

Public Testimony on Groundfish Items

Public testimony on all groundfish issues for the Gulf of Alaska and Bering Sea/Aleutian Islands was taken at the same time.

Minoru Morimoto, Counsellor of the Japanese Fisheries Agency. Stressed the importance of allocations in the Bering Sea to their fishing industry and the cooperation they, in turn, can give to Western Alaska communities. They believe the present DAH figures are overestimated and asked the Council to recommend an allocation in the Bering Sea to their longliners and small-to-medium trawlers as quickly as possible.

Toshiyuki Wanibuchi, Mayor of Kushiro, Japan. Expressed concern that the Council recommended zero TALFF in the Bering Sea for 1988. This will be a severe economic blow to their city's fishermen if they do not receive any fish this year. Urged the Council to review DAH needs and allocate any excess to them as soon as possible.

Kaiji Ohya, Mayor of Nemuro, Japan. Mayor Ohya expressed the same concerns and requests as Mayor Wanibuchi.

Don McCaughran, IPHC, spoke on the proposal to change the sablefish opening date to reduce the bycatch of halibut. He said that using the data they have available from the foreign and ADF&G observer programs, it is difficult to estimate bycatch savings by delaying the opening of the sablefish season. The IPHC does not view this as a biological emergency although they support the concept of the proposal.

Cindy Lowry, Greenpeace, spoke about their amendment proposal for a one-year experimental closure of the blackcod longline fishery south of Unimak Pass and east of Umnak Island. They also requested that until such a closure is put into effect that domestic observers be placed on blackcod longline vessels in the problem area.

John Bruce, Deep Sea Fishermen's Union, does not agree with the halibut bycatch figures (in the sablefish fishery) presented by Mark Hutton and supports the AP's comments and suggestions on this issue.

Paul Schonberg, Seattle. He believes that it is possible to save some halibut by moving the opening date for sablefish forward and is in favor of protecting the resource. Doesn't think a simultaneous opening would have a large impact on processors because there would be the same amount of boats and the same gear and deliveries would be more spread out.

Mike McCune, Alaska Fishing Co. He's opposed to delaying the sablefish opening to May. Would like to see the issue put into the regular amendment cycle for study, but no emergency action. A two-month warning of the change in dates would be a burden on the industry.

Sam Hjelle, Alaska Factory Trawlers. He thinks transshipment data are an important tool the Council can use in managing the fisheries and that NMFS should make an effort to compile them.

Pat McBride, Alaska Sablefish Inc., FV/JUDY B. He agrees with the AP's recommendation that the Council not take emergency action to delay the sablefish opening date. He does not think the proposal by Greenpeace to close an area of the Bering Sea to longlining is the answer to the problem. More study should be done to find ways of deterring the whales and Greenpeace should help. He agrees with the AP and PAAG that the proposal to divide the Western Aleutians into separate management areas.

Pete Granger, Alaska High Seas Fisheries Assn. They support the proposal to raise the OY in the Bering Sea and hopes that the EIS can be completed in a timely manner. He suggested one of the options be OY equal to 90% of the sum of the ABCs. The proposals for DAP rollover to JVP in the new year would allow excess fish, created through overestimation of DAP, to be utilized by American JV fishermen.

Steve Hughes, Midwater Trawlers' Cooperative. He requested that NOAA legal counsel determine what State authority can legally be applied within the MFCMA in regard to State management of rockfish in the Gulf of Alaska addressed in Proposals 4-6 for the Gulf of Alaska FMP. With regard to sablefish bycatch, data available suggest 1.5% would be appropriate in the BSAI rock sole fishery but the major problem is all flounder fisheries; if it is to be made bycatch only, then 20% retention rule would not be appropriate, there would be too much discard. Also suggested that if there are problems with the proposal for "DAP rollover to JVP," because of the calendar year accounting method, that NMFS estimate and release the projected excess for the fourth quarter at the same time they release excess DAP at the end of the third quarter.

Paul Fuhs, Larry Soriano, Shari Gross, and Ray Benish, spoke on Paul Fuhs' support service priority proposal. They expressed disappointment that a legal opinion on this proposal was not yet available. Asked that the Council allow the proposal to proceed through the amendment cycle while the legal opinion is being formulated. Interested in an industry workgroup to work closely with the plan team in gathering background data for this proposal.

Elwood & Alan Peterson, International Shipping Services. Their company arranges Japanese and Korean trampers for U.S. processing companies throughout the state of Alaska. They have three basic areas of concern about the support service priority proposal: (1) the cost to processors in terms of freight; (2) the level of service available (domestic); (3) possible hindrance of production through lack of available services. Would be interested in participating in the industry workgroup mentioned.

John Cleveland, Sealand-Anchorage. They would like to "break the cycle" of using foreign trampers. Within 30 days they could double their tonnage out of Dutch Harbor on domestic freight.

Bart Eaton, Trident Seafoods. A later opening date for the sablefish season could conflict with the opening for salmon in their area and cause a problem for the processors. Planning has already been done and the Council should not

San Felipe, Alaska Ferry Terminal. He stated that the Alaska Ferry Terminal should make an effort to coordinate the Alaska Ferry Terminal and the Alaska Ferry Terminal.

Mr. McBride, Alaska Railroad Inc., TV/WNY, he agrees with the recommendation that the Council not take emergency action to delay the Alaska opening date. He does not think the proposal by Congress to close an area of the fishing sea to longshore is the answer to the problem. More study should be done to find ways of restoring the wharves and pierage should be done. He agrees with the AP and BAA that the proposal to divide the Western Alaska into separate management areas.

Pat Granger, Alaska Fish Sea Fisheries Area. They support the proposal to raise the OY in the fishing sea and hopes that the FIS can be completed in a timely manner. He suggested one of the options be OY equal to 90% of the sea of the BAA. The proposals for DAF rollover to LVI in the new year would allow excess fish, created through overestimation of DAF, to be utilized in Western B. Fisheries.

Steve Hudson, Western Fisheries Cooperative. He requested that NOAA legal council determine what state authority can legally be applied within the BAA in regard to state management of rockfish in the Gulf of Alaska address in Proposal 4-6 for the Gulf of Alaska BAA. With regard to rockfish bycatch, some available suggest LEE would be appropriate in the BAA rockfish fishery but the major problem is all Ecuador fishery; it is to be made approach only, then 90% retention rule would not be appropriate, there would be too much discard. Also suggested that there are problems with the proposal for "DAF rollover to LVI" because of the calendar year accounting method, that WTS estimate and release the projected excess for the fourth quarter as the same time they release excess DAF at the end of the third quarter.

John, John, Larry, Larry, Gary, Gary, and Ray, Ray, they agree on Paul, Paul, support service pending proposal. They expressed disappointment that a final opinion on this proposal was not yet available. Asked that the Council allow the proposal to proceed through the amendment cycle while the legal opinion is being formulated. Expressed in an industry workshop to work closely with the plan team in gathering background data for this proposal.

Wendy & Alan Peterson, International Shipping Services. Their company arranges Japanese and Korean transport for U.S. processor companies throughout the state of Alaska. They have three basic areas of concern about the support services priority proposal: (1) the cost to processors in terms of freight; (2) the level of services available (domestic); (3) possible hindrance to production through lack of available services. Would be interested in participating in the industry workshop mentioned.

John Cleveland, Sealand-Archonore. They would like to "break the cycle" of being foreign transport. Within 30 days they could double their tonnage of fish under on domestic freight.

Mr. East, Western Fisheries. A later opening date for the Alaskan season would conflict with the opening for salmon in their area and cause a problem for the processors. Planning has already been done and the Council should not

solve the problem with a short-term fix. The situation should be studied before any action is taken.

David Wallen, F/V KESIA DAWN, Pt. Alexander, AK. Any further delay in the sablefish opening would give a greater sense of compression of the season and create a "derby" effect which can cause unsafe conditions. If the opening is delayed he will probably fish Pacific cod and he's not sure what the bycatch of halibut in that fishery would be.

Shari Otness, F/V COMMANDER, Petersburg, AK. She testified on behalf of several Petersburg boat owners who could not attend the Council meeting. Speaking for her family and their five boats, they believe that if the sablefish opening is delayed until May that there will be more separation of the stocks and bycatch of halibut would be reduced. On behalf of 14 other Petersburg vessel owners, Ms. Otness testified that they also feel very strongly that the opening date should be delayed. Two other Petersburg residents and fishermen, Walt Hofstead and Gordon Jensen also strongly support the proposal.

Peter Block, Northern Deep Sea Fisheries. Regarding amendment proposal #26, restricting the joint venture rock sole fishery, they feel that this is a developing market and there is no history on which to base the conclusions presented in the proposal. They and Kodiak & Western Trawlers estimate that they will harvest less than 3% of the TAC for rock sole and other flatfish. If the amendment is to be approved by the Council they would suggest adding the status quo as one option. An emergency order on this issue would not be appropriate at this time; no biological or conservation emergency has been demonstrated.

Chris Blackburn, spoke on behalf of Dave Harville, Kodiak & Western Trawlers, who had to return to Kodiak. She agreed with Peter Block's comments. This particular fishery is an important economic part of their venture. KWT plans to disclose to the Council all bycatch information as they have in the Gulf.

Bob Alverson, FVOA. Mr. Alverson commented on the Greenpeace proposal to protect whales. FVOA has begun an education program for fishermen and are working to alleviate the concerns of Greenpeace. In reference to the sablefish opening date in the Gulf, they feel that the issue should be fully analyzed during the regular amendment process before the Council makes any decision.

Mark Chandler, F/V TOPAZ. Regarding the proposal restricting the JV rock sole fishery, said that a plan amendment is not justified. He would like to see the proposal dropped or put on the extended amendment cycle while more information is gathered.

Mark Hutton, Fisherman, Cooper Landing. Spoke in favor of an emergency rule to delay the opening of the sablefish fishery. The rapid growth of the fleet has significantly increased the bycatch of halibut in this fishery.

Jim Eastwood, Fisherman, Petersburg. He supports Mark Hutton's proposal; data presented by Mr. Hutton is in line with his own personal experience. It's important to the health of the resource and this proposal could be the first step in multi-species fisheries management.

solve the problem with a short-term fix. The situation should be studied before any action is taken.

Mr. William F.V. Kemp, P.O. Alexander, AK, for further delay in the schedule opening would give a greater sense of compression of the season and create a "barrier" effect which can cause waste conditions. If the opening is delayed he will probably fish earlier and help to ensure that the hatch of halibut in that fishery would be.

Mr. George F.V. Gonsky, Petersburg, AK. She testified on behalf of several Petersburg boat owners who could not attend the Council meeting. Speaking for her family and their boat, they believe that if the schedule opening is delayed until May that there will be more separation of the stocks and bycatch of halibut would be reduced. On behalf of 14 other Petersburg vessel owners, Mr. Gonsky testified that they also feel very strongly that the opening date should be delayed. Two other Petersburg residents and fishermen, Walt Holstead and Jordan Jensen also strongly support the proposal.

Mr. Harold Northern, Northern Deep Sea Fisheries, regarding amendment proposal 33B. Regarding the joint venture rock sole fishery, they feel that this is a developing market and there is no history on which to base the conclusions presented in the proposal. They and Kodlak & Western believe that they will harvest less than 3% of the TAC for rock sole and other fish. If the amendment is to be approved by the Council, they would suggest adding the status quo as one option. An emergency order on this issue would not be appropriate at this time; no biological or conservation emergency has been demonstrated.

Mr. William F.V. Gonsky, spoke on behalf of Walt Holstead, Kodlak & Western, who had returned to Kodiak. He agreed with Mr. Kemp's comments. This particular fishery is an important economic part of their venture. WVT plans to disclose to the Council all bycatch information as they have to the Gulf.

Mr. Alvinson, FVOA. Mr. Alvinson commented on the Greenpeace proposal to protect whales. FVOA has begun an education program for fishermen and are working to alleviate the concerns of Greenpeace. In reference to the schedule opening date in the Gulf, they feel that the issue should be fully analyzed during the regular amendment process before the Council makes any decision.

Mr. Charles F.V. Topak. Regarding the proposal restricting the IV rock sole fishery, he said that a plan amendment is not justified. He would like to see the proposal dropped or put on the expanded amendment cycle while more information is gathered.

Mr. Hutton, Fisherman, Cooper Landing. Spoke in favor of an emergency rule to delay the opening of the schedule fishery. The rapid growth of the fleet has significantly increased the bycatch of halibut in this fishery.

Mr. Hutton, Fisherman, Petersburg. He supports Mr. Hutton's proposal; data presented by Mr. Hutton is in line with his own personal experience. It is important to the health of the resource and the proposal could be the first step in multi-species fisheries management.

Bruce Jackson, Deep Sea Fishermen's Union. It has not been his experience to catch significant amounts of halibut while longlining for sablefish. If the blackcod opening is delayed many vessels would move to the Pacific cod fishery which could cause problems in that fishery. If the Council takes some action, they would support trip limits.

John McHenry, FVOA, F/V SEYMOUR. He has not experienced a significant amount of halibut bycatch while fishing for blackcod. Conservation is their concern, too, but it seems that they have caught more halibut in May. Opposed to changing the opening date to May unless he can be convinced that doing so would save the resource.

Eric Olson, FVOA. There aren't enough data to support the proposal to delay the sablefish opening date, otherwise they would support it. In reference to the trip limits proposed by the IPHC, he said the 48-hour, 20,000 lb. trip limits are like a share quota system in disguise. Large boats would lose because it wouldn't be economical for them to fish 48 hours for 20,000 lbs.

Mark Lundsten, F/V MASONIC. Stressed that the longline fishery has to be dealt with as a total fishery involving many species of fish. It should be determined which species should be directed and which should be bycatch species, and to what degree. You can't solve the problems with a bunch of bandaid type approaches. There has to be a comprehensive plan.

Bill Orr, Alaska Factory Trawlers. AFTA supports the PAAG recommendations on all amendment proposals.

George Anderson, Fishing Co. of Alaska. They are concerned with the bycatch of halibut but do not feel that the issue can be dealt with effectively by a change of dates; halibut can be avoided by fishing in deeper waters. Suggested that the Council Bycatch Committee should deal with this concern. Supports PAAG report and suggests Council adopt it in full.

Alan Reichman, Greenpeace. Urged Council to proceed with an extensive SEIS on the OY amendment proposal. Raising the optimum yield could have substantial detrimental effects on the Bering Sea ecosystem.

Jon Rowley, Fish Works. According to a survey he did of Washington and Oregon blackcod, the flesh seemed to be of better quality when harvested in August through October.

Eric Olson, BV04. There aren't enough data to support the proposal to delay the opening date, otherwise they would support it. In reference to the trip limits proposed by the FBO, he said the 48-hour, 20,000 lb. trip limits are like a share quota system in Alaska. Large boats would lose because it wouldn't be economical for them to fish 48 hours for 20,000 lbs.

John McHenry, BV04. He has not experienced a significant amount of fishing pressure while fishing for blackcod. Conservation is their concern. It seems that they have caught more halibut in May. Opposed to opening the opening date to May unless he can be convinced that doing so would save the resource.

There aren't enough data to support the proposal to delay the opening date, otherwise they would support it. In reference to the trip limits proposed by the FBO, he said the 48-hour, 20,000 lb. trip limits are like a share quota system in Alaska. Large boats would lose because it wouldn't be economical for them to fish 48 hours for 20,000 lbs.

Mark Lundberg, BV04. Suggested that the longline fishery be dealt with as a total fishery involving many species of fish. It should be determined which species should be directed and which should be protected and to what degree. You can't solve the problem with a bunch of bandaid type approaches. There has to be a comprehensive plan.

Will Orr, Alaska Veterinary Pathologist. AETA supports the PAAC recommendations on all management proposals.

George Anderson, Fishing Co. of Alaska. They are concerned with the impact of halibut but do not feel that the issue can be dealt with effectively in a change of dates; halibut can be avoided by fishing in deeper waters. Suggested that the Council Research Committee should deal with this concern. Support PAAC report and suggest Council adopt it in full.

Alan Reichman, Greenpeace. Urged Council to proceed with a conservative RFR on the 0Y amendment proposal. Stating the optimum yield could have substantial detrimental effects on the Bering Sea ecosystem.

Joe Kowley, Fish Works. According to a survey he did of Washington and Oregon blackcod, the fish seemed to be of better quality when harvested in August through October.

North Pacific Fishery Management Council

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Chairman

DATE: 4/7/88

MINUTES

Scientific and Statistical Committee
January 19-20, 1988
Anchorage, Alaska

The Scientific and Statistical Committee met January 19 and 20 at the Sheraton Hotel in Anchorage, Alaska. Members present were:

Richard Marasco, Chairman	Doug Eggers, Vice Chairman
Don Rosenberg	Robert Burgner
Larry Hreha	Bill Clark
Bill Aron	Don Bevan
Terry Quinn	Dana Schmidt

C-1 Election of Officers

The SSC elected the following officers for this year:

Richard Marasco	Chairman
Doug Eggers	Vice Chairman

D-1 Gulf of Alaska Groundfish FMP

A. Emergency action request.

The SSC reviewed the proposal for emergency regulation submitted by Mark Hutton. The following documents were reviewed: "A Proposal for an Emergency Regulation to Change the Sablefish Longline Season", a report that was prepared by Mr. Hutton; an October 12, 1987 memorandum to Jim Branson from Mr. Hutton; and a letter from the International Pacific Halibut Commission to Jim Branson. Mr. Hutton also gave an oral presentation to the SSC. In addition to this presentation, the SSC received comments from several sablefish fishermen.

The SSC would like to commend Mr. Hutton for his effort to gather and analyze data pertinent to the proposal. The SSC was unable to verify the accuracy of either the halibut bycatch rate or mortality percentage. However, the SSC feels that the application of these data to the total fleet is probably inappropriate. The SSC would like to point out that the bycatch rate obtained

by Mr. Hutton's survey is in agreement with the rate published by ADF&G (Commercial Fisheries, News Release 5/27/87). The SSC does not see this as an immediate biological problem nor was the SSC presented any information from IPHC that identified this as a biological problem. The data for calculating the potential savings are limited and better information on incidence rates is needed. The SSC notes that this requires observer data. These data need to be collected.

B. Proposal review.

The SSC heard a report from Council staff summarizing action taken by the plan team and Plan Amendment Advisory Group (PAAG) on proposals submitted. The SSC concurs with the PAAG's assignment of a low priority rating to proposals 2, 7, 10, and 15.

With regard to proposal #10, the SSC provides the following comment. This proposal would allow the two plans to come closer together. We feel that both reserve systems need to be reviewed. In light of the projected work load of the staff and plan team, the SSC does not consider this proposal to be of high priority at this time. We recommend that the plan teams continue to work to develop one reserve system.

The SSC received public testimony and discussed at some length proposal #15. While the SSC felt that the problem this proposal was intended to address is important, there was concern that the proposal does not represent a viable solution to the problem. It was felt that this problem could be better solved in the short term through development of more refined DAP estimates and timely release of DAP to JVP. The PAAG found that proposals 12 and 13 are not necessary, that proposal 8 should be assigned to a working group, and that proposal 9 does not require an amendment--the SSC agrees with these determinations.

The pollock mesh size proposal #3, addresses an issue that is worthy of examination. The SSC concurs with the PAAG's suggestion that ADF&G, NWAFC, Council staff, and members of industry get together to develop a strategy for exploring this issue. The SSC recommendations on the remaining proposals are listed in Table 1.

C. Retention of sablefish bycatch prior to opening of the directed longline season.

The SSC does not have any comments to offer on this issue at this time.

D-2 Bering Sea Aleutian Islands Groundfish FMP

The SSC heard a report from Council staff summarizing action taken by the plan team and PAAG on proposals submitted. The SSC concurs with the PAAG's assignment of a low priority rating to proposals 6, 7, 9, 18, 19, and 24. Of the proposal rated low priority, the SSC took public testimony on one, proposal #9. It was apparent from the testimony received that the level of effort and the size of the sablefish TAC for the Aleutian Islands management area were of concern. The SSC felt that the proposer was of the opinion that subdividing the area could increase the TAC and thus the length of time that fishermen could fish. The SSC noted that the research survey used to

Table 1. 1988 SSC Priority Amendment Recommendations for the Gulf of Alaska Groundfish FMP

<u>Proposal Number</u>	<u>Title</u>	<u>Priority</u>	<u>Cycle</u>	<u>Assigned to</u>
1	Sablefish season ^{a/}	high	current	plan team
11	Permit/reporting loophole	high	current	plan team
4,5,6	Rockfish management	high	extended	plan team
14	Directed fishing definition	high	extended	plan team

a/ Recognizing concern regarding the availability of necessary data, the SSC concurs with the PAAG and plan team that proposal #1 be given high priority for the current cycle, including the addition of the PAAG's alternatives.

Table 2. 1988 SSC Priority Amendment Recommendations for the Bering Sea and Aleutian Islands Groundfish FMP

<u>Proposal Number</u>	<u>Title</u>	<u>Priority</u>	<u>Cycle</u>	<u>Assigned to</u>
1	Bycatch Committee proposal	high	current	plan team
11	Permit/reporting loophole	high	current	plan team
15	RAD deadline	high	current	plan team
17	Directed fishing definition	high	extended	plan team
21,22	OY range	high	current	plan team
23	Support industry preference	<u>a/</u>		
26	Roe rocksole/JVP prohibition	high	current	plan team
13	Weekly reporting	high	current	NMFS
14,16	NMFS PSC framework	SSC believes that these proposals address an important problem and should be passed on to the Bycatch Committee		

a/ While this proposal may be considered high priority, the SSC feels that the legal and policy ramifications of the proposal will require extensive analysis which probably cannot be completed within the current cycle.

establish the ABC covers the entire management area; therefore, subdividing the management area would not increase the ABC. While subdividing the area could result in increased fishing time in some areas (i.e., fewer boats fishing in a specific area), it also could reduce the fishing time in others (i.e., same number of boats and smaller TAC). There is no indication that the current fishing pattern is causing localized depletion. It was agreed that proposals, 2, 3, 4, 5 and 25 should be passed on to the Bycatch Committee and that no action be taken on proposals 12 and 20. With respect to proposal #10 (reporting system), there is a critical need for a thorough examination of data required for management and collection systems required to obtain them. The SSC recommends that the Council appoint a workgroup to address this issue. Proposal 8 is addressed in the Gulf of Alaska presentation (Proposal 3). The SSC recommendations on the remaining proposals are listed in Table 2.

C-9 Other Business

A. Personnel - The SSC reviewed the nomination by Commissioner Collinsworth of Dr. Dana Schmidt for the SSC position vacated by Dr. Phil Mundy. The SSC supports this nomination and recommends that the Council appoint Dr. Schmidt.

B. 603 Guidelines - Acceptable Biological Catch (ABC) is an acceptable level of harvest which recognizes the status and dynamics of the stock, environmental conditions, and ecological factors. It is developed and justified on the basis of biological, environmental, and ecological information. One feasible approach to setting ABC is a constant harvest rate policy, involving the multiplication of the best estimate of exploitable biomass by an exploitation rate. The choice of an exploitation rate must be justified. When information is lacking, the exploitation rate should be no higher than the natural mortality rate. ABC, however, must equal zero when the stock is at or below its "threshold".

Threshold is the population level below which there is concern over the ability to rebuild the stock to its MSY level over an acceptable period of time. A threshold level will be developed based on relevant scientific information. When information is lacking, the threshold shall be equal to 25% of the average biomass in the absence of a fishery.

Overfishing is the application of exploitation rates that drive the stock below its threshold. Exceeding allowable biological catch need not result in overfishing, unless that excess is carried out over sufficient time at high enough exploitation rates to reduce the population below the threshold.

C. Arctic Environmental Data System Workshop and NMFS Ecosystem Workshop

Both of these workshops were discussed by the SSC. It was agreed that the SSC would be represented at the Arctic Environmental Data System Workshop by Don Rosenberg and at the NMFS Ecosystem Workshop by Terry Quinn.

North Pacific Fishery Management Council

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Date: 4.12.88

ADVISORY PANEL MINUTES Anchorage, Alaska January 18-19, 1988

The Advisory Panel for the North Pacific Fishery Management Council met in the Sheraton Hotel on January 18-19, 1988. The following members were present:

Robert Alverson, Vice Chairman	Richard Lauber
Arne Aadland	Daniel O'Hara
Alvin Burch	Ron Peterson
Lamar Cotten	Jon Rowley
Mark Earnest	Richard White
Pete Granger	John Woodruff
Pete Isleib	Fred Zharoff

The minutes of the December 7-9, 1987 Advisory Panel meeting were approved as read.

AP Orientation

Chairman Campbell welcomed the new Advisory Panel members to Anchorage outlining the key issues confronting the Council in 1988. The six important issues being:

1. Zero TALFF (i.e., will it hold; will the U.S. industry be able to live up to DAP and JVP projections made in December).
2. Addressing the OY cap in the Bering Sea/Aleutian Islands area.
3. The effects of "donut hole" fishing and actions to be taken.
4. Illegal fishing in the Bering Sea.
5. How to work with the joint venture fleet as it phases out.
6. The future of groundfish management.

Clarence Pautzke gave a briefing of the Council family makeup and function, process and federal charge to the Council.

B-1 Executive Director's Report

Jim Branson presented his 80th and final ED report. Mr. Branson was given a standing ovation from the AP for his dedication to the Council since its inception.

Advisory Panel Minutes
January 18-19, 1988

B-4 S-K Bycatch Video

The AP heard a presentation by Dr. Bill Aron, Director of the Northwest and Alaska Fisheries Center, and watched a video on the crab bycatch experiment in the yellowfin sole fishery. No action was taken.

C-1 AP Officers

The AP re-elected Nancy Munro as Chairman and Bob Alverson as Vice Chairman of the Advisory Panel for 1988.

C-2 Legislative Update

The AP heard a report from Ron Miller. No action was taken.

C-4 Bering Sea Fishermen's Association Petition

The AP recommends the Council send a letter to the Secretary of Commerce supporting the Bering Sea Fishermen's Association petition except that concern should be expressed about how joint ventures would be penalized under Section 612.8. The motion carried unanimously.

C-5 Domestic Observer Program

The AP heard a report from Ron Dearborn, Director of Alaska Sea Grant. No action was taken.

C-6 Sablefish Management

The AP heard a report from Ron Miller. The AP recommends the Council approve the schedule for sablefish management workshops. The motion passed 4 to 2.

C-7 Foreign Vessel Permit Conditions

The AP voted down a motion to request that joint venture permits be conditioned to prevent targeting on roe-bearing rock sole until April 1. The motion failed 8 to 1.

Members of the public testified that the roe-bearing rock sole fishery is an important fishery to a sector of the domestic fleet. They felt there would be a dramatic impact if there was a large joint venture effort on this fishery. They don't want the issue thrown out because of uncertainty of whether it can be done in time or not.

Discussion on the AP, however, noted the drastic potential impact such a measure would have on existing and future joint ventures for yellowfin sole and other flatfish.

C-8 Halibut Management

The AP reviewed the IPHC staff proposals for trip limits in 1988. Members of the public commented that IPHC can stay within the quota by using a trip limit at the end of the season. They feel proposed trip limits are discriminatory to boats who know how to fish halibut--they are a form of share quota.

The AP voted 8 to 3 in favor of the following motion: It appears to the AP that the trip limits proposed by IPHC staff for 1988 seem to be primarily allocative in nature. The trip limits used at the end of the 1987 season, such as in Areas 2C, 3A, and 3B, were addressing primarily conservation issues. There might be exceptions to this where small quotas exist such as in Area 4E.

D-1 Gulf of Alaska Groundfish FMP

- (a) Emergency action to delay sablefish season to coincide with the halibut fishery in 1988.

The AP heard testimony from Mark Hutton, sponsor of this proposal. Mr. Hutton reviewed the arguments to change the date. The primary argument was halibut bycatch in the sablefish fishery and a conservation urgency. This urgency is amplified by new participants having high bycatch rates of halibut, increased mortality due to circle hooks, and poor weather conditions in April.

The AP also heard from Eric Olsen, John McHenry, Gary Embre, John Coyne, and John Bruce, boat owners and crewmen, who refuted the high bycatch rates reported by Mark Hutton.

The AP recommends that no emergency action for the 1988 fishing season be taken at this time. The majority had the following comments:

1. The scientific and industry supplied data base is conflicting and should be presented and reviewed by the plan team and SSC.
2. They were unsure whether a change in the opening date to later in the year would create more gear conflicts and result in more vessels fishing shallower waters, thereby, creating a larger bycatch problem. The reaction of industry to any change in the opening date should be analyzed.
3. It was testified that fishermen and processors had made financial commitments based on an April 1 date and a delay would result in economic losses.
4. Yield and quality issues should be researched and presented to the Council family for review (i.e., which time of the year should it be harvested for best recovery).

The motion carried 7 to 6.

The AP had wanted a briefing by the IPHC but a representative was not available.

(b) Gulf of Alaska Groundfish Amendment Proposals

The AP reviewed groundfish amendment proposals submitted for the Gulf of Alaska FMP, and the recommendations of the plan team and Plan Amendment Advisory Group (PAAG). The AP makes the following recommendations on proposals submitted for the 1988 amendment cycle. With regard to proposals not recommended for either the current or extended cycle, the AP endorses the recommendations of the PAAG.

Proposals unique to the GOA

<u>Proposal Number</u>	<u>Title</u>	<u>Priority</u>	<u>Cycle</u>	<u>Other</u>	<u>AP Vote</u>
1	Sablefish season	high	current	Add two alternatives	unanimous
2	Trawl trip limits	low			unanimous
4,5,6	Rockfish management	high	extended	Add 4th alternative	unanimous
7	Cod allocation to longline gear	low			unanimous
10	Incorporate non-species specific reserve system into FMP	low			unanimous

Proposals submitted to both the GOA and BS/AI FMPs

<u>Proposal Number</u>	<u>Title</u>	<u>Priority</u>	<u>Cycle</u>	<u>Other</u>	<u>AP Vote</u>
<u>GOA (BSAI)</u>					
3	(8) Pollock mesh size	high		S-K Project	unanimous
8	(10) Reporting system			Appoint workgroup	unanimous
9	(12) DAP advisory group			No amendment necessary	unanimous
11	(11) Permit/reporting loophole	high	current		unanimous
12	(15) RAD deadline	high	current	<u>Not necessary in GOA</u>	no action
13	(16) Allow non-retainable PSC	low		<u>Not necessary in GOA</u>	no action
14	(17) Directed fishing def.	high	extended		unanimous
15	(18) DAP to JVP roll-over	high			unanimous
16	(23) Support industry pref.	high	current	Permit condition	<u>1/</u>
17	(25) Multispecies longline FMP	high		Bycatch Committee/FOG	unanimous

1/ Proposal #16 (23) - The AP unanimously approved a motion to request a legal opinion from NOAA-GC by the April meeting on whether this is legal within the confines of the MFCMA, if not, then suggest alternative approaches. Subsequently, during discussion of Bering Sea/Aleutian Islands proposals the AP approved a motion by a vote of 12 to 2 to make this proposal a high priority and to put it in the current amendment cycle.

(c) Limitations on bycatch of sablefish prior to the opening of the directed longline season.

Jon Pollard (NOAA-GC) and Ron Berg (NMFS) presented two options in addressing this particular problem. The first option was to make changes to the plan and regulations so that sablefish bycatch in the Pacific cod longline fishery prior to the April 1 sablefish season be treated as prohibited species. This option could be implemented initially with an emergency rule and followed by a plan amendment. The second option would change the groundfish regulations by lowering the percentage in the directed fishing definition from 20% to a more appropriate number (approximately 1% to 5% based on limited observer analysis) for the longline and pot fishery only. This option could be implemented initially with an emergency rule followed by a regulatory amendment prepared by NMFS.

The AP recommends adoption of the second option with the appropriate bycatch percentage to be in the range of 1% to 5%. The motion carried unanimously.

The AP's primary rationale in support of an emergency rule is the enforcement problem with the current regulation. An argument can be made that NMFS cannot enforce a 20% bycatch limitation without onboard observers. A lower percentage more applicable for the longline fishery will reduce the incentive to target on sablefish prior to the directed season.

Jon Pollard's suggested regulatory language for option 2 is as follows:

"'Directed fishing for sablefish with hook and line gear or pot gear' means fishing that is intended or can reasonably be expected to result in the catching, taking, or harvesting of quantities of such fish that amount to (1% to 5%) or more of the catch, take, or harvest or to (1% to 5%) or more of the total amount of fish or fish products on board at any time. It will be a rebuttable presumption that, when sablefish caught, taken, or harvested with hook and line or pot gear comprises (1% to 5%) or more of the catch, take, or harvest, or (1% to 5%) or more of the total amount of fish or fish products on board at any time, such fishing was directed to fishing for such fish.

- (1) Reads virtually the same as the current 'directed fishing' definition, except for percentage and gear type designation.
- (2) The appropriate percentage will be selected after reviewing the best available catch data--the percentage will be the minimum amount reasonably necessary to provide bycatch sablefish amounts for full harvest of other species by these gear groups.
- (3) Enforcement - the 'directed fishing' definition may be applied over any period of time (tow-by-tow) or for the total amount of fish or product on board at any time."

Advisory Panel Minutes
January 18-19, 1988

D-2 Bering Sea/Aleutian Islands Groundfish FMP

(a) Raising the OY range.

The AP heard a report from Denby Lloyd on the scheduling and preparation of analyses documents necessary for this proposal. No action was necessary.

(b) Bering Sea/Aleutian Islands Groundfish Amendment Proposals

The AP makes the following recommendations on proposals submitted for the 1988 amendment cycle.

Proposals unique to the BS/AI

<u>Proposal Number</u>	<u>Title</u>	<u>Priority</u>	<u>Cycle</u>	<u>Other</u>	<u>AP Vote</u>
1	Bycatch Committee	high	current		unanimous
2,3,4,5	Bycatch (misc.)	high		Bycatch Committee	unanimous
* 6,7	JVP pollock dates	low			unanimous
* 9	Aleutian sub-mgmt. areas	high	current		11-2
13	Weekly reporting	low			9-1
* 14,16	NMFS PSC framework	low			unanimous
* 19,18	DAH to TALFF roll-over	high			unanimous
20	JVP "olympic" system			No action	unanimous
21,22	OY range	high	current		unanimous
24	Sablefish/killer whale closure	low			unanimous
26	Roe rock sole/JVP proh.	high	current		12-2

* Note: The AP had specific comments for these proposals.

#6,7 The AP notes that any additional date changes in harvesting pollock should require a bycatch analysis of crabs and halibut.

#9 The AP heard testimony from the sponsor of this proposal. The AP feels because of the growing concentrated efforts in this area that it be given a high priority and be placed in the current amendment cycle.

#14,16 These proposals were considered together.

#19,18 These proposals were considered together.

North Pacific Fishery Management Council

James O. Campbell, Chairman
Clarence G. Pautzke, Executive Director

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M E M O R A N D U M

TO: Distribution

FROM: Helen Allen *hla*
Executive Secretary

DATE: April 18, 1988

SUBJECT: Final Minutes of December, 1987 and January, 1988 meetings of the
North Pacific Fishery Management Council

Enclosed for your files are the approved minutes for the December, 1987 and
January, 1988 NPFMC meetings.

enclosures

North Pacific Fishery Management Council

James O. Campbell, Chairman
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MEMORANDUM

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