

North Pacific Fishery Management Council

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MINUTES
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
March 24th, 1978

The regular monthly meeting of the North Pacific Fishery Management Council was held in Anchorage, Alaska at the Anchorage Westward-Hilton Hotel. An attendance roster of Council members, the SSC and AP and public is contained in Appendix A.

The Council meeting was called to order on Friday, March 24th at 9:00 a.m. by Chairman Harold Lokken. The Scientific and Statistical Committee held its meeting on March 23rd and concurrently with the Council. The Advisory Panel did not schedule a separate meeting and met concurrently with the Council on March 24.

The preliminary agenda for the Council meeting was approved and is included as Appendix B. Minutes of the previous (February) meeting were approved provisionally and are included as Appendix C.

EXECUTIVE DIRECTOR'S REPORT

There was no formal Executive Director's Report for this meeting, such report being accepted as the regular agenda of business for the Council. Due to the abbreviated nature of the meeting, the discussion concerning budget was deferred until the Finance Committee could meet and prepare its report.

FISHERY MANAGEMENT PLAN UPDATE

The Council was informed that the Gulf of Alaska Groundfish Plan would be published in the Federal Register during the week of March 27th as proposed rulemaking, starting the 45-day comment period. Following that, two weeks is needed to consider public comments and promulgate final regulations.

NOAA is however, looking for ways to more quickly implement certain key elements of the FMP. One element is the provision allowing the Japanese to longline for cod landward of the 500 meter isobath west of 157° West longitude. No decision had been made on that by the time of the Council meeting.

At this point, a representative of the Japanese Gillnet and Longline Association, Mr. H. Nakamura, addressed the Council through an interpreter. It was indicated that the primary concern of the Japanese Longline

Association is the fact that the total allowable catch was not what they expected it to be. An additional concern was the slowness with which the provision allowing for longlining was being implemented.

The spokesman said it was their understanding that the initial allocation would be 15,000 metric tons and they had made plans to fish on that amount of fish.

He said that he did not know up to the time of the Council meeting, that only 6,200 metric tons were available and this had resulted in serious effects on crew members and the longline fleet in general. Mr. Nakamura said that the Japanese representative in Washington, D.C., was going to request 10 degrees more fishing territory, from 157 degrees to 147 degrees West longitude, but the longliners, to avoid conflicts, had decided to remain at 157 degrees.

Chairman Lokken replied that he was reluctant to take Council action prior to the meeting of the SSC and AP.

The problem posed by the Japanese request was resolved by having two members from both the SSC and AP meet with the Japanese representative to discuss the allocation and by-catch problems. The meeting was arranged for the noon hour with a report to be made during the latter course of the meeting of the Council.

Mr. McKernan continued the discussion following the appearance of the Japanese spokesman by referring to the first page of the letter presented by the Japanese. He commented they had made a point of the fact that the United States had not published the regulations for the fishery in the Federal Register. At this time, a question was directed to Kim White, NOAA (Juneau) legal counsel. The question dealt with the time it took to implement regulations.

Mr. White indicated that if the regulations were to be published during the week of May 27, they would not become effective until early June. He stated that the PMP is presently in effect for the fishery, but that provisions for the directed longline fishery for cod are not in the PMP. He suggested that the PMP might be amended to include that fishery.

Mr. Tillion noted that the Council had foreseen this problem in December, and he was of the opinion that it should already have been taken care of. A general discussion followed and the consensus was that the Council should take what steps it could to effect a speedup.

Following this discussion, the Council was informed that the legal problems concerning the Tanner crab plan had been resolved and that plan would be printed in the Federal Register during the week of March 27 and would be in effect by June 1.

MANAGEMENT PLAN DEVELOPMENT SCHEDULE

A schedule for the development of management plans, worked out at some length by the Executive Director, was presented to the Council for their information and consideration. The full schedule is included as Agenda Item 5-C and is marked Appendix A in the materials packet accompanying this report.

Following the discussion of plan development, Mr. McKernan suggested a criteria list for choosing among plan priorities. Suggested priorities might include consideration of (a) urgency for conservation purposes, (b) emergencies for treaty requirements (c) maximum economic benefits to the U.S. from fisheries which might be planned for and implemented ahead of other fisheries, (d) implementation of plans to counter possible gear conflicts and (e) plans which would more reasonably or expeditiously conduct a fishery in case of an inadequate preliminary management plan.

At this point it was determined that the Salmon Troll Plan and the Bering Sea Herring Plan would share first priorities among management plans to be implemented by the Council.

A motion was made (McKernan) that the Council set up a committee composed of Council members, SSC and AP members, to report at the May meeting with a schedule of plan priorities. Mr. Collinsworth, Mr. Skoog, Mr. McKernan, Mr. Harville, Dr. Bevan (as Chairman), Mr. Jaeger and Mr. Specking were appointed to that committee.

Members Campbell and Tillion urged the Council to act immediately rather than form a committee and Mr. McKernan amended his motion to read that the Ocean Salmon and Herring Plan would share first priority, and that the committee, in good time, look at the rest of the proposed plans and set priorities. The motion passed.

NOAA SATELLITE SERVICE

Arrangements had been made by the Executive Director to have a representative of the NOAA Satellite Service show pictures of the Bering Sea area where the Japanese Tanner crab fishery is being conducted. The satellite photos clearly showed ice formations for the period since the Japanese Tanner crab fishery started. All indications pointed to the fact that the fishery (north of 58° N) was being conducted without interference from ice.

JAPANESE TANNER CRAB FISHERY

The Japanese Tanner crab fishery daily catch rate is approximately the same as the previous year. The bulk of the fleet is located some 100 miles northwest of the Pribilof Islands and the catch to date (March 20) is 528 metric tons. This compares with 720 tons caught by March 20, 1977. The catch at present consists mostly of C. opilio, though with

more C. bairdi than originally expected in that area. Breakdown by percentage and species follows:

<u>C. opilio</u>	84%
<u>C. bairdi</u>	14%
Hybrids	2%
By comparison with 1977:	
<u>C. opilio</u>	1%
<u>C. bairdi</u>	96%
Hybrids	3%

Daily catch rates were ranging from a start of 3.2 to 54 MT, approximately the same as for 1977.

DOMESTIC TANNER CRAB FISHERY IN THE BERING SEA

Bill Donaldson of the Alaska Department of Fish and Game reported on this fishery. The season was opened on November 1 with no fishing until after the closing of the king crab season on December 8. A total of 421,014 pounds were landed by 38 vessels for the months of November and December.

The January-February catch was 962,981 pounds (18 boats) for 1977, compared with 7,720,996 pounds (46 boats) for January-February of 1978. As of March 19, 1978, the fleet had landed seven million pounds for the month of March.

The current price of Tanner in the Bering Sea is 38¢/lb. Processors are capable of processing 5-6 million pounds/week. At the present time, 65 boats are fishing and new boats are entering the fishery every day. Seventy-five million pounds could be reached by May 30.

BERING SEA/ALEUTIAN GROUND FISH FMP

H. A. Larkins, Deputy Division Director, Northwest and Alaska Fisheries Center, presented proposed objectives for managing the BSA groundfish fishery:

- A. Continue rebuilding the halibut resource so that a viable halibut setline fishery is again available to American fishermen.
- B. Rebuild other depleted stocks to, and maintain healthy stocks at levels of abundance that will produce MSY.
- C. Provide an opportunity for U.S. involvement in the Bering Sea/Aleutian groundfish fishery, limited only by the OY of individual species and objectives 1 and 2 above.
- D. Allow foreign participation in the fishery, consistent with objectives 1, 2, and 3 above.

The Council encouraged the plan development team to continue along the lines that have been developed.

FOREIGN PERMITS

An application was approved for the TAISAN MARU #1 and the application deferred for the TAE YANG #12 to conduct support activities in the proposed KMIDC/Davenney joint venture. Previous Council action had deferred consideration of joint venture applications until July 1, 1978.

SSC REPORT

The SSC report was made to the Council by Dr. Dayton L. Alverson, Chairman of the Committee. He reported on some of the problems associated with observer programs in both the U.S. trawl and troll fisheries in Southeast Alaska. One of the major problems is that of liability insurance coverage for observers while at sea aboard fishing boats. A second problem is that of confidentiality of statistics gained through use of observers. Concerning the insurance question, a motion was made to have the subject made an item of discussion during the forthcoming Chairman's meeting in Charleston, S.C. The motion was passed.

With respect to confidentiality of statistics, a motion was made to request a legal interpretation made by NOAA counsel. The motion was passed. It was also made a motion that a member of the Washington Department of Fisheries be named to the Ocean Salmon (troll) Plan Development Team. Dennis Austin was suggested and the Council passed the motion to have Mr. Austin made a member of the PDT.

Concerning the proposed pilot observer program in the U.S. salmon troll fishery, Mr. McKernan made a motion that the Council authorize the program. The motion was passed.

On the subject of Limited Entry, members Rogers, Bevan and Collinsworth were named as those who would be attending the Limited Entry Conference in Denver in July.

In further comment on the observer programs, it was stated that two of the major pieces of information hoped to be gathered from that program is information on origin of salmon stocks in the troll fishery and the extent of the sub-legal (shaker) problem.

Noon Recess

A luncheon was held during the noon recess in honor of Council Member Rear Admiral J.B. Hayes who has been named Commandant of the U.S. Coast Guard.

MEETING RESUMED

Chairman Lokken reconvened the meeting at 1:30 p.m. The first item of business concerned a resolution passed during the February meeting

endorsing Governor Hammond's request to the U.S. State Department that allocation of fisheries surpluses to foreign nations be based on the import restrictions those nations may have for the same species when caught by U.S. fishermen. The Governor had sent his thanks to the Council for the Council's support. A decision was made to send this information to Ambassador Strauss and have it made an item at the Council Chairman's meeting in Charleston the following week.

REPORT OF NOON MEETING (SSC-AP-JAPANESE)

The concern of the Japanese longliners for the conduct of their sablefish fishery, a topic of discussion earlier in the meeting, was reported on following the discussion between the Japanese representatives and the members of the SSC and AP. It was the view of this ad hoc Committee formed for that meeting that the requested changes do not require major action. It was determined that some reserves are available in the Shumagin/Chirikof district which, if allocated, would increase the foreign allowable catch from 6.2 to 7.6 metric tons. Secondly, it was thought that later in the year when the DAH is examined, the unharvested portion might be allocated to Japan. Finally, on the question of the retention of Greenland turbot and arrowtooth flounder, it was determined the Japanese already have substantial allocation for those species that they could allow their longline fishermen to take.

The Council adopted unanimously the following recommendations:

1. In the designated longline fishery for Pacific cod, (west of 157 degrees West longitude) increase the combined TALFF and reserve from 6,230 metric tons to 7,600 metric tons, which is the TALFF and reserve for both the Chirikof and Shumagin sub-areas.
2. The reserve of Pacific cod in Shumagin and the Chirikof district be immediately released for allocation to the foreign longline fishery.
3. The DAH for Pacific cod in Shumagin and the Chirikof district be reassessed in August and any projected shortfall be assigned to the foreign longline fishery.

The Japanese had also asked that there be an immediate implementation of the recommendation contained in the FMP regarding Pacific cod west of 157 degrees West inasmuch as the regulations had not at this time been published in the Federal Register.

Chairman Lokken remarked that this would be notice to the Japanese that if allocations were made, the U.S. would not expect to see infractions in the fishery or the Council might change its attitude. A motion was made to accept the report of the Ad Hoc Committee and passed unanimously.

Mr. White, NOAA legal counsel, said that a change at this time in view of the PMP or FMP would slow down the process and advocated making any changes during the comment period of the regulations.

FINANCE REPORT

The Finance Commission finalized its report, accepting the proposed Council budget in the amount of \$1,276,000. The Finance Committee reviewed and approved a staff compensation and equalization study. While not all recommendations were adopted, the Committee approved a general increase of approximately 12 percent retroactive to January 1 with appropriate adjustments among staff members to equalize staff compensation rates consistent with current federal rates.

The motion to accept the Finance Committee's actions was passed unanimously.

SOCIO-ECONOMIC STUDY-AYK HERRING FISHERY

A report on the Socio-Economic Study of the Impact of the Commercial Herring Fishery in the Communities of the Arctic/Yukon/Kuskokwim District was made to the Council by Mr. Hutton, Assistant Executive Director. The contract has been awarded to Dames & Moore, Environmental Consultants and work has started.

1978 REASSESSMENT-DAH FOR GROUND FISH IN THE GoA

Action was deferred on this topic.

COAST GUARD OPERATIONAL REPORT

The USCG Operational Report is included as Agenda Item #19. RADM Hayes took this opportunity to express his appreciation for the work of the Council and identified his replacement on the Council as RADM Robert Duin.

NEXT MEETING

A decision was made to forego the April meeting; the next regularly scheduled meeting of the Council will be May 25-26 at the Anchorage Westward-Hilton Hotel in Anchorage.

MISCELLANEOUS

No public comment period or closed session had been scheduled for this meeting, however, comments were made by two individuals who asked for an appearance before the Council.

First was Dale Long, Executive Director for Fishery Enhancement, Columbia River Inter-Tribal Fish Commission. Mr. Long questioned the

completeness of the statement in the Salmon Troll Plan concerning Indian Treaty Fishing Characteristics and asked if the Council had considered Indian treaty rights of the tribes outside of Alaskan waters where salmon spawn but are harvested within the Council's jurisdiction.

His letter is included as Appendix D.

The second individual to ask to speak was Mr. Frank Price Jr., Executive Vice-President of the North Seas Fishery Corporation, a subsidiary of the 13th Regional Native Corporation. Mr. Price gave an accounting of the activity of his corporation with respect to fishing.

Mr. Price said that the 13th Native Corporation (consisting of all Alaska Natives who reside outside the State of Alaska) currently has 5 crab boats operating in Alaska, has 3 combination boats building at Bender shipyards in Alabama, plans on ordering 4-128' fishing boats within 4 months, and expects to secure financing for 20 more 180' trawler/processors in the near future. He expected all of these ships to fish in the Alaska area.

According to Mr. Price, the intention is to operate in the North Pacific. He estimated that 20 boats from the corporation will enter the fishery within the next five years. They will be directed against crab, Pacific cod and other bottomfish.

The meeting adjourned at 3:00 p.m.