the amendment. Sara Hemphill seconded the motion and, there being no objection, it was so ordered. Don Collinsworth moved to add a third alternative which would allow the Council to reduce the OY by up to 25%. The motion was seconded by John Peterson but was later withdrawn by Collinsworth with the concurrence of the second. Mr. Collinsworth said he felt it is important for the public to know that the Council has the option to lower the OY for other than biological reasons.

Bob Mace moved to defer Amendment B (Reduce the incidental catch of chum salmon by joint venture trawlers) until the 1986 amendment cycle. Sara Hemphill seconded the motion. Mr. Mace withdrew the motion with the concurrence of the second after Council members agreed that it could go out for public comment while industry works on the problem. Public comment may provide more information to help find a solution. If sufficient information is not available by the May meeting, the Council does not have to act on it this year.

Bob Mace moved to send Amendment B out for public review incorporating the SSC's comments on prices, etc. Henry Mitchell seconded the motion and, there being no objection, it was so ordered. It was suggested that the section have a preamble that indicates that this amendment may not be adopted at the May meeting if sufficient data have not been gathered.

Rudy Petersen moved to send Amendment C (Establish measures to reduce the incidental bycatch of fully utilized domestic species by foreign trawlers in the Aleutian Islands area), with SSC comments on Alternative 1 incorporated, out for public review. Don Collinsworth seconded the motion.

Gene Didonato moved to amend the motion to delete Alternative 3 and add the Alternative 4 proposed by the AP (establish a zero TALFF for all species in INPFC Area 4 except for pollock). Henry Mitchell seconded the motion and, there being no objection, it was so ordered. The main motion carried, as amended, with no objection.

Bob Mace moved to send Amendment D (Establish a reporting system for catcher/processors) out for public review with the inclusion of observers costs. Don Collinsworth seconded the motion and, there being no objection, it was so ordered. The Council also felt that the AP's suggestions on lead agencies and liability for observer coverage should be included for comment.

John Peterson moved to omit Amendment E (Reduce the specified groundfish reserve from 15 percent to 10 percent of the annual optimum yield) from the package being sent out for public review, based on the AP's recommendation. John Winther seconded the motion. Some Council members felt that the amendment should go out for public comment. The motion carried, 6 to 5, with Collinsworth, Mace, Hemphill, Brooks, and Didonato voting no.

Collinsworth moved to send Amendment F (Implement the NMFS Habitat Policy) out for public review after being revised according to SSC and Council comments and the addition of another alternative which would leave the habitat document outside the FMP, but referenced in it. Bob Mace seconded the motion and, there being no objection, it was so ordered.

E. CONTRACTS, PROPOSALS AND FINANCIAL REPORT

E-1 Contracts and Proposals

Report of the Scientific and Statistical Committee

Contract 84-1: Sea Lion Pup Census: The SSC did not recommend approval at this time. Staff was provided with questions regarding data, the analysis and the conclusions. The contractor will be asked to revise the document.

Contract 84-6: Bering Sea Herring Scale Analysis: Members did not have time to review the final report and postponed action until the May meeting.

Programmatic Funds: In light of current budget restraints and lack of funding for FY/85 projects, the SSC will not recommend soliciting project proposals at this time.

There was no Council discussion or action.

F. PUBLIC COMMENTS

There were no additional public comments.

G. CHAIRMAN'S REMARKS AND ADJOURNMENT

The meeting was adjourned at 6:40 p.m. Thursday, March 28.