

North Pacific Fishery Management Council

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

605 West 4th Avenue
Anchorage, Alaska 99501



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

Telephone: (907) 271-2809
FAX (907) 271-2817

6/17/88

DRAFT AGENDA

82nd Plenary Session
North Pacific Fishery Management Council

June 21-24, 1988
Anchorage Sheraton Hotel
Anchorage, Alaska

The North Pacific Fishery Management Council will meet with the Future of Groundfish Committee at 1:00 p.m., Sunday, June 19, in the Anchorage Sheraton Hotel. The Council will receive and discuss the Committee's report but take no action until later in the week. The Council will reconvene at 1:00 p.m. on Tuesday, June 21, at the Sheraton and continue through Friday, June 24. Other meetings to be held at the Sheraton the week of June 20 are:

Committee/Panel

Permit Review Committee
Scientific and Statistical Committee
Advisory Panel
Non-Profit Fishery Research Foundation
Farewell Luncheon for Jim Campbell
and Rudy Petersen
Finance Committee

Beginning

To be announced
10:00 a.m., Monday, June 20
10:00 a.m., Monday, June 20
7:00 p.m., Monday, June 20
Noon, Wednesday, June 22
7:00 a.m., Thursday, June 23

The Council may meet in executive session at least once during the week to discuss personnel or foreign affairs. All other meetings are open to the public.

MAIN ISSUES

Of the items requiring Council attention in June the following are expected to involve the most discussion and public comment:

Groundfish Issues

Final approval is scheduled for proposed amendments to the Bering Sea and Aleutian Islands Groundfish Fishery Management Plan (FMP) and the Gulf of Alaska Groundfish FMP. Amendment 12 to Bering Sea/Aleutian Islands FMP addresses the following issues:

- (1) Establish a bycatch management system for king crab, Tanner crab, and halibut.

- (2) Require all floating processors receiving groundfish caught in the EEZ to obtain federal permits and report catch weekly.
- (3) Establish limits on the bycatch of groundfish species for which the TAC has been previously attained.
- (4) Remove the July 1 deadline for the annual Resource Assessment Document (RAD).
- (5) Establish limits on the amount of roe-bearing rock sole that can be retained by joint ventures.
- (6) Revise the upper limit to the optimum yield (OY) range.

Amendment 17 to the Gulf of Alaska FMP addresses these issues:

- (1) Delay the opening of the longline sablefish fishing season by either a plan amendment or a framework procedure.
- (2) Require all vessels receiving groundfish caught in the U.S. EEZ to have federal permits.

The Council will review a draft analysis of alternative approaches, including limited access, to manage the longline sablefish fishery. They will adopt a preferred management alternative for further analysis and public review.

The Council also will hear the recommendations of the Future of Groundfish Committee and give direction on further development of alternative groundfish management approaches, and consider alternative means to determine the extent to which various participants may accrue credit in the groundfish fisheries should access limitation be implemented in the future.

OTHER ISSUES

The Council will review revised fishery management plans for crab and salmon and its joint venture policy with regard to the Olympic System. The Bycatch committee will recommend a revised definition for directed groundfish fishing and the Council may approve a regulatory amendment to implement their recommendation. The Council will review estimated domestic processing requirements for 1988.

INFORMATION FOR PERSONS WISHING TO TESTIFY AT COUNCIL MEETINGS

Those wishing to testify at Council meetings on a specific agenda item must fill out and deposit a registration card in the box on the registration table before public comment begins on that agenda item. Additional cards generally are not accepted after testimony has begun. A general comment period (Agenda Item F) is scheduled toward the end of each meeting for comment on matters not on the current agenda.

DRAFT AGENDA

82nd Plenary Session
North Pacific Fishery Management Council

June 21-24, 1988
Anchorage Sheraton Hotel
Anchorage, Alaska

- A. CALL TO ORDER, APPROVAL OF AGENDA AND MINUTES OF PREVIOUS MEETING
- B. SPECIAL REPORTS
 - B-1 Executive Director's Report
 - B-2 ADF&G Domestic Fisheries Report
 - B-3 NMFS Management Report
 - B-4 U.S. Coast Guard Enforcement and Surveillance Report
 - B-5 Joint Venture Operations
 - B-6 Special Reports
- C. NEW OR CONTINUING BUSINESS
 - C-1 Legislative Update
 - C-2 Marine Mammal Issues
 - (a) Status of Stellar Sea Lion and Northern Fur Seals.
 - (b) Marine Mammal Protection Act Reauthorization.
 - C-3 Non-profit Fishery Research Foundation
Status report.
 - C-4 NMFS Habitat Policy
 - (a) Presentation by Nancy Goell, NMFS Office of Protected Species and Habitat Conservation.
 - (b) Approve policy for public review.
 - C-5 Domestic Observer Program
 - (a) Status report.
 - (b) Council direction on observer deployment.
 - C-6 U.S. Service Support Industry Proposal
Recommendations of Maritime Support Group.
 - C-7 Joint Venture Policy
 - (a) Review of JV fisheries under the Olympic System.
 - (b) Approve proposed policy changes for public review.

C-8 Future of Groundfish Management Committee

- (a) Review Committee report and provide direction for further action.
- (b) Consider alternative means for determining credit if limited access is implemented.

C-9 Sablefish Management

- (a) Review analysis of selected options.
- (b) Adopt preferred management alternative.
- (c) Provide direction for further analysis.

C out rel of rel, per rel

C-10 Directed Fishing Definition

Adopt Regulatory Amendment redefining directed fishing based on recommendation of the Bycatch Committee.

C-11 NMFS Domestic Processor Survey

Review NMFS DAP survey.

C-12 Other Business

D. FISHERY MANAGEMENT PLANS

D-1 Salmon FMP

Review issues paper and revised plan.

D-2 King and Tanner Crab FMP

- (a) Crab Management Committee recommendations.
- (b) Approve draft FMP package for public review.

D-3 Gulf of Alaska Groundfish FMP

Final approval of Amendment 17 and implementing regulations.

D-4 Bering Sea/Aleutian Islands Groundfish FMP

- (a) Final approval of Amendment 12 and implementing regulations.
- (b) Approve policy on Resource Assessment Document (also applies to Gulf of Alaska)

E. FINANCE REPORT

F. PUBLIC COMMENTS

G. CHAIRMAN'S REMARKS AND ADJOURNMENT

North Pacific Fishery Management Council
Anchorage Station Hotel
Anchorage, Alaska

	MONDAY 20	TUESDAY 21	WEDNESDAY 22	THURSDAY 23	FRIDAY 24
<u>JUNE</u> <u>AM</u>				7:00 <u>Finance Committee</u>	
10:00 <u>SSC</u> D-4 BSA Grfsh	9:00 <u>SSC</u> D-3 GOA Grfsh D-2 Crab FMP C-5 Dom. Obs. C-9 Sablefish Mgmt	9:00 <u>Council</u> D-3 GOA Grfsh Amendment 17 PT, SSC, AP Rpts; Public Testimony	9:00 <u>Council</u> C-8 Future of Groundfish C-9 Sablefish Mgmt	9:00 <u>Council</u> C-6 Support Ind. C-7 JV Policy	
10:00 <u>AP</u> D-3 GOA Grfsh	<u>AP</u> D-4 BSA Grfsh, cont'd D-2 Crab FMP C-8 Future of Grfsh C-9 Sablefish Mgmt C-2 Marine Mammals C-5 Dom. Obs. C-10 Dir. Fishing Definition D-1 Salmon FMP				
<u>PM</u>					
12:00 Lunch	12:00 Lunch	12:00 Farewell Lunch - Jim Campbell & Rudy Petersen (Open to Public*)	12:00 Lunch	12:00 Lunch	
1:30 <u>SSC</u> D-4 BSA, cont'd	1:00 <u>Council</u> A Approve Agenda B-1 ED Report B-2 ADF&G Report B-3 NMFS Mgmt Rpt B-4 USCG Report B-5 JV Operations B-6 Special Rpts C-1 Legislation C-2 Marine Mammals C-3 Non-Profit Fdn C-4 Habitat Policy	2:00 <u>Council</u> D-4 BSA Grfsh Amendment 12 PT, SSC, AP Rpts; Public Testimony	1:30 <u>Council</u> D-4(b) RAD Policy D-1 Salmon FMP D-2 Crab FMP C-10 Dir. Fishing Definition C-5 Dom. Obs. C-11 NMFS DAP Survey	1:30 <u>Council</u> D-3 Finalize GOA Amendment 17 D-4 Finalize BSA Amendment 12 E Finance Rpt	
7:00 Non-Profit Fishery Research Foundation	1:30 <u>SSC & AP</u> continue as necessary				

*See Judy Willoughby, NPFMC, for reservations by 5:00 p.m. Tuesday, June 21. Cost is \$20.
388/BC²

North Pacific Fishery Management Council

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

605 West 4th Avenue
Anchorage, Alaska 99501



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

Telephone: (907) 271-2809
FAX (907) 271-2817

M E M O R A N D U M

TO: Council Members, AP and SSC Chairmen

FROM: Helen Allen *fla*
Executive Secretary

DATE: June, 1988

SUBJECT: Council Week Luncheons

On Wednesday, there will be a farewell lunch for Jim Campbell and Rudy Petersen in Ballroom C. The luncheon is open to the public; the cost is \$20. On Thursday the Council luncheon will be held in Josephine's Gallery on the 15th Floor. The menu is London Broil and the cost will be \$15.00.

North Pacific Fishery Management Council

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

605 West 4th Avenue
Anchorage, Alaska 99501



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

Telephone: (907) 271-2809
FAX (907) 271-2817

CERTIFIED: Richard Marasco
Richard Marasco *RB*
Chairman

DATE: 6/10/88

MINUTES

Scientific and Statistical Committee
April 11-12, 1988
Anchorage, Alaska

The Scientific and Statistical Committee met April 11-12 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
Don Bevan	Terry Quinn
Dana Schmidt	John Burns
Jim Balsiger for Bill Aron	

D-2 King and Tanner Crab FMP

Council staff indicated that the Crab Management Committee received a request suggesting that the release of the FMP be delayed to allow the crab industry time to resolve differences over some of the provisions in the plan. Accommodation of the request will delay initial review of the FMP until June.

D-3 Gulf of Alaska Groundfish FMP

Amendment 17

The SSC reviewed and discussed the Draft Environmental Assessment and Regulatory Impact Review/Initial Regulatory Flexibility Analysis for the following two issues covered in Amendment 17:

- (1) Delay sablefish opening.
- (2) Federal permit requirements.

- (1) Delay sablefish opening.

Data available for evaluating the alternatives are extremely limited and exhibit substantial variability. There is a critical need to collect pertinent data on halibut bycatch in the

sablefish fishery. These data are needed by depth and by month. An observer program would make it possible to collect these data.

The SSC recommends that this portion of Amendment 17 go out for public review taking into account the following comments:

Alternative 4. This alternative specifies a depth restriction of 500m. The analysis suggests that other depth restrictions (300m, 400m) also could be considered.

Alternative 5. This alternative, the fishing season framework for sablefish, is a strong candidate because of uncertainties associated with the bycatch data. Therefore, the associated discussion should be strengthened. The description of this alternative should state that split seasons could be allowed and a version for concurrent halibut/sablefish fisheries should be examined.

The SSC also made several other editorial comments.

(2) Federal permit requirements.

It is recommended that this portion of the amendment package be sent out for public review. The SSC wants to go on record supporting timely submission of accurate catch data by both floating and shore-based processors.

Proposed Regulatory Amendment to Limit the Bycatch of Sablefish in the Hook-and-Longline Fishery

The SSC received a presentation from the NMFS Regional Office on the proposed regulatory amendment to remedy the hook-and-longline sablefish bycatch problem. The proposal will establish a 4% or higher limit on the bycatch allocation. The SSC could not find any scientific justification for the 4% level, noting that the data provided in Table 1 were not "bycatch rates" but instead "landing percentages".

D-4 Bering Sea/Aleutian Islands Groundfish FMP

Amendment 12

The SSC reviewed and discussed the Draft Environmental Assessment and Regulatory Impact Review/Initial Regulatory Flexibility Analysis for the following five issues:

- (1) Bycatch controls.
- (2) Federal permit requirements.
- (3) Non-retainable groundfish catch limits.
- (4) Resource Assessment Document (RAD) deadline.
- (5) JVP prohibition on roe rock sole.

It also reviewed and discussed the Draft Supplemental Environmental Impact Statement and Regulatory Review/Initial

Regulatory Flexibility Analysis for the proposal to increase the optimum yield (OY) range.

(1) Bycatch control.

The SSC concurred with the Team's findings that all of the bycatch control alternatives had limited biological consequences and that allocation was the main issue. However, recommendations were made to the plan team to describe further the biological information upon which the limited biological impact assertions rest. It was also suggested that the socioeconomic impact section be expanded to provide more detail on how various fisheries might be affected by the proposed options. Comments were also raised restating that the 1% value was based on an industry compromise and not founded on identifiable biological or economic objectives.

Application of Alternatives 2 and 3 to the expanding DAP fishery would require an observer program. The SSC also noted that the statement concerning 100% observer coverage should be modified to reflect a more realistic coverage requirement.

The SSC recommends this amendment be distributed for public comment after the suggested modifications are made.

(2) Federal permit requirements.

This proposal is the same as for the GOA and is discussed in that section.

(3) Non-retainable groundfish catch limits.

The SSC recommends that this portion of the Amendment 12 be released for public review. However, it is argued in Section 4.4.3 that the marginal cost of data collection and monitoring systems would be minimal. The SSC disagrees with this statement. A satisfactory system does not exist for the DAP fisheries.

(4) Resource Assessment Document deadline.

It is recommended that this portion of the amendment package be released for public comment.

(5) JVP prohibition on roe-bearing rock sole.

It was apparent that a lack of information hampered the Team in its attempt to develop the supporting documents for this proposal. Prior to releasing this proposal for public review the SSC believes that the problem statement should be refined and the alternatives further developed and analyzed. An outline of what the SSC would like to see in a reworked analysis follows.

The SSC feels that the following is a better description of the problem and indication of need for action (Section 6.1).

"Roe-bearing rock sole has become an important fishery for domestic (DAP) fishermen. While roe-bearing rock sole had once been harvested by foreign fisheries (TALFF), the JVP fisheries had, prior to 1988, only taken rock sole incidental to target fisheries on yellowfin sole. This proposed amendment is to enable domestic operators to exercise the domestic processor preference by limiting the JVP harvest of rock sole during a portion of the spawning period. It is estimated by the current DAP fishermen that the original market in Japan for roe-bearing rock sole is 15,000 mt. Two proposed alternatives, in addition to the status quo, are provided. Alternative 2 would limit the retention of rock sole by the JVP fisheries to no more than 30% of the total catch during the period January 1 to April 1. Alternative 3 would separate rock sole from the "Other flatfish" category, establish a TAC specifically for rock sole, and allow the Council to establish a split-season apportionment in order to isolate the roe-bearing harvest from harvest outside the spawning season."

Section 6.4 needs to be expanded to include an analysis of the impact of each alternative. For example, Alternative 1, Status Quo, the analysis should provide estimates of how large the JVP catch of roe-bearing rock sole could be in the absence of any action. Alternative 3 should be expanded to indicate how JV's would be affected by the inability to retain rock sole caught early in the year.

(6) Optimum yield (OY) range.

The SSC reviewed the draft SEIS/RIR/IRFA and discussed it in detail with the plan team. The proposal addresses the issue of the upper end of the OY range. The Team's analysis describes the probable impacts of higher TAC's that could result from an increased upper end of the OY range. The SSC commended the Team for preparing such an extensive document in the short period of time that was available. Numerous technical and editorial suggestions were made. It was also recommended that an analysis of probable market effects of catch levels that would be possible given higher TAC's be expanded to include a discussion of market access.

The document should be released for public review and comment.

C-4 Donut Fisheries

The SSC received a report of the recent NMFS acoustic survey in the donut hole, and a study of the possible effect of catch underestimates on the population model by which pollock ABC's are calculated. The latter study pointed out the close agreement of acoustic and analytic estimates of eastern Bering Sea stock size through 1985, which indicates that at least until that time, it was realistic to treat the EBS stock separately and to regard the

reported EBS catches as a reasonably accurate measure of fishery removals from that stock.

The SSC intends to review the available information on pollock stock structure this fall, but it expects that definitive answers will have to await the results of a few years of coordinated international scientific work.

C-10 Other Business

NMFS 602-603 Guidelines

Several members of the SSC attended a two-day meeting which was held in Seattle, during the first part of February, to discuss the Draft 602-603 Guidelines. In attendance at the meetings were members of the North Pacific, Pacific and Western Pacific SSC's and NMFS staff. Topics of discussion included definitions of ABC and threshold, default specification of threshold, and contents of the SAFE document. Views of each of the SSC's were given on each of these items. After NMFS has similar meetings in New England and Florida a new draft of the 602-603 guidelines will be circulated for review and comment.

Sablefish Limited Entry Data Request

Dr. John Harville requested assistance from the SSC in obtaining data that is needed to support the Council's efforts to explore limited entry options for the sablefish fishery. Drs. Marasco and Eggers agreed to meet with Dr. Harville at 2 p.m. on April 19, 1988 at the Northwest and Alaska Fisheries Center to formulate a course of action.

Reports

The SSC received the following reports:

1. The Northwest and Alaska Fisheries Center reported on a port sampling program based in Kodiak to determine age composition of the DAP pollock catch. Reports on the following subjects were also given: scientific sampling of the Polish pollock fishery in the Donut, and research survey activities in the Aleutian Basin and Shelikof Strait.
2. Terry Quinn reported on the NMFS Ecosystem Workshop.
3. Don Rosenberg reported on the Arctic Data Meeting that he attended.

North Pacific Fishery Management Council

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

605 West 4th Avenue
Anchorage, Alaska 99501



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

Telephone: (907) 271-2809
FAX (907) 271-2817

Certified: _____

Date: _____

ADVISORY PANEL MINUTES Anchorage, Alaska April 11-12, 1988

The Advisory Panel for the North Pacific Fishery Management Council met in the Sheraton Hotel on April 11-12, 1988. The following members were present:

Nancy Munro, Chair	Ron Hegge
Robert Alverson, Vice Chair	Richard Lauber
Arne Aadland	Daniel O'Hara
Alvin Burch	Ron Peterson
Lamar Cotten	Jon Rowley
Mark Earnest	Richard White
Barry Fisher	Dave Woodruff
Pete Granger	Fred Zharoff

The minutes of the January 18-19, 1988 Advisory Panel meeting were approved as read.

C-1 Legislative Update

Ron Miller updated the AP on recent Congressional actions related to ocean and fisheries issues.

The AP is very concerned about the implications for the fishing industry should Northern Fur Seals and Northern Sea Lions be declared "depleted species" under the Marine Mammal Protection Act. The AP would encourage the Council to provide staff time to follow this issue, and where appropriate, to support the fishing industry negotiations on this issue. The motion carried unanimously.

C-2 MARPOL Annex V Proposed Regulations

The AP heard a report from LCDR Carl Crampton about the marine discard provisions of MARPOL Annex V. LCDR Crampton stressed the importance for people to provide information to the Coast Guard as they write implementing regulations.

AP members commented:

- (1) That many small coastal communities do not have adequate dock space for a waste facility nor revenues to build a waste facility.
- (2) That regulations requiring wastes to be ground to 25 mm or less may be unrealistic. Barry Fisher suggested compactors on board may be a better solution.

C-3 Nonprofit Research Foundation

Barry Fisher reported that the interested associations are still trying to organize the foundation and will report back at the June Council meeting. No action was taken.

C-4 Bering Sea International Waters

The AP heard a report from Jim Traynor of NWAFC on the results of the NMFS pollock survey in the Donut Hole. No action was taken.

C-5 Domestic Observer Program

The AP heard a report from Clarence Pautzke on the status of the observer program. No action was taken.

C-8 Future of Groundfish Committee

The AP heard a report from Dorothy Lowman on progress and policy issues facing the FOG Committee. No action was taken.

C-9 U.S. Support Industry Proposal

The AP heard a report from John Pollard, NOAA-GC, on the legal authority to provide a U.S. Support Industry Proposal under the MFCMA. No action was taken.

D-1 Salmon FMP

No was action taken.

D-2 King and Tanner Crab FMP

The AP heard a report on the status of the King and Tanner Crab FMP. The crab industry has requested that public review of the Draft FMP be postponed until the June meeting so they may meet with the Crab Management Committee and the State to draft a consensus package. No action was taken.

D-3 Gulf of Alaska Groundfish FMP

Amendment 17

1. Delay the opening of the sablefish season.

The AP recommends that this proposal be sent out for public review. The AP requests that the staff expand the proposal and analyze possible allocative impacts of changing the opening date including:

- (a) Examining what effect the change of season would have on other fisheries (e.g., salmon and herring).
- (b) Examining the impacts on product quality and demand (i.e., what does the market place want?).

The motion carried unanimously.

2. Require vessels receiving groundfish in the EEZ to have federal permits.

The AP recommends that this proposal be sent out for public review. The motion carried unanimously.

Regulatory Amendment

The AP recommends the Council approve the regulatory amendment to reduce the percentage of sablefish allowed as incidental longline catch. The motion carried unanimously.

Shelikof Pollock Survey

The AP received a report from Jim Traynor of the NWAFC regarding preliminary results from the Shelikof pollock survey. No action was taken.

D-4 Bering Sea/Aleutian Islands Groundfish FMP

Amendment 12

1. Bycatch management for crab and halibut.

The AP heard extensive testimony from industry, the plan team, and the Bycatch Committee about a bycatch program for crab and halibut in the Bering Sea.

Generally, members of the crab sector testified that the Bycatch Committee's recommendations were flawed, and members of the trawl sector testified that the Bycatch Committee's recommendations were a carefully worked compromise on a difficult and complex issue.

Industry critics of the Bycatch Committee's plan (Alternative 3) had the following comments:

- (a) The plan lacks an incentive to minimize bycatch.
- (b) The plan lacks a method to ensure accountability.
- (c) The plan's method for determining the amount of crab allocated for bycatch is unacceptable.

Some industry critics suggested time and area closures and others suggested revisions to Alternative 3. Two suggested revisions were:

- (a) Base the crab bycatch limits (i.e., 1% of C. bairdi population) on an average of 2-3 years of surveys (running average) rather than just one year.
- (b) Set a floating cap which would be based on the historical performance (i.e., crab bycatch rate x yellowfin sole catch) and adjust it for biomass changes or changes in fishing effort.

Much confusion surfaced in the discussions, including questions such as:

- (a) Would the Council have the authority under the proposed plan to allocate less than the maximum bycatch allowance (i.e., 1% of C. bairdi population)?
- (b) What would happen if the performance of the crab fishery indicated a smaller crab biomass than the previous summer survey?

Larry Cotter, Chair of the Bycatch Committee, addressed the AP to clarify the process delineated by the proposed bycatch management regime.

Subsequent to that discussion the plan team expressed their concerns about Alternative 3:

- (a) Definition of "target fisheries".

The Bycatch Committee proposal identifies many specific target fisheries. The plan team suggests this may cause problems in:

- Preseason calculations.
- Inseason management.
- Enforcement.

Their basic concern is how to apply a mixed trawl to one of many directed fisheries. Do you analyze the data tow-by-tow?

- (b) Accountability

- How do you credit bycatch to individual target fisheries?
- Doesn't monitoring require observers? Will the plan fail without observers?

- (c) What criteria can be developed to guide discretionary authority by the Regional Director?
- What exactly are the "innocuous" and "stringent" measures--and when precisely does the Regional Director use them?
 - If the Regional Director establishes extreme measures for one fishery (e.g., rock sole) but the yellowfin sole fishery is still going on--how do you enforce these measures?
- (d) Enforcement
- There are many practical problems with this detailed proposal; it is difficult and costly.
 - How could observers not have an enforcement role?

The plan team suggested that a partial solution to several practical problems would be to aggregate "target fisheries" by gear type and sector (e.g., DAP and JVP bottom trawl and longline).

Larry Cotter responded that the problem with an aggregate approach is that it ignores the differences between fisheries and you lose the flexibility to manage by individual target fishery.

After further discussion the AP unanimously passed a motion recommending that the Council send this proposal out for public review with two additions:

- (a) As a subset of Alternative 3, redefine the target fisheries as DAP trawl, JVP trawl, DAP longline, and JVP longline and incorporate the plan team's concerns.
- (b) Add a fourth alternative, involving a closed area and bycatch caps reduced from those in Amendment 10 (see attached).

2. Require vessels to have federal permits.

The AP voted to send this proposal out for review. The AP is still concerned about the reporting system, specifically the speed with which data from fish tickets is being incorporated. The AP suggests that the Council create a group to examine this reporting problem.

The motion carried unanimously.

3. Non-retainable groundfish catch limits.

The AP recommends this proposal be sent out for public review. The motion carried unanimously.

4. Resource Assessment Document deadline.

The AP recommends this proposal be sent out for public review. The motion carried unanimously.

5. Prohibit JV targeting on roe-bearing rock sole.

The AP recommends Alternative 2 be amended to specify "retention" on a weekly basis and that the proposal be sent out for public review. The motion carried unanimously.

6. Revise the upper limit of the OY range.

AP recommends this proposal be sent out for public review. The motion included a note to the Council to be particularly sensitive to implications of public comment on item (c) of Alternatives 2 and 3. Some members felt these options were not substantially different from the status quo.

"Directed Fishing" Definition

The AP heard testimony from industry regarding recent enforcement actions related to the definition of "directed fishing". Members of the joint venture trawl fleet stated that NMFS was interpreting the 20% rule on a tow-by-tow basis, causing much of the fleet to be criminals.

The industry's concern is two-fold. First, they felt that the regulation as written, particularly the "rebuttable presumption" provision, was vague and difficult to understand. Secondly, they felt that the current "tow-by-tow" interpretation was unworkable for a ubiquitous species like pollock.

The AP recommends that the Council direct NMFS to interpret this regulation on the basis of retention rather than catch, defining "retention" as what a vessel has onboard in the aggregate.

The AP also encourages the Council to add NMFS enforcement personnel to the subcommittee of the Bycatch Committee working on this issue. The AP requests a report from this subcommittee at the June meeting and at that time would consider adding this issue to an emergency amendment cycle.

The motion carried 10 to 1, with 1 abstention.

Subsequent to this discussion and action, Jon Pollard explained the implications of interpreting this regulation on the basis of retention only. He described a case where a vessel could fill 80% of its hold with pollock and then target on sablefish. Jon also suggested that a different interpretation to the regulation was not the best solution to the problem. Jon recommended that if the AP wanted a different rule they should recommend a rule change.

PAINTER-LOWENBERG-CASEY

Bycatch Management Proposal 1989-1990

1. Prohibit DAP or JVP trawling in the area between 160°W and 163°W, south of 58°N.
2. In Zone 1 (all caps for JVP and DAP):
 - (a) Bairdi cap shall be 80,000 animals in 1989 and 72,000 animals in 1990.
 - (b) King crab cap shall be 80,000 animals in 1989 and 72,000 animals in 1990.
 - (c) At 75% threshold, NMFS applies prudent conditions to on-bottom trawling.
3. In Zone 2 (all caps for JVP and DAP):
 - (a) Bairdi cap shall be 300,000 animals in 1989 and 270,000 animals in 1990.
 - (b) Red king crab cap shall be determined by NMFS and ADF&G biologists, with industry input.
 - (c) At 75% threshold, NMFS applies prudent conditions to on-bottom trawling.
4. Opilio Cap and Rates (all caps for JVP and DAP):
 - (a) In Zones 2 and 3, combined, the total opilio bycatch shall not exceed 1,000,000 animals.
 - (b) Trawlers with low bycatch should receive preference over those with high bycatch.
5. Halibut cap shall not exceed 2,000 tons in 1989, or 1,800 tons in 1990.

*Average weight of trawl caught halibut shall be 5 pounds per fish, subject to more accurate data.