

North Pacific Fishery Management Council

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Date

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9/23/87

MINUTES

77th Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
May 20-22, 1987
Hilton Hotel
Anchorage, Alaska

The North Pacific Fishery Management Council met May 20-22 1987, at the Hilton Hotel in Anchorage, Alaska. The Scientific and Statistical Committee and Advisory Panel began Monday, May 18. The Crab Management, Policy & Planning, Finance, and Domestic Observer committees also met during the week.

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, Vice Chairman
Don Collinsworth
Joseph Blum
Jon Nelson for USF&W Reg. Director
RADM Edward Nelson
Oscar Dyson
Robert Ford

Robert U. Mace for
Randy Fisher
Robert McVey
Henry Mitchell
John Harville
John Peterson
John Winther
Larry Cotter

NPFMC Staff

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

Ron Miller
Ron Rogness
Terry Smith
Helen Allen
Peggy Kircher

Support Staff

Jim Balsiger, NMFS-NWAFRC
Jay Ginter, NMFS
Craig Hammond, NMFS
John Pedrick, NOAA-GC
Jim Brooks, NMFS
Ole Mathisen, UAA-Juneau

Fred Gaffney, ADF&G
Loh-Lee Low, NMFS-NWAFRC
Jon Pollard, NOAA-GC
Bill Robinson, NMFS
Ron Berg, NMFS
Janet Wall, NMFS-Seattle

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Scientific and Statistical Committee

Phil Mundy, Chairman
Bill Aron
Douglas Eggers
Robert Burgner
Bill Clark

Richard Marasco, Vice-Chairman
Terry Quinn
Don Bevan (5/19 only)
John Burns
Don Rosenberg

Advisory Panel

Nancy Munro, Chairman
Bob Alverson, Vice Chairman
Rupe Andrews
Al Burch
Ron Hegge
Rick Lauber
John Woodruff
Barry Fisher
Terry Baker

Rich White
Thorn Smith
Cameron Jensen
Ron Peterson
Lamar Cotten
Daniel O'Hara
Ed Fuglvog
Oliver Holm
Dave Woodruff

General Public

It was estimated that over 170 people attended the Council meeting during its session, including the following:

Woody Knebel, Columbia Wards Fisheries
Matt Holms, Alaska Public Radio
Roger Sohnorbus, Mrs. Paul's Kitchens
Alec Brindle, Columbia Wards Fisheries
Jim Butler, Staff Asst, Sen. Frank Murkowski
Steve Grabacki, Graystar
Barry D. Collier, PSPA
Adm. C. Y. Hwang, Korea Deep Sea Fishermens' Assn.
N. Tokaji, NPLA
Eric Maisonpierre, Alaskan JV Fisheries
Jong-Yun Lee, Oyang Fisheries Co.
Ted Evans, AFTA
Linda Chaves, NMFS-Seattle
Ted West, Buttercod Fisheries
Steve Hughes, NRC
Paul Fuhs, City of Unalaska
Cindy Lowry, Greenpeace
Charles Morris, New Orleans
Mark Beacham, F/V TOPAZ
Barry B. Ohai, F/V STARLITE
Robin Miller, Cascade Boat Company
Fred Kirkes, American President Lines
Sinclair Wilt, Alyeska Seafoods
Bob Hausenflock, NOAA-DC
K. J. Lee, Silla America, Inc.
Park Moo Sung, Korea Deep Sea Fisheries Assn.
Chris Blackburn, Alaska Groundfish Data Bank
Dean Paddock, Bristol Bay Driftnetters Assn.

Vic Horgan, Jr., OBSI
John Enge, CFAB
Bob Clark, CFAB
Ray Campbell, Kodiak
Li Shanxun, CNMF
Jay Biao, CNMF
Tong J. Guo, CNMF
Bradford Matsen, Seattle
Jack Hill, Kodiak
Mel Monsen, AFDF
Chris Riley
Don Pauley, Seattle
Joe Plesha, Seattle
Bill Orr, AFTA
Harold Thompson, Sitka
David Harville, Kodiak
Norman Staden, Anchorage
Cary K. Swasand, WA
Pat Golden, Anchorage
Joseph Wabey, Seattle
Jeff Stephan, UFMA
C. Threinen, Kodiak
Jeff Thomas, Seattle
Bob King, KDLG
John Zuck, Anchorage
John Durkin, Anchorage
Rodger Davies, DSFU
James O'Keefe, DSFU

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Kyung Hwan Oh, Korea Deep Sea Fishermen's Assn.
Pauline Dunlap, Eagle Fisheries
Reed Wasson, Eagle Fisheries
Paul Peyton, OCFD, AK Dept. of Commerce
Sharon Gwinn, First Alaska Surimi
R.K. Dearborn, Alaska Sea Grant
Lynn Gabriel, ASDG
S. Katano, OFCF
Floyd Miller, St. Paul

Stephanie Wilson, Seward
Bill Dalten, Kodiak
Judy Graham, Anchorage
Alan Otness, Petersburg
Bernt Bodal, F/V STARFISH
Ken Kobayashi, JDSTA
Phil Chitwood, MRCI
K. Jodai, JFA

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

The meeting was called to order at 9:07 a.m., Wednesday, May 20, by Chairman Jim Campbell.

Mr. Campbell introduced Joseph Blum, Washington Director of Fisheries, and the following special guests: Curtis Mack, Deputy Administrator of NOAA; Jim Brennan, NOAA-GC, and Admiral Oh, the new President of the Korea Deep Sea Fishermen's Association.

Mr. Branson asked that the report on the sablefish limited entry survey be moved to Wednesday. The agenda was approved with this change.

Bob Mace moved to approve the minutes of the January 1987 meeting. The motion was seconded by John Peterson and carried with no objection. Rudy Petersen moved to approve the minutes of the March 1987 meeting. The motion was seconded by Oscar Dyson and carried with no objection.

B. SPECIAL REPORTS

B-1 Executive Director's Report

Jim Branson presented the Executive Director's report as provided in Council notebooks. Subjects covered were the agenda for the May 15-16 Chairmen's meeting in Seattle, the 1988 Council meeting schedule, and an update on the Secretarial Amendment repealing the Tanner Crab FMP.

After the Policy & Planning Committee gave their report, the Council discussed the 1988 meeting schedule. They agreed to the changes recommended by the committee and also suggested that the September and December meetings may have to be extended by one day.

John Peterson moved to approve the 1988 meeting schedule as follows:

Week of January 18
Week of April 11
Week of June 20
Week of September 26
Week of December 5.

The motion was seconded by Joe Blum and, there being no objection, it was so ordered. It was suggested that the Council may need an extra day for the December meeting if they are to consider halibut proposals. All 1988 Council meetings will be held at the Anchorage Sheraton.

The Advisory Panel expressed some concern over the January meeting being held later in the month because of a potential conflict with the pollock and crab

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fisheries, and also that an April meeting would conflict with the sablefish and halibut fisheries.

B-2 Domestic Fisheries Report by ADF&G

The Alaska Department of Fish and Game reported that an estimated 30,000 chinook salmon were caught during the 1986/87 winter troll season, up from 23,000 chinook last year. The summer troll season will open June 20 with an estimated 191,000 chinook salmon (not including Alaskan hatchery contributions) available for harvest.

Preliminary catches for the 1987 Alaska sac roe herring fishery totalled 35,746 short tons as follows: Southeast Region--5,670 st; Central Region--27,870 st; AYK Region--647 st; Westward Region--1,559 st, with some areas still open to fishing. A detailed report will be available in September.

B-3 NMFS Management Report

The National Marine Fisheries Service reported that domestic groundfish fishermen processing on board or delivering to U.S. processors (DAP) harvested 31,000 mt in the Gulf of Alaska and 79,515 mt in the Bering Sea and Aleutians through early May. The Gulf DAP harvest included about 6,300 mt pollock, 14,000 mt sablefish, and 8,222 mt cod. The Bering Sea and Aleutians U.S.-processed catch included 45,000 mt pollock, 19,000 mt Pacific cod, 10,500 mt rock sole, 1,117 mt sablefish and smaller amounts of other species.

The Central Regulatory Area of the Gulf was closed to directed trawling for sablefish on April 11, reserving the remaining quota for bycatch, which was quickly taken. The area was closed to all retention of sablefish with trawl gear on May 5. The sablefish longline fishery in the West Yakutat area of the Gulf opened April 1 and closed on April 15 when NMFS projected that the 3,900 mt quota was taken. A total of 216 vessels participated in the fishery.

The sablefish longline fishery in the Southeast/East Yakutat area lasted from April 1 to April 9 when NMFS projected that the 3,880 mt quota was taken, with 353 longline vessels participating. The sablefish longline fishery in the Central and Western Areas of the Gulf opened April 1. The catch through May 21 was about 4,600 mt in the Central Area and 600 mt in the Western Area. A total of 378 vessels registered to fish in the Central Area and 86 registered for the Western Area.

Foreign directed fishing this year is confined to the Bering Sea/Aleutians, with foreign allocations totalling slightly less than 65,000 mt, distributed as follows: 49,551 mt to Japan, 14,157 mt to South Korea, and 644 mt to the Republic of China, a split that reflects the Council's recommendation last December that 77% of any available TALFF go to Japan, 22% to South Korea, and 1% to China. The foreign catch through early May totalled 20,108 mt, almost all by Japan. Ninety-six percent of the catch was Pacific cod taken by Japan longliners. It is unclear at this time whether any additional foreign allocations will be available this year.

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

Through April 30, the Coast Guard had expended 198 cutter days and 523 aircraft patrol hours, covering more than three million square miles of ocean. Forty-four reports of violation and written warnings have been issued to foreign fishing vessels operating off Alaska.

Since March, the Coast Guard has investigated several cases involving foreign nationals working aboard U.S. fishing vessels, the most significant involving two U.S. trawlers with foreign nationals in command. Two other vessels, a large processor and a longline vessel, were found with illegal aliens aboard. The Immigration and Naturalization Service is investigating and beginning deportation proceedings.

On May 1 the Coast Guard received word that a U.S. vessel was fishing for halibut off Kodiak before the season opening. The F/V MINNOW was found to have 84,000 pounds of frozen halibut aboard, as well as five illegal aliens. The aliens, all Mexican nationals, are being processed for deportation by the U.S. Immigration and Naturalization Service.

From June through September the Coast Guard will conduct cutter and aircraft patrols in the North Pacific Ocean, primarily enforcing the provisions of the International Convention for the High Seas Fisheries of the North Pacific Ocean while monitoring the activities of the squid gillnet fleets from Japan, South Korea, and Taiwan.

The Coast Guard also notes that numerous U.S. fishing vessels boarded during the past two months have been found to have inaccurate or expired vessel documentation. Coast Guard regulations require that documented U.S. vessels, while operating, maintain current and original documentation on board.

B-5 Joint Venture Operations

The total joint venture catch off Alaska through May 6 as reported by NMFS was 900,034 mt, which included 787,189 mt pollock, 32,829 mt Pacific cod, 16,511 mt flatfish, 61,067 mt yellowfin sole, and 2,438 mt other species. The catch in the first four months of 1987 shows a considerable increase over the same period in past years. There was also an increasing number of joint venture catcher boats off Alaska in January through April.

C. NEW OR CONTINUING BUSINESS

C-1 Legislative Update

On March 26, 1987 legislation was introduced in both the House and Senate that establishes crew licensing requirements, sets inspection and safety standards for commercial fishing vessels, provides compensation for injured seamen on fishing vessels, and establishes a fishing vessel safety advisory committee to advise the Secretary of Transportation. The House bills are H.R. 1836, by Representative Lowry, and H.R. 1841, by Representatives Studts, Don Young and others. Senate legislation, S. 849, is co-sponsored by Senators Chafee and Kerry. A hearing on H.R. 1836 and H.R. 1841 will be held on June 11 by the Fisheries and Wildlife, Coast Guard, and Merchant Marine Subcommittees of the House Merchant Marine and Fisheries Committee.

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H.R. 1717, by Representative Walter Jones, and H.R. 1727, by Representative Mike Lowry, seek to reauthorize and strengthen the National Sea Grant Program. The Senate Commerce Committee considered Sea Grant reauthorization at a hearing on May 13. Senators Hollings and Stevens propose to increase the base authorization levels for Sea Grant from \$46 million in FY 1988 to \$54 million in FY 1992. Additional appropriations would be provided for strategic marine research and international programs.

Bills have been introduced in both the House and Senate to establish NOAA as an independent agency. The Senate legislation is S. 330 by Senators Roth and Cohen, and S. 821 by Senator Weicker. The House legislation, H.R. 2135, was introduced by Representative Watkins.

S. 562, by Senator Weicker, proposes to establish a National Marine Policy Commission. Companion legislation, H.R. 1171, was introduced in the House by Representative Walter Jones that calls for the establishment of a National Ocean Policy Commission. Both bills require the Commission to make recommendations to Congress and the President on developing a comprehensive marine/ocean policy for the U.S. A hearing was held on H.R. 1171 by the House Merchant Marine and Fisheries Committee on May 21. No substantive changes to the bill resulted from the hearing; a mark-up session will be held in the near future.

The Senate Commerce Committee held a hearing on Senators Stevens' and Murkowski's reflagging bill, S. 377, on April 28. On April 29 a joint hearing was held by the Fisheries and Wildlife Conservation, Merchant Marine, and Coast Guard Subcommittees of the House Merchant Marine and Fisheries Committee to consider reflagging legislation introduced by Representative Don Young (H.R. 438) and Representative Mike Lowry (H.R. 1956). The current word is that a compromise may be reached soon by the interested members of Congress that would allow the opportunity for reflagging of foreign fish processing vessels during a limited period or for a limited number of vessels. The Council family will be notified when final word on this compromise is received. A mark-up session on the House legislation is tentatively scheduled by the Merchant Marine and Fisheries Committee on June 9.

A hearing was held by the Senate Commerce Committee on April 30 to consider S. 62, Senator Stevens' bill on high-seas driftnets. A mark-up session on that bill will be held in the near future.

The Fisheries and Conservation Subcommittee of the House Merchant Marine and Fisheries Committee will hold a hearing on June 17 to consider H.R. 940, a bill introduced by Representatives Studts, Don Young, and others to regulate the use of driftnets in the U.S. EEZ and the at-sea disposal of all plastics and other garbage.

A hearing may be held early this summer by the House Agriculture Committee on H.R. 1483, by Representative Dorgan, that proposes a mandatory inspection program for all commercially processed fish products used for human consumption. The Senate Agriculture Committee may also hold a hearing on fish inspection within the next few weeks.

C-2 Nonprofit Fishery Research Foundation

Ron Miller reported on the second public meeting on the creation of a private nonprofit research foundation which was held on Sunday, May 17, in Anchorage. Reports were presented on problems in funding state and federal fishery research, the status of the foundation's steering committee work, and legislation introduced by Representative Don Young on fishery research promotion. A draft foundation charter, program description, and resolution will be prepared for consideration by the industry during the summer. A meeting will be held during the September Council meeting to provide industry representatives the opportunity to make a final decision on the desirability of forming a fishery foundation.

C-3 Council Operating Procedures

The Council's Policy & Planning Committee met in Anchorage on April 22 to review Council operating procedures. The Committee considered revisions to the annual groundfish amendment cycle, plan team operations, halibut management, the Council SOPPs, and permit review policy.

Report of the Policy & Planning Committee

The Committee recommended the following to the Council:

A. Annual Groundfish Amendment Cycle:

1. That the March and May Council meetings be moved to April and June, beginning in 1988.
2. That the deadline for groundfish amendment proposals be shifted to October 1.
3. Formation of a Plan Amendment Advisory Group to initially review plan amendment proposals.

B. Plan Team Operations:

1. That a representative of Washington Dept. of Fisheries be assigned to both groundfish teams.
2. That the plan teams review proposals and provide recommendations to the Plan Amendment Advisory Group according to the policy on amendments.
3. Stressed that all team members will be expected to be actively involved in carrying out team assignments.
4. The team chairman will be responsible for planning and coordinating team activities, making work assignments, coordinating presentations to the Council, SSC and AP, and determining whether to allow public comment at team meetings.
5. Team reports should be reviewed by all team members.

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6. Teams should endeavor to have documents to the SSC for their review at least 30 days before their consideration.

C. Halibut Management

The Committee discussed the need for formal procedures for processing halibut proposals, similar to the groundfish amendment cycle. Close cooperation with the IPHC was stressed and Council staff was instructed to develop a time schedule, working with IPHC to ensure efforts are coordinated. Council staff met with NMFS, Pacific Council, and IPHC personnel and developed draft procedures for processing halibut proposals similar to those used for groundfish. This subject will be discussed under Agenda Item C-4.

D. Council SOPPs

The Committee deferred action pending review of the Secretary's draft Uniform Standards.

E. Permit Review Policy

The Committee discussed the need for reviewing the current Council policy on foreign fishery applications. They stressed the need to complete any necessary changes in the policy by the September meeting but are awaiting an ad hoc industry group report on the subject. It was the consensus of the Committee that this subject properly falls within the scope of the Policy & Planning Committee, rather than the Permit Review Committee. The Committee suggested putting this subject on the agenda for their meeting in June.

Public Testimony

Bill Orr, AFTA, suggested that amendment packages sent out for public review should include draft FMP and regulatory language to help reviewers understand just exactly what the end product would be.

COUNCIL DISCUSSION AND ACTION

In the Policy & Planning Committee's draft report it was suggested that the Chairman review plan team performance annually and report the results to agency heads of the plan team members. The Council felt it would not be proper to "admonish" agency heads or tell them how to supervise their members. Agency heads should be made aware when there is a problem, but the idea of an annual review was deleted from the report.

Don Collinworth moved to delete the section dealing with an annual review of plan team members from the draft Plan Team Policy document. The motion was seconded by Bob Mace and carried with Joe Blum objecting.

Henry Mitchell moved to approve the recommendations of the Policy & Planning Committee, including Attachments A & B (revised management cycle and proposal forms), with the exception of halibut management procedures. The motion was seconded by John Peterson and carried with no objection. Halibut management procedures will be discussed under Agenda C-4.

C-4 Halibut Management

The NMFS Central Office has told the Council they will be expected to deal with some halibut regulatory issues, specifically those of a socioeconomic and/or allocative nature. The directive is an outgrowth of recent IPHC measures aimed at improving the "edge" given residents of Area 4C. The Department of Commerce modified those measures and stressed that the Councils, rather than IPHC, are responsible for non-biological management measures under authority of the Northern Pacific Halibut Act.

Recommendations of the Policy & Planning Committee

The Policy & Planning Committee recommended adoption of procedures developed by Council, NMFS, Pacific Council, and IPHC staff which would establish a halibut management proposal cycle similar to that used for groundfish proposals. Management proposals would be due at Council offices by September 15. A halibut management team, consisting of representatives of IPHC, NMFS-AK Region, NWAFC, ADF&G, and Council staff, would categorize the proposals. Then, the halibut regulatory amendment advisory group (RAAG), consisting of two Council members, 2 SSC members, two AP members, and the chairman of the halibut management team, would review and validate team recommendations as to whether the proposals meet all necessary criteria, identify those of high priority, recommend additional alternatives to each proposal, if possible, and forward IPHC-type proposals to the Commission. In September the Council would review the Halibut RAAG's recommendations and decide which ones will be sent out for public comment. The final decisions on halibut proposals will be made at the December Council meeting.

COUNCIL DISCUSSION AND ACTION

The Council discussed the need for a fishery management plan for halibut with goals and objectives if they are going to act on management proposals for the fishery. It was suggested that since this would fall under the Halibut Act, a halibut allocations policy should be developed outlining the Council's goals and objectives for management of halibut, rather than an FMP. There was some concern about staff time and funds required for these new responsibilities.

Henry Mitchell moved to adopt the recommendations of the Policy & Planning Committee with regard to halibut management proposals, using the time schedule proposed in Alternative 1 for the first year (see report above). The motion was seconded by Oscar Dyson and carried with Rudy Petersen objecting.

Council members asked Mr. Branson to send a letter to the IPHC outlining the Council's procedures, why the Council is becoming involved, and stressing that the Council will work closely with them. It was also suggested that a letter be sent, jointly with IPHC, to industry explaining why the Council is becoming involved and what the procedures will be.

Bob Trumble, IPHC, reported to the Council on the preliminary results of the first halibut opening. The catch for the May 4-5 opening in Southeast Alaska is estimated at 3.4 million pounds. On June 1 there will be a two-day opening in 2C; the quota is 11.5 million pound and it is estimated that the full quota will be taken in that two-day period. In Area 3A 12.7 million pounds was taken in the first one-day opening; there will be another one-day fishery on

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June 1. The quota for Area 3A is 31 million pounds. In Area 3B, west of Kodiak, the catch is estimated at 1.3 million pounds out of a 9.5 million pound quota; there will be another one-day fishery scheduled, simultaneously with that in 2C and 3A. The Canadian fishery started May 2. During the eight-day opening approximately 5.5 million pounds were caught out of a quota of 11.5 million pounds. There will be another opening June 16-21 and probably another in September.

C-~~7~~⁵ Sablefish Management

Ron Hegge reported on their survey of sablefish fishermen. A total of 524 questionnaires were mailed to 1986 sablefish permit holders and, as of May 1, 1987, 213 had been returned. Based on preliminary results, 72% responded in favor of limited entry, 27% responded no, and 2% were undecided. Those voting yes had an average of 5.8 years in the fishery; those voting no had an average of 3.39 years in the fishery. Of those specifying a particular type of system, 64 favored a permit system; 22 favored a share system, and 4 favored gear limitation measures.

Bob Alverson handed out a proposal for sablefish management for Council consideration. The proposal recommends a private property access system based on vessel permits.

Report of the Advisory Panel

The Advisory Panel recommended that the Council:

Seek long-term sablefish management options from the public through July 30. The plan team would then develop the limited entry option already received and additional options received by the public for review by the Council at the September meeting. At that time the Council will decide whether or not to send the developed options out for public review.

Public Testimony

Jeff Stephan, UFMA, briefed the Council on a sablefish management survey they are doing. The survey has been sent out to approximately 1,470 fishermen and processors. They hope to have a report to the Council sometime in July and asked the Council to delay any action on a particular management option at this time. He agreed with the recommendation of the Advisory Panel.

Thorn Smith, NPFVOA, told the Council that although their association has traditionally opposed limited entry, they realize the need to protect the stocks. However, with economic conditions and fisheries constantly changing, fishermen need to be able to switch from fishery to fishery in order to survive. Some of their members have expressed interest in the individual transferable quota option used in New Zealand, but they do not favor license or vessel limitation. If the Council decides on a limited entry system, they would prefer one that will be usable in other fisheries in the future. Fisheries in the EEZ are closely related and all user groups should be included in the management process from the beginning.

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Alan Otness, Petersburg Vessel Owners' Assn., said he would like to see more options before making a decision on the best way to manage the sablefish fishery. He pointed out that the fishermen in his association were opposed to returning the survey questionnaire developed by Jeff Stephan and Oliver Holm and suggested the Council should get that information from a reliable and unbiased source.

Raymond Campbell, Kodiak, is not in favor of limited entry. All the discussion of a possible limited entry system is just making people enter the fishery in order to be eligible for a permit. If the questions was resolved without limited entry there would be far fewer permits issued in the future. Surveys should include the processors, crew and any other related industries, not just the fishermen. Doesn't believe that 72% of the fishery are in favor of limited entry.

Bob Alverson, FVOA, supports the Advisory Panel's suggestion to begin seeking long-term sablefish management options from the public and have them prepared for Council review for the September Council meeting before sending them out for public comment.

Jim O'Keefe/Rodger Davies, Deep Sea Fishermen's Union. Mr. O'Keefe supports some form of limited entry in the sablefish fishery. His major concern is the safety issue. With the shorter seasons fishermen are forced to work longer hours and to go out in bad weather. He is also concerned with the waste that occurs during shorter seasons when lost gear holds fish that are not harvested. Mr. Davies agreed with Mr. O'Keefe's comments. He stressed that they are crewmen and would not receive permits if a limited entry system is adopted but that they seek a stable and safe fishery with longer seasons.

Mark Hutton, Cooper Landing, pointed out that the Council should take into consideration the bycatch of halibut in the sablefish fishery when making management decisions. There is also a bycatch of sablefish in the halibut fishery with a 100% mortality for sablefish caught. He pointed out that by setting the sablefish season prior to the halibut season there is a large, unnecessary bycatch of halibut. He suggested that either the halibut season come before the sablefish season or they be opened concurrently. He is opposed to limited entry for sablefish unless it can be done for all current longline fisheries.

COUNCIL DISCUSSION AND ACTION

John Winther moved to approve the AP's recommendation to solicit sablefish management proposals with a July 30 deadline. The staff will develop and prepare the proposals for Council consideration at the September Council meeting. Proposals approved by the Council would then go out for public review. The motion was seconded by Don Collinsworth and carried with no objection.

C-6 Unrecorded Discards

At the March meeting the Council heard a report alleging that pollock caught excess to the capacity of trawl codends in Bering Sea joint venture operations were being bled off, resulting in a significant amount of unrecorded catch.

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Al Burch, Manager of Alaska Draggers Association in Kodiak, surveyed the trawl industry to determine the magnitude of the problem.

Mr. Burch reported that the survey indicated that most vessels have catch indicators and that they probably should be required. Survey responses indicated that the pollock fishery is the prime fishery where bleeding occurs. Catch indicator failure, inexperienced skippers, and dumping of non-target species by domestic operations were listed as reasons for dumping.

COUNCIL DISCUSSION AND ACTION

The Council expressed appreciation for the work done by Mr. Burch. The consensus was that industry is working on solving the problem and that no Council action is required at this time. There was some concern that there is no way for accounting for discards. It was suggested that some type of report outlining practices used by fishermen to avoid the necessity of bleeding their nets be prepared and published, possibly through Sea Grant. Barry Fisher said he would be willing to work with Sea Grant if they agreed.

C-7 Joint Venture Permit Application from Poland

The Council received a vessel permit application from Poland for a trawler/processor to participate in joint ventures off Alaska during the rest of the year. The vessel will be in addition to the approximately 60 Polish trawlers and support vessels already approved last December for joint venture operations. Mr. Branson requested that the Council review the application because of their concern over the amount of pollock being caught in the donut hole and the lack of reporting by Poland on that fishery.

Craig Hammond, NMFS-Enforcement, reported that the Polish fleet has been fishing in the "donut hole" this year as they did not receive a directed allocation for the Bering Sea/Aleutians. They have conducted support operations in the loading zones near St. Matthew and Unalaska Islands and NMFS estimates their catch at about 82,514 mt of pollock. Thirty-two stern trawlers made 95 transfers in the EEZ in the Bering Sea from January 1 through April 30. Polish vessels participated in joint venture fisheries briefly in mid-January and resumed in mid-March. Confidentiality restrictions prevent the release of catch information, however the vessels engaged in the joint venture fishery also conducted transfer operations during the same period.

Public Testimony

Barry Fisher, Yankee Fisheries, said that he thinks that the Council should recommend permit conditions requiring foreign nations fishing in the "donut" area and wishing to fish the U.S. EEZ to provide catch information.

Mick Stevens, ProFish, urged approval of the application.

COUNCIL DISCUSSION AND ACTION

Bob Ford, State Department, said that a bilateral agreement may be more appropriate than permit conditions.

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In response to a question from Don Collinsworth, Mr. Ford reported that the State Department first requested catch information from foreign nations on their fisheries in the "donut" in 1985. Japan and Korea are now providing some statistics which have been relayed to NMFS and INPFC. They are now planning to request some kind of formal exchange of notes or a diplomatic document.

Mr. Collinsworth pointed out that the State Department should be much more effective in getting this information than the Council. If the government is frustrated in their efforts, then perhaps the Council could consider permit restrictions and other methods of obtaining the information.

Dr. Harville said that there is a lot of information out there besides the harvests in the "donut" and urged that PICES get started as soon as possible. He urged strong support of this organization from the State Department and Congress.

Chairman Campbell asked Mr. Ford to report to the Council in September on the status of the cooperation of each nation fishing in the "donut hole" area.

Henry Mitchell moved to approve the permit application of the Polish stern trawler GOPLO. The motion was seconded by Bob Mace and carried with no objection. The letter of approval will stress the Council's concerns over reporting catches in the "donut".

Bob Mace suggested that the Policy & Planning Committee may want to begin thinking about firming up the permit review and allocation procedure and possibly ranking countries by their cooperation in providing catch information.

C-8 Council Observer Program

Since receiving approval to expend \$200,000 in programmatic funds for a pilot domestic observer program, Council staff has been working with staff members of the NWAF, NMFS-Alaska Region, and Alaska Sea Grant to establish the program's framework.

Report of the Domestic Observer Committee

The Committee met on May 21 to review tentative plans for a pilot domestic observer program, the Council's policy on observers, and the draft NMFS-NOAA policy on domestic observers. Following are their recommendations for placement of observers and methods for choosing specific vessels for observer placement:

General Principles.

1. A neutral party must administer, manage, and operate the program.
2. The purpose of the program is to collect biological information.
3. The sampling of fleets must ensure representativeness of the data.

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Operations and Agency Roles. The Committee then discussed general operations and agency roles for the observer program as follows:

1. The observer coverage scheme will be designed by the NWAFC in consultation with NMFS Regional Office and ADF&G.
2. The observer coverage scheme, once developed, will be submitted to the North Pacific Fishery Management Council. This scheme does not preclude the Council from requesting on short notice observer coverage in areas of high concern.
3. Agencies responsible for operations of the program will coordinate closely with industry and their associations in selecting vessels for observer placement.
4. Training observers will be the responsibility of the NWAFC.
5. Field operations and personnel management will be the responsibility of the University of Alaska, drawing on observer experience available from other agencies.
6. The NWAFC will be the lead agency responsible for debriefing observers to ensure consistency of data. These responsibilities will be shared with ADF&G and the University of Alaska.
7. Observer data processing will be the responsibility of the NWAFC who will ensure timely availability of the information derived from the program while maintaining the full confidentiality of the data.

Pilot Program for 1987-88. Based on the above general principles and operational responsibilities, the pilot observer program for the next 12 to 18 months is proposed as follows:

1. Development of Observer Coverage Plan. The Council will arrange a meeting in June with industry to formulate a coverage scheme. The Council is not precluded from requesting observer coverage on short notice in areas of special concern.
2. Insurance Coverage. The University of Alaska will resolve any outstanding problems concerning insurance coverage for observers.
3. Selection of Observers. The NWAFC will supply a list of experienced observer candidates to the University of Alaska.
4. Selection of Vessels. Given the voluntary nature of this pilot program, parties responsible for operating the program will meet with industry representatives to identify and solicit suitable vessels to voluntarily take observers.
5. Target Date for Implementing Program. September 1, 1987.

It was a general sense of the Committee that this pilot domestic observer program needs to get off to the best start possible. It is important that the program be perceived by industry as impartial, equitable, and cooperative in nature. Feedback from the industry should be solicited on ways to improve the program toward providing better information. Above all there should be no question that the confidentiality of the information derived from the observer program will be maintained and that the emphasis will be on acquiring biological information.

Council Domestic Observer Policy

The Committee voted to review the Council's domestic observer policy during the summer to determine whether it is still relevant or if changes are needed.

NMFS Draft Domestic Observer Policy

The Committee recommends the Council request an extension of the June 15, 1987 deadline for the submission of comments on the NMFS Draft Domestic Observer Policy. The Committee will review this policy during the summer and make their recommendations to the Council in September.

COUNCIL DISCUSSION AND ACTION

Mr. McVey asked that a fourth item be added to the "General Principles," as follows:

4. All data will be held confidential and individual skippers will be provided with copies of trip reports from the observers they carry.

Oscar Dyson moved to approve the recommendations of the Domestic Observer Committee, including the 4th general principle suggested by Bob McVey. The motion was seconded by John Peterson and carried with no objection.

There was some discussion about the starting date of September 1 which is prior to the Council's next meeting. It was suggested that plans proceed to get the program started on time with the Council being kept informed by mail and teleconference.

C-9 NOAA Penalty Schedules for Fisheries Violations

John Pedrick, NOAA-GC, reviewed the proposed amendments to the Region's penalty schedules for fisheries violations. The schedules have been revised to provide the Region guidelines for consistency in penalties; they are not regulations.

COUNCIL DISCUSSION AND ACTION

It was noted that the schedule provides substantially increased flexibility in assessing penalties. Mr. Cotter and Mr. Rudy Petersen said they feel there should be a standard fine for each type of violation, regardless of vessel size; NMFS still has the flexibility to increase the penalty if a situation warrants. This was an information item and no Council action was taken. Mr. Pedrick asked Council members to contact him if they had other suggestions or concerns with the draft schedule.

D. FISHERY MANAGEMENT PLANS

D-1 King and Tanner Crab FMP

Larry Cotter reported on the progress of the plan team and Crab Management Committee on the draft FMP for king and Tanner crab in the Bering Sea/Aleutian Islands. There is still work to be done on the goals and objectives, permit requirements, and alternative management approaches. The plan team hopes to have a draft FMP for Council review by September. The State of Alaska will have full management authority for the crab fisheries inside and outside three miles while the new plan is being developed.

Public Testimony

Thorn Smith, NPFVOA, reiterated their position against state management of crab fisheries in the U.S. EEZ, and stressed the question of discrimination against non-Alaskan fishermen.

Arne Aadland, NPFVOA, suggested changing the size limit for king crab to 6". He cited statistics from a report done by Jerry Reeves of the Northwest & Alaska Fisheries Center supporting the change.

Arni Thomson, Alaska Crab Coalition, told the Council that their association of 65 (15 are Alaska residents) supports the development of the FMP. They feel that the State of Alaska has effectively managed crab since 1959 and that the present Tanner crab plan is outdated. Combining the king and Tanner crab FMPs in the BSAI area is a positive action.

COUNCIL DISCUSSION AND ACTION

Rudy Petersen said he felt that the resident vs. non-resident issue has been overplayed and that there is more concern over the different management philosophies of the state and federal agencies.

Don Collinsworth said that the State doesn't necessarily want this responsibility but will do it if the Council and federal government wish. He did caution the Council that with extensive State budget cuts they will need to have some money to put into the program.

This was a information item, no Council action was taken.

D-2 Salmon FMP

Mr. McVey told the Council work is progressing on the revision of the salmon fishery management plan and that a draft should be available for Council review in September.

D-3 Gulf of Alaska Groundfish Fishery Management Plan

The Council was provided with a review of the results from the Shelikof pollock survey; discussed the NMFS survey of industry and changes in DAP and JVP apportionments, and considered approval of Amendment 16 to the FMP.

Preliminary Results from the Shelikof Pollock Survey

Jim Balsiger reported that his review of the Shelikof pollock survey will not reveal much more than his interim report at the last Council meeting. Final results will not be available until about mid-July and will be included in the plan team's initial Resource Assessment Document in September. He noted that the abundance of mature pollock in the Strait is perceived to be considerably less than that observed during the 1986 survey, but the abundance of juvenile pollock appears to be greater than the very high level observed during the 1976 survey. The 1984 year class is very strong and the 1985 year class appears to be at least average strength. An aggregation of one-year-old fish (1986 year class) of undeterminable abundance was found in lower Shelikof Strait.

Based on the survey, the plan team has not revised their 1987 ABC recommendation of 95,000 mt of pollock for the Western/Central Regulatory Areas.

Bill Robinson reported on NMFS' mid-year survey of the DAP industry in the Gulf of Alaska. They surveyed a total of 51 processors, including 19 shoreside, 25 floating processors which are currently operating, and 7 floating processors which are not currently operating but intend to begin in 1987. NMFS' best estimate of anticipated DAP needs for the remainder of 1987 is less than the 63,100 mt obtained from the first survey. Their revised estimate is 45,500 mt.

Report of the Scientific and Statistical Committee

The SSC noted that the Shelikof pollock survey is consistent with the currently established ABC.

Report of the Advisory Panel

The AP recommended that the final TQ for Gulf of Alaska pollock be specified at the low end of the recommended ABC range of 70,000, down from the 84,000 mt recommended in December. They also recommended that no fish be reallocated from DAP to JVP until November 1 to provide the domestic industry every opportunity to meet their harvesting and processing objectives.

Public Testimony

Mick Stevens/Chris Reilly, ProFish, asked that the Council and Region review DAPs/JVPs for pollock and if there are to be reapportionments that they be effective by September 1 in order for industry to have time for planning.

Fred Yeck, American High Seas Fisheries Assn., supports continued allocation to DAP, but in light of the poor domestic performance and stock projections, feels that there is no real DAP need and that any surplus should be reallocated to JVP in a timely manner.

COUNCIL DISCUSSION AND ACTION

John Harville suggested the Council accept the current DAP figure and consider a release of approximately 20,000 mt in September after a survey of DAP processors and fishermen.

John Pedrick, NOAA-GC, pointed out that if the Council accepts the DAP apportionment and doesn't change the TQ, a surplus will be created which could be reapportioned.

Bob Mace moved to retain the 84,000 mt TQ for pollock in the Gulf, establish a 20% reserve of 16,800 mt, and reassess the DAP, recognizing that more factory trawlers are coming on line. The Council will have a conference call on September 1 to review current survey information and make a decision at the September Council meeting whether to recommend releasing the reserves. The motion was seconded by Henry Mitchell and carried with no objection. Rudy Petersen was not present for the vote.

Amendment 16 to the Gulf of Alaska Groundfish FMP

Amendment 16 was sent out for public review after the March Council meeting. The amendment addresses the following proposals:

1. DAP PRIORITY WITHIN 100 MILES OF UNALASKA ISLAND.
 - Alternative 1: Do nothing (the status quo).
 - Alternative 2: Establish a year-round area closure not to exceed Zone A wherein only DAP operations are allowed.
 - Alternative 3: Establish a year-round area closure not to exceed Zone A wherein DAH fishing would be allowed only for those vessels delivering to DAP and those delivering to foreign processors outside Area A.
 - Alternative 4: As in Alternative 3, except Zone A closure is seasonal (January through June).
 - Alternative 5: Establish a fee structure for foreign processors who receive joint venture caught pollock.
 - Alternative 6: Establish a seasonal schedule for release of annual JVP apportionments for pollock in the Bering Sea/Aleutian Islands management area.

2. REVISE THE DEFINITION OF PROHIBITED SPECIES.
 - Alternative 1: Do nothing (the status quo).
 - Alternative 2: Revise definition of prohibited species to list those species or species groups which must be avoided while fishing for groundfish and, if caught incidentally, must be immediately returned to the sea with a minimum of injury.

3. IMPROVE CATCH RECORDING REQUIREMENTS.
 - Alternative 1: Do not require the daily cumulative production log (DCPL), comprehensive fishing logbook, or the transfer logbook (status quo).
 - Alternative 2: Require catcher/processor and mothership vessels to document their operations by maintaining a fishing logbook which includes the DCPL, fishing effort, and discard sections, and a transfer logbook. Other groundfish vessels over 5 net tons would be required to maintain the fishing effort and discard sections only.

Alternative 3: Require only catcher/processor and mothership vessels to maintain a comprehensive fishing logbook (including the DCPL, fishing effort, and discard sections) and a transfer logbook. Other vessel categories would have no logbook requirements.

Alternative 4: Require catcher/processor and mothership vessels to maintain only the DCPL section and the transfer logbook. The fishing effort and discard sections would be deleted from the fishing logbook.

4. ESTABLISH A FRAMEWORK PROCEDURE FOR SETTING SEASONS.

Alternative 1: Do nothing (the status quo).

Alternative 2: Establish a framework procedure for the annual setting of fishing seasons for any of the managed groundfish species (date specific only), which would include an analysis if the setting of seasons have any allocative impact.

5. EXPAND THE EXISTING HALIBUT PSC FRAMEWORK TO INCLUDE SALMON AND KING AND TANNER CRAB.

Alternative 1: Do nothing (the status quo).

Alternative 2: Expand the existing halibut bycatch framework to include salmon and crab. Revise regulations to allow full use of the framework with regard to gear and area or parts thereof.

6. UPDATE GULF OF ALASKA FMP DESCRIPTIVE SECTIONS, REORGANIZE CHAPTERS, AND INCORPORATE COUNCIL POLICY AS DIRECTED.

Alternative 1: Do nothing (the status quo).

Alternative 2: Update the descriptive sections, reorganize the chapters, and incorporate Council policy into the FMP as directed.

Report of the Scientific and Statistical Committee

The SSC had the following recommendations and comments on the Gulf of Alaska FMP amendment proposals (complete SSC minutes are in Appendix I):

Establish DAP priority within 100 miles of Unalaska Island.

The SSC had difficulty in determining the problem being addressed and did not make a specific recommendation to approve or disapprove. They had substantial comments, however, which are in Appendix I to these minutes.

Revise the definition of "prohibited species".

Recommended approval as proposed.

Improve catch recording requirements.

The SSC agreed that catch reports must be accurate and verifiable whenever the catches are landed or shipped, but reiterated that there are other critical needs for data on DAP fisheries that would not be met by any proposal before the Council. Also, the SSC questioned the need for some elements of the system recognizing that they may best be resolved by NMFS and industry.

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Establish a framework procedure for setting seasons.

The SSC supported the status quo because the alternative was too broadly stated. Specific mechanisms whereby seasons are actually going to be set were not clearly developed. The SSC concluded that setting seasons is largely an allocative function and should be done with a great deal of deliberateness with sufficient time for analysis of alternatives and public comment.

Expand the existing halibut PSC framework to include salmon, king and Tanner crab.

The SSC believes this proposal is premature in the absence of a domestic observer program and in light of work being conducted by a Council bycatch committee. They suggested continuing the status quo until the bycatch committee's work is completed and an observer program is implemented.

Update the plan's descriptive sections, reorganize chapters, and incorporate Council policy as directed.

The SSC endorsed the update of the plan's descriptive material but felt there should be more time for full public review and comment. The SSC also recommended that the revised definition of overfishing be included in the update.

Report of the Advisory Panel

The Advisory Panel had the following recommendations on the amendment proposals for the Gulf of Alaska FMP:

Establish DAP priority within 100 miles of Unalaska Island.

The AP adopted the recommendations of an industry committee which would be to establish a split season for the 1988 & 1989 joint venture pollock fishery, as follows:

Establish an experimental program for the 1988 and 1989 joint venture pollock fishery in the Bering Sea. The program will consist of two seasons.

1st season: January 15 - April 15 (net 40% allocation)
2nd season: April 16 - December 31 (net 60% allocation)

- Any unused portion of the JVP from the first season will be added to the second JVP season.
- Bycatch requirements for first season would come out of JVP for first season.
- There would be no seasonal restrictions on DAP.
- DAP has first priority for reserve releases.
- Any reallocation of DAP to JVP would take place only in second season.

The AP wishes to underscore the need for the Council to develop a comprehensive pollock management system in the Bering Sea during the two-year period this experimental program would be used.

The motion assumes the status quo on the DAP 100-mile priority zone and on prohibiting pollock roe-stripping issues.

Revise the definition of "prohibited species".

The AP recommended adoption of Alternative 2 which would revise the definition of prohibited species.

Improve catch recording requirements.

The AP recommended the Council adopt the transfer log program without the specification of accuracy to 20 lbs, and that the Council appoint a workgroup of industry, enforcement, and NOAA General Counsel to further refine the daily catch production log and that a written report be provided by the September Council meeting.

Establish a framework procedure for setting seasons.

Recommended approval of a framework procedure for setting seasons, for the sablefish longline fishery only.

Expand PSC framework to include salmon and crab.

The AP recommended this issue be referred to the Bycatch Committee and requested a written recommendation (for both Gulf of Alaska and Bering Sea/Aleutian Islands) in time for the 1988 amendment cycle. The AP also requested that a salmon representative be added to the Bycatch Committee.

Update the Gulf of Alaska FMP

The AP recommended that the revised GOA FMP be sent to the Council family and public for comment between now and the September Council meeting. The Council would make its final decision at that time.

Public Testimony for this agenda item is found in Appendix II.

COUNCIL DISCUSSION AND ACTION

The following discussion and actions took place on the Gulf of Alaska amendment proposals.

DAP Priority within 100 miles of Unalaska Island.

Following an Advisory Panel recommendation to establish an experimental program for the 1988 and 1989 joint venture pollock fishery in the Bering Sea, the Council voted not to create a DAP priority zone around Unalaska. See the Bering Sea section of these minutes for Council action.

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Revise the definition of Prohibited species.

Don Collinsworth moved to adopt the Advisory Panel's recommendation to revise the definition of Prohibited Species to list those species or species groups which must be avoided while fishing for groundfish and, if caught incidentally, returned immediately to the sea with minimum injury. The motion was seconded by Rudy Petersen and carried with no objection.

Improve catch reporting requirements.

There was considerable discussion on the merits of this proposal. Concern was expressed about the desirability of imposing additional reporting requirements on industry. Also, a great concern was voiced over the proposed degree of accuracy required in the proposal.

Bob Mace moved to refer this proposal to a Council workgroup with recommendations to be submitted to Council for September meeting. The workgroup should include representatives of the Council, AP, industry, the NMFS enforcement agency, and NOAA-GC. The motion was seconded by Rudy Petersen and carried unanimously. John Peterson noted that any new measure should include the use of audits.

Establish a framework procedure for setting seasons.

A concern of some Council members was the opportunity for industry to comment on various management actions under a framework scheme. It was pointed out that a public comment period is still provided by the Secretary before regulations are approved.

John Winther moved to adopt the status quo (not to approve a framework procedure for setting seasons at this time) and to instruct the plan team to continue to develop a workable framework procedure which is acceptable to industry and the NMFS Central Office. The motion was seconded by Don Collinsworth and carried with no objection.

Expand the existing halibut PSC framework to include salmon and king and Tanner crab.

Bob Mace moved to retain the status quo (not to expand the existing halibut PSC framework at this time) and refer the proposal to the Bycatch Committee for further review and recommendations and requested that a regulatory amendment addressing the problems with the existing halibut framework be prepared and presented in September. The motion was seconded by John Peterson and carried with no objection. It was noted that time is of the essence in resolving this problem.

Update Gulf of Alaska FMP descriptive sections, reorganize chapters, and incorporate Council policy as directed.

A copy of the plan team's revised FMP was not available and rather than approve it without review, the Council deferred action until September.

Rudy Petersen moved to defer this proposal until the September Council meeting. The plan team will send the revised FMP out for public review during the summer. The motion was seconded by John Peterson and carried with no objection.

Bob Mace moved to include the definitions of overfishing and threshold in the new FMP language. The motion was seconded by Joe Blum and carried with no objection.

There was also some discussion on FMP provisions for experimental fishing permits. The NOAA-GC has recommended this section be deleted from the plan because such operations can be conducted under research provisions. The plan team was instructed to delete the experimental fishing permits from the revised plan.

Because the revision of the definition of PSC was the only other Amendment 16 proposal approved by the Council, they instructed the plan team to hold this proposal for incorporation in the final package in September.

Don Collinsworth moved to defer Amendment 16 until the September Council meeting when the FMP revision will be considered. At that time the PSC proposal can be included in the final amendment package. The motion was seconded by Henry Mitchell and carried with no objection.

D-4 Bering Sea/Aleutian Islands Groundfish FMP

The Council heard reports on the progress of various groundfish fisheries compared to the initial specifications for DAP, JVP and TALFF approved by the Council in December, and reviewed Amendment 11 proposals.

(a) Groundfish Apportionments

Bill Robinson, NMFS-Alaska Region, briefed the Council on the status of DAP requests and performance for groundfish in the Bering Sea/Aleutians. Although distribution was a little different and different individuals were responding to the survey, the total anticipated for DAP for 1987 remained at 247,000 mt for pollock. Through April, actual domestic processing was approximately 45,000 mt, over twice the 1986 total. NMFS estimated approximately 153,700 mt is needed for 1987 DAP. The May survey totals for Pacific cod were significantly less than in November, dropping to 49,000 mt from 112,000 mt. Interest has shifted to the higher-valued species such as rock sole in the winter fishery and catcher/processors are concentrating on pollock.

Report of the Scientific and Statistical Committee

No recommendation.

Report of the Advisory Panel

The Advisory Panel recommended a release of the remaining 75,000 mt of pollock from reserves but recommended against reapportioning fish from DAP to JVP at this time.

Public Testimony on this agenda item is found in Appendix II.

COUNCIL DISCUSSION AND ACTION

There was discussion among Council members about releasing enough fish to live up to prior commitments (industry-to-industry). Most Council members felt enough fish has been made available for industry to do this.

John Winther moved to release 75,000 mt from Bering Sea/Aleutians pollock reserves. The motion was seconded by Bob Mace and carried with Bob McVey abstaining.

Bob Mace moved that NMFS be requested to provide updated DAP survey information to the Council by the September 1 teleconference. At that time the Council can review the information and make additional recommendations if necessary. The motion was seconded by Oscar Dyson and carried with Bob McVey abstaining.

Bob Mace moved that the Council review available surpluses of pollock and cod in the Bering Sea at the September 1 teleconference. The motion was seconded by Henry Mitchell and carried with Bob McVey abstaining. Council staff will make arrangements for the public to listen in on the Sept. 1 teleconference at at least two sites outside of Anchorage.

(b) Amendment 11 to the Bering Sea/Aleutian Islands Groundfish FMP

Amendment 11 was sent out for public review after the March Council meeting. The amendment addresses the following proposals:

1. DAP PRIORITY WITHIN 100 MILES OF UNALASKA ISLAND.

Alternative 1: Do nothing (the status quo).

Alternative 2: Establish a year-round area closure not to exceed Zone A wherein only DAP operations are allowed.

Alternative 3: Establish a year-round area closure not to exceed Zone A wherein DAH fishing would be allowed only for those vessels delivering to DAP and those delivering to foreign processors outside Area A.

Alternative 4: As in Alternative 3, except Zone A closure is seasonal (January through June).

Alternative 5: Establish a fee structure for foreign processors who receive joint venture caught pollock.

Alternative 6: Establish a seasonal schedule for release of annual JVP apportionments for pollock in the Bering Sea/Aleutian Islands management area.

2. REVISE THE DEFINITION OF PROHIBITED SPECIES.

Alternative 1: Do nothing (the status quo).

Alternative 2: Revise definition of prohibited species to list those species or species groups which must be avoided while fishing for groundfish and, if caught incidentally, returned immediately to the sea with minimum injury.

3. IMPROVE CATCH RECORDING REQUIREMENTS.

Alternative 1: Do nothing (the status quo).

Alternative 2: Require catcher/processor and mothership vessels to document their operations by maintaining a fishing logbook which includes the DCPL, fishing effort, and discard sections, and a transfer logbook. Other groundfish vessels over 5 net tons would be required to maintain the fishing effort and discard sections only.

Alternative 3: Require only catcher/processor and mothership vessels to maintain a comprehensive fishing logbook (including the DCPL, fishing effort, and discard sections) and a transfer logbook. Other vessel categories would have no logbook requirements.

Alternative 4: Require catcher/processor and mothership vessels to maintain only the DCPL section and the transfer logbook. The fishing effort and discard sections would be deleted from the fishing logbook.

4. REVISE THE DEFINITION OF ACCEPTABLE BIOLOGICAL CATCH.

Alternative 1: Do nothing (the status quo).

Alternative 2: Revise the definition for acceptable biological catch to bring it into conformity with the definition used by the Scientific and Statistical Committee and the Pacific Fishery Management Council. Approval of this alternative would replace the existing definition of ABC with the following:

Acceptable biological catch (ABC) is a seasonally determined catch or range of catches that may differ from MSY for biological reasons. It may be lower or higher than MSY in some years for species with fluctuating recruitments. Given suitable biological justification by the Plan Team and/or Scientific and Statistical Committee, the ABC may be set anywhere between zero and the current biomass less the threshold value. The ABC may be modified to incorporate safety factors and risk assessment due to uncertainty. Lacking other biological justification, the ABC is defined as the maximum sustainable yield exploitation rate multiplied by the size of the biomass for the relevant time period. The ABC is defined as zero when the stock is at or below its threshold.

5. INCREASE THE UPPER LIMIT OF THE OPTIMUM YIELD RANGE.

Alternative 1: Do nothing (the status quo).

Alternative 2: Increase the upper end of the OY range to 2.4 million mt.

Alternative 3: Set the upper end of the OY range equal to the sum of the annual estimates of ABC.

Alternative 4: Set the upper end of the OY range equal to the sum of the annual estimates of ABC or to 2.0 million mt, whichever is less.

6. PROHIBIT POLLOCK ROE-STRIPPING.

Alternative 1: Do nothing (the status quo).

Alternative 2: Prohibit pollock roe-stripping in JVP fisheries.

Alternative 3: Prohibit pollock roe-stripping in both JVP and DAP (all DAH) fisheries.

Alternative 4: Establish a semi-annual JVP apportionment schedule.

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Public Testimony on this agenda item is found in Appendix II to these minutes.

Report of the Scientific and Statistical Committee

Detailed comments are found in the complete SSC minutes, Appendix II.

DAP Priority Within 100 Miles of Unalaska Island.

The SSC had difficulty in determining the problem to be addressed. Assuming that the issue was shoreside delivery of fish to processing facilities in the communities of Unalaska/Dutch Harbor and Akutan, the SSC noted that none of the proposed alternatives would insure that shoreside delivery of fish would take place. They also noted that adoption of any of the alternatives over the status quo may have a significant negative impact on domestic joint venture fishermen.

Revise the Definition of Prohibited Species.

The SSC recommended the proposed revised definition be adopted.

Improve Catch Recording Requirements.

The SSC agreed that catch reports must be accurate and verifiable whenever the catches are landed or shipped, but reiterated that there are other critical needs for data on DAP fisheries that would not be met by any proposal before the Council. Also, the SSC questioned the need for some elements (see SSC minutes) of the system recognizing that they may best be resolved by NMFS and industry.

Revise the Definition of Acceptable Biological Catch.

The SSC recommended the proposed definition of ABC be adopted.

Increase the Upper Limit of the Optimum Yield Range.

Either Alternative 2 (increase to 2.4 million mt) or Alternative 3 (set the upper end of the OY range equal to the sum of the annual estimates of ABC) would be acceptable to the SSC. Alternative 3 was favored by many SSC members who believe that catch limits should not go above the sum of the ABCs.

Prohibit Pollock Roe-Stripping.

Because of the lack of scientific information indicating that the dumping of carcasses has caused any large scale biological problems, the SSC supported the status quo.

Report of the Advisory Panel

DAP Priority Within 100 Miles of Unalaska Island and

Prohibit Pollock Roe-Stripping.

The Advisory Panel recommended the Council adopt the compromise of an industry committee, as follows:

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Establish an experimental program for the 1988 and 1989 joint venture pollock fishery in the Bering Sea. The program will consist of two seasons.

1st season: January 15 - April 15 (net 40% allocation)
2nd season: April 16 - December 31 (net 60% allocation)

- Any unused portion of the JVP from the first season will be added to the second JVP season.
- Bycatch requirements for first season would come out of JVP for first season.
- There would be no seasonal restrictions on DAP.
- DAP has first priority for reserve releases.
- Any reallocation of DAP to JVP would take place only in second season.

The AP underscored the need for the Council to develop a comprehensive pollock management system in the Bering Sea during the two-year period this experimental program would be used.

The AP recommended the status quo on the DAP 100-mile priority zone and on prohibiting pollock roe-stripping issues if this compromise measure was to be adopted.

Revise the Definition of Prohibited Species.

The AP recommended adoption of Alternative 2 which would revise the definition of prohibited species to list those species or species groups which must be avoided while fishing for groundfish and, if caught incidentally, returned immediately to the sea with minimum injury.

Improve Catch Recording Requirements.

The AP recommended the Council adopt the transfer log program without the specification of accuracy to 20 lbs, and that the Council appoint a workgroup of industry, enforcement, and NOAA General Counsel to further refine the daily catch production log and that a written report be provided by the September Council meeting.

Revise the Definition of Acceptable Biological Catch.

The AP recommended the Council adopt Alternative 2, to revise the definition of ABC as proposed.

Increase the Upper Limit of the Optimum Yield Range.

The AP recommended the Council adopt the status quo because of concern over the unknown amounts of fish caught in the "donut hole" portion of the Bering Sea.

COUNCIL DISCUSSION AND ACTION

DAP Priority Within 100 Miles of Unalaska Island and
Prohibit Pollock Roe-Stripping.

The Council considered the Advisory Panel's recommendation to adopt an industry compromise in place of these two amendment proposals.

Rudy Petersen moved to adopt the recommendations of the Advisory Panel:

Establish an experimental program for the 1988 and 1989 joint venture pollock fishery in the Bering Sea. The program will consist of two seasons.

1st season: January 15 - April 15 (net 40% allocation)
2nd season: April 16 - December 31 (net 60% allocation)

- Any unused portion of the JVP from the first season will be added to the second JVP season.
- Bycatch requirements for first season would come out of JVP for first season.
- There would be no seasonal restrictions on DAP.

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- DAP has first priority for reserve releases.
- Any reallocation of DAP to JVP would take place only in second season.

During this two-year period the Council will develop a comprehensive pollock management system in the Bering Sea.

The motion was seconded by Bob Mace and carried unanimously.

There was some discussion of whether the Council would be able to revise the 40/60 split if necessary during the two-year period. Jon Pollard said this could be done through emergency rule or amendment.

Larry Cotter was concerned that the proposal would be too hard on the roe fishery and stressed that there will be DAP fishing during the first period also, so it's possible that more than 50% of the allocation will be taken in the first season.

Larry Cotter moved to amend the motion to provide that the first part of the fishing year be managed as a discrete pollock roe fishery. The motion was seconded by Joe Blum and failed, 10-1, with Larry Cotter voting in favor.

Henry Mitchell moved to amend the motion to read "up to 40%" during the first season, rather than the 40/60 split so the Council will have the flexibility to reduce the TAC if necessary. There was no second to the motion.

Bob Mace moved to adopt the status quo (not to create a DAP priority zone around Unalaska) on the DAP priority proposal. The motion was seconded by Larry Cotter and carried unanimously.

Bob Mace moved to adopt the status quo (allow roe-stripping to continue) on the pollock roe-stripping proposal. The motion was seconded by John Winther and carried, 10-1, with Larry Cotter objecting.

Revise the Definition of Prohibited Species.

Don Collinsworth moved to adopt the Advisory Panel's recommendation to revise the definition of Prohibited Species (to list those species or species groups which must be avoided while fishing for groundfish and, if caught incidentally, returned immediately to the sea with minimum injury. The motion was seconded by Rudy Petersen and carried with no objection.

Improve catch reporting requirements.

There was considerable discussion on the merits of this proposal. Concern was expressed about the desirability of imposing additional reporting requirements on industry. Also, a great concern was voiced over the degree of accuracy required in the proposed amendment.

Bob Mace moved to refer this proposal to a Council workgroup with recommendations to be submitted to the Council for its September meeting. The workgroup should include representatives of the Council, AP, industry, the NMFS enforcement agency, and NOAA-GC. The motion was seconded by Rudy Petersen and carried unanimously. John Peterson noted that any new measure should include the use of audits.

Revise the Definition of Acceptable Biological Catch.

Don Collinsworth moved to adopt Alternative 2, to revise the definition of ABC as proposed. The motion was seconded by Bob Mace and carried with no objection. The definition of ABC would be revised to read as follows:

Acceptable biological catch (ABC) is a seasonally determined catch or range of catches that may differ from MSY for biological reasons. It may be lower or higher than MSY in some years for species with fluctuating recruitments. Given suitable biological justification by the Plan Team and/or Scientific and Statistical Committee, the ABC may be set anywhere between zero and the current biomass less the threshold value. The ABC may be modified to incorporate safety factors and risk assessment due to uncertainty. Lacking other biological justification, the ABC is defined as the maximum sustainable yield exploitation rate multiplied by the size of the biomass for the relevant time period. The ABC is defined as zero when the stock is at or below its threshold.

Increase the Upper Limit of the Optimum Yield Range.

Several Council members felt that the Council needs the flexibility that would be provided by raising the OY. However, there was concern over the availability of catch statistics for the "donut hole" area. Several members felt that without better data they should maintain the status quo.

Larry Cotter moved to adopt Alternative 1, the status quo, to retain the OY equal to a range of 1.4-2.0 million mt. The motion was seconded by John Winther and carried, 6 to 5, with Campbell, Dyson, Mace, McVey, and R. Petersen voting against.

After Council action was completed on the proposals in Amendment 11 to the Bering Sea/Aleutians Islands groundfish FMP, staff prepared the "Changes to the FMP" document outlining specific FMP changes as a result of Council actions.

Larry Cotter moved to adopt the Changes to the FMP document as presented. The motion was seconded by John Winther. (Document available in Council office)

There was some discussion of whether steelhead should be included as a prohibited species in Section 14.4 of the "Changes to the FMP" document.

Joe Blum moved to amend the main motion to revise Section 14.4 to read, "Pacific halibut, Pacific herring, Pacific salmon and steelhead, . . ." The motion was seconded by Henry Mitchell and carried with no objection.

The main motion carried, as amended, with no objection.

E. CONTRACTS, PROPOSALS, AND FINANCIAL REPORT OF FY88 BUDGET

Report of the Finance Committee

The Finance Committee met on May 21. They received a status report on the Dittman survey; the final report should be available by July 31. They also

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reviewed bids for 1988 meeting space and approved the Sheraton Hotel. Because of finances, they suggest all 1988 Council meetings be held in Anchorage.

The 1988 Administrative Budget was also reviewed. The Committee approved a total budget of \$1,223,925, as presented. The Committee also approved the purchase of two lap-top computers for the SSC.

Because of the Council's new involvement in halibut management, the Committee recommended that a supplemental request for funds be submitted to NMFS to cover additional expenses of such management.

A request for funds from the North Pacific Fishery Coalition to cover expenses for a survey was denied because the project was already underway and had not been presented to the Council prior to commencement.

Larry Cotter moved to accept the report and recommendations of the Finance Committee. The motion was seconded by Joe Blum and carried with no objection.

F. PUBLIC & COUNCIL COMMENTS

Council member Don Collinsworth briefed the Council on a recent meeting between State officials and the Overseas Fisheries Cooperation Foundation of Japan. Statements released to the press at the end of the conference were mis-translated indicating that the State of Alaska and Alaskan interests on the Council were acting in a "parochial" manner, or catering to Alaskan interests. Commissioner Collinsworth prepared a letter to be delivered at an Japan/U.S. industry-to-industry meeting clarifying the misconception.

G. CHAIRMEN'S REMARKS AND ADJOURNMENT

Chairman Campbell adjourned the meeting at 11:55 a.m., Friday, May 22.