

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

Second Plenary Session

December 2-5, 1976

Royal Room, Sheffield House, Anchorage, Alaska

The second plenary session of the North Pacific Fishery Management Council convened Thursday, December 2, 1976, at 8:30 A. M. with an announcement by Chairman Rasmuson that the Council would go into closed session to hear reports on ongoing foreign negotiations of a classified nature. He instructed the Advisory Panel to meet and choose officers, comment on the Charter for the Advisory Panel and conduct other business as they saw fit.

The Council reconvened in Suite 1207, Sheffield House, in closed session where they heard reports from members and advisors on recent negotiations with Japan in Tokyo and on the recent INPFC meetings.

The Advisory Panel met in the Royal Room of the Sheffield House in public session during the same period. See summary attached (inclusion No. 1).

The North Pacific Fishery Management Council convened in public session in the Royal Room of the Sheffield House at 1:30 P. M. December 2, in open session with the following Council members present:

Mr. Elmer Rasmuson
Mr. Harold Lokken, Vice-Chairman
Mr. James Brooks
Mr. Don McKernan
Mr. Clem Tillion
Rear Admiral J. B. Hayes
Mr. Henry Wendler
Mr. Harry L. Rietze
Mr. Bart Eaton
Mr. Henry Eaton

Absent were:

Mr. Lorry Nakatsu
Mr. Jan Riffe
Mr. John Donaldson
Mr. John Harville
Mr. Charles Meacham

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Twenty members of the Advisory Panel were present as follows:

Mr. Jack B. Cotant
Mr. Nick Szabo
Ms. Judith Ayres
Mr. Oral L. Burch
Mr. A. W. Boddy
Mr. William Burke
Mr. Truman E. Emberg
Mr. Jay S. Gage
Mr. Paul Guy
Mr. Sidney C. Huntington
Mr. Sigfried Jaeger
Mr. Charles L. Jensen
Mr. Knute Johnson
Mr. Joseph A. Kurtz
Mr. Richard B. Lauber
Mr. Raymond P. Lewis
Mr. Daniel J. O'Hara
Mr. Kenneth O. Olsen
Mr. Harry Wilde, Sr.
Mr. Donald Bevan

All ten members of the Scientific and Statistical Committee were present:

Dr. Dayton L. Alverson
Dr. Donald Bevan
Mr. Robert Loeffel
Dr. Edward Miles
Mr. Steven Pennoyer
Dr. George Rogers
Mr. Donald H. Rosenberg
Mr. Carl Rosier
Mr. Bernard Skud
Dr. Charles Woelke

Staff members present were:

Acting Executive Director Jim Branson
Acting Executive Secretary Florence Mynarski
Clerk Typist Norma Jean McCorcle

A list of people in the audience is attached as inclusion No. 2.

A copy of the draft agenda for the Council meeting is attached as inclusion No. 3.

A report on the organizational meeting of the Advisory Panel was given by Mr. Jack Cotant who had been nominated as Chairman.

Mr. Nick Szabo had been nominated as Vice-Chairman. Mr. Cotant said that twenty members of the Advisory Panel had been present at the meeting and reported on the following points:

1. The frequency of meetings for the Advisory Panel be clarified in the Charter.
2. The Advisory Panel had suggested that alternates be allowed for Advisory Panel members in case the member could not make a meeting.
3. Suggested setting up sub-panels within the Advisory Panel based on interest.
4. Requested the procedure for filling vacancies on the Advisory Panel.
5. Pointed the need for revisions in the Charter for the Advisory Panel. The revisions suggested by the Advisory Panel for the Charter are attached as inclusion No. 4.

Chairman Rasmuson responded to point 4 on filling vacancies by instructing the Council and Advisory Panel that anybody could make nominations for vacancies by routing them through the Executive Director for consideration by the Council. A discussion followed between the Council and the Advisory Panel on the operating procedure for the Advisory Panel with Mr. Cotant suggesting open type meetings as used in the INPFC. Chairman Rasmuson set the next joint meeting at 8:30 A. M. December 3. Mr. Rasmuson confirmed Mr. Cotant and Mr. Szabo as Chairman and Vice-Chairman of the Panel.

Report by Scientific and Statistical Committee

Dr. D. L. Alverson reported on the actions taken by the Scientific and Statistical Committee for the North Pacific Fishery Management Council. They began their meeting at 2:00 P. M. on November 29, 1976, in the Royal Room of the Sheffield House and had met through December 1. A summary of that meeting is attached as inclusion No. 5.

Dr. Alverson had been nominated as Chairman, Mr. Steve Pennoyer was nominated as Vice-Chairman. Chairman Rasmuson confirmed those nominations at this time.

Dr. Alverson reported that the Scientific and Statistical Committee would expect to come to the Council with a consensus view for the Chairman of the Committee to summarize for the Council, but they felt that minority views should also be heard on an independent basis. He reported that all ten members of the SSC had been in attendance at their meeting since Monday evening.

Dr. Alverson then reviewed the Council's charges from the October 5-8, 1976 meeting as follows:

- A. They were to review and reconcile the TAC for Bering Sea king crab between the National Marine Fishery Service (Preliminary Management Plan) and the Alaska Department of Fish and Game views. He said that the issue has been resolved, and that while values remained unchanged, confidence levels for those values now overlap from both sources. Dr. Alverson submitted a paper from Mr. Jerry Reeves, NWAFC, Kodiak facility, on this subject. (Inclusion No. 6)
- B. Second charge was questions regarding the tanner crab distribution in the Bering Sea relating to:
 1. Distribution by species
 2. Identify different distribution features, if any, of the Japanese-U.S. fishing activities
 3. Set up specific quotas by 5 mm size categories or by other size categories for the two species of tanner crab
 4. Could different quotas be established in an area sense
 5. Develop socio-economic data relevant to optimum yield.

At this time Dr. Alverson delivered a second document to the Council titled, "Re-Analysis of Tanner Crab TAC's for the Eastern Bering Sea Stocks" dated November 10, 1976 (Attachment No.7). Dr. Alverson then commented on those

specific points saying:

1. There were substantial differences in distribution between the two species of tanner crab in the Eastern Bering Sea, but that there were also considerable areas of overlap in the southern portion of the range. That Chionoecetes opilio extends in abundance north of the large concentration of C. bairdi.
2. That there is some geographic separation in the fishery, but it is not as clear as the species separation.
3. That the documents submitted provide TAC in 5 mm size categories, but that C. bairdi over 140 mm in carapace width had been considered as the exploitable size because of market demand. That the TAC had been revised because of correction in the exploitation rate and should be on the order of 108 million pounds for C. bairdi. Dr. Alverson noted that the document submitted needed substantial revision in the table of TAC value. The other information on distribution of fisheries, etc., is relevant. The TAC value for C. opilio should be 333 million pounds.

Dr. Alverson said that in the Committee's general view, the people who developed the tables used the most conservative figures throughout. The Committee declined making a judgement until the data had been reworked.

On item 5, the development of socio-economic data, the Committee had not had time to develop specific values.

Dr. Alverson noted that a sixth request by the Council at the October meeting, requesting candidates for a Limited Entry discussion at a Council meeting, had been answered by letter to the Chairman, wherein four individuals were listed that might provide a good general overview to the Council on Limited Entry, but that none of those people were at this session. Copies of that letter were not available at this meeting.

Dr. Alverson continued his report with the new work that had been accomplished since the October Council meeting stating

that management plans were in draft form for:

1. King Crab
2. Tanner Crab
3. Shrimp
4. Dungeness Crab *WMA*
5. Scallops *Scallops*
6. Gulf of Alaska Trawl including Black Cod
7. Bering Sea Trawl Fishery including Black Cod and Herring

The Scientific and Statistical Committee had been provided with documents for these plans, except scallops, to review during their meeting the first part of this week. He noted that the drafting teams had been established by the National Marine Fisheries Service and the Alaska Department of Fish and Game with consultation with individual members of the Committee since the SSC could not act as a legal entity at that time.

Dr. Alverson said that the seven documents comprised over 1000 pages, and complimented all of the drafters for the amount and quality of the work they had done in the short time since the October meeting. He said that the Committee had been able to do an analysis on only the king crab plan, but had done an overview of the tanner crab and shrimp plans.

The Committee had found difficulties with all of the plans they had reviewed and that there was need for redrafting with direction from the Committee. The Committee believed that the basic strategy of developing plans was correct in that they should:

1. Adopt existing State regulations as the first step in a phased management plan,
2. Amended plans should then be submitted as part of an ongoing process of re-evaluation and review.

That the first phase would have to stand alone as comprising the best scientific information available and that the second phase should be submitted by the Council to the Secretary of Commerce by April of 1978. Dr. Alverson noted that the existing drafts would have to be properly documented to support the conservation measures that exist in State of Alaska regulations. He also noted that the determination of

optimum yield would be up to the Council. He stressed again that the Committee thought it important for the Secretary to adopt State regulations as an interim measure to insure stability in the fisheries.

Dr. Alverson then read from introductory material developed by the Committee setting the philosophical tone of the reasons they felt the Council needed to move in this particular direction, "This document treats the first step in the development of a comprehensive plan for the management of king crab resources inhabiting the waters off Alaska. The necessity of submitting the plan using a phased concept results from the urgency of insuring that these valuable resources remain under State or Federal authority following March 1, 1977. It was the unanimous opinion of the management plan development team and the Scientific and Statistical Committee of the North Pacific Fishery Council that a plan incorporating a full analysis of all existing and potentially relevant biological, sociological and economic material could not be completed and implemented to provide protection for the king crab resources during most of the calendar year of 1977." Dr. Alverson said that in this particular document they had talked about the development of the State's regulations and that this process has led to a rather orderly development of the king crab fisheries, conservation of the king crab resources, interference with other fisheries or resources and has attempted to minimize socio-economic problems among and between user groups. It should be clear that in the absence of an appropriate regulatory regime to continue management of the king crab resources following March 1, 1977, serious damage could quickly result, including rapid overfishing of the stock, economic dislocation, reduced productivity, quality of the product and general chaos in the industry. Hence, it is imperative that a mechanism be found to avoid this situation. Dr. Alverson then went on to quote further from the Committee material saying that the Council should support and rest their argument on the following basic objectives "that the prevailing State regulations concerned with the conservation of king crab have as their basic objective the insuring of an adequate mature stock of female crab to maintain stock replenishment, insuring that an adequate mature stock of male crab is available for fertilization of the female stock, that excess males should be exploited with the concept of producing MSY, taking into account 1 and 2 above. The stock should be managed throughout the range when feasible and the State's objective has been to insure that these goals

can be met through the establishment and enforcement of practical management measures." Dr. Alverson stated that these objectives are clearly consistent with the national standards as set forth in PL 94-265.

Dr. Alverson went on to say that the initial phase consisting of adopting the existing State of Alaska regulatory regime/ measures will be followed by a second phase of systematic review and analysis of each management conservation measure and its supporting data base. In particular, it will include an analysis of extant and new data sources supporting conservation measures. Establish through a specific socio-economic goal a review of all regulations which have been implemented to achieve the socio-economic objections and modification of regulations, if necessary, to insure close conformance with the legislative intent of Public Law 94-265. Phase 2 should be submitted to the Department of Commerce on or before April 1, 1978.

Dr. Alverson said that the SSC had instructed the drafting teams regarding the type of modifications they felt were needed in the draft plans; that though the Committee felt this was properly a Council role, that in terms of expediency the Committee went ahead with it on this occasion. He said the teams are currently working on the suggested changes and that they expected to have them back to the Council for review by the next Council meeting. The SSC have asked for the second draft one week prior to the Council meeting for review by the Committee.

Dr. Alverson said that the Committee felt there were serious difficulties with the tanner crab report in the area of allocation to foreign fishing. The documents identify roughly 333 million pounds surplus of C. opilio but allocated somewhere in the 7,000 ton bracket, that there was no rationale or reason given for the difference. The Committee felt that they should bring to the Council's attention that the legislation requires allocation of surplus production that is not going to be taken by fishing capacity under the jurisdiction of the Council. The Committee felt the existing plan was going to create a problem and were bringing it to the Council's attention. The Committee had no problems with identification of the MSY values but the problem of allocation was one that the Council needed to consider and find a solution. He said that the Committee hoped to review the other documents during their current stay in Alaska but felt that it was almost impossible to get eight management plans ready in

acceptable form with a high probability of acceptance by the Secretary within the time frame and considering the constraints we feel the Council is under.

Continuing the Scientific and Statistical Committee report, Dr. Alverson said that they had reviewed the Charter for the Committee and had prepared comments on it which they were submitting in writing (Attachment 8). There was one section of the Charter that was repugnant to the Committee and they also felt that a number of other revisions were necessary.

The Committee asked that the Council consider sending a wire to the Department of Commerce and NOAA and asking for an extension of time to comment on interim regulations (published September 15, 1976), that the Committee had read the regulations very carefully and think there are components that are not in the best interests of the Council or of the Scientific and Statistical Committee. The deadline for comments is December 2 and the Committee is asking for an extension of time so that NOAA and the Department of Commerce can take into account the comments that will be submitted within the next two weeks by either the Council or the Scientific and Statistical Committee members.

A wire requesting an extension of the comment period was subsequently sent to the Secretary by the Council (Attachment 9).

Dr. Alverson said that the Committee had prepared a list of definitions relating to the technical terms that were being used in this open forum and that were used in the various documents being considered by the Council. They hoped to complete it by the end of this meeting and submit it to the Council (Attachment 10). The Committee had also requested that they be consulted in the development of the agendas for the Council meetings, stating that the agenda needed to be developed to allow the Committee to break and undertake independent studies; that the way it was done at this session had committed them to being at the Council meeting at all times.

Discussion followed by Council members and Dr. Alverson on the Committee report and it was reiterated again by Dr. Alverson that draft plans conforming to current state regulations would have to stand alone with supporting scientific and technical information; because of the lack of current socio-economic data, the first phase should have all current information, with the second phase to more fully develop OSY and be ready by April of 1978.

No minority report was given by the Scientific and Statistical Committee who said that they were in essential agreement on all points of Dr. Alverson's report.

In answer to a question from Mr. Lokken, Dr. Alverson said that many of the statistics used in the trawl plans were of foreign origin and that the catch statistics in the tanner and king crab plans were partly of foreign origin. He also said that most of the pertinent decisions on TAC were based on U. S. surveys with foreign data used as a check. In answer to another question from Mr. Lokken, Dr. Alverson said that the DEIS's drafted for the management plans under consideration also needed further work.

Discussion followed on optimum sustained yield with the concept developing that the Council should be ultimately responsible for determination of those factors determining optimum yield, but the specific areas of socio-economic analysis would probably be identified by the Scientific Committee. Dr. Alverson promised a list of specific data of pertinent socio-economic analysis for Council consideration at a later meeting. Dr. Edward Miles of the Committee requested a clear statement of objectives with respect to economic and social dimensions from the Council, saying that they needed them before they could do useful work on the socio-economic analysis. Further discussion followed on the philosophy of the plans reviewed by the Committee and explanations of why some portions of the draft were struck. Dr. Alverson stressed the review role of the Scientific and Statistical Committee, reiterating that they were not a drafting body; that they expected the plans to come to them for review based on the best scientific and economic data available.

Budget Discussion

Acting Executive Director Branson gave a brief report on Council funding, saying that the grant proposal submitted by the Council at the October meeting for \$666,000 for the first half of FY77 had been acknowledged by the Washington office of NMFS; advising the Council that further response would have to wait until the other Councils had been heard from.

A request had been received from NMFS for a budget proposal from the North Pacific Council for the second half of FY77, all of FY78, and FY79. The deadline for submission had been December 3, but the Council had been assured that they would receive consideration if it was received before the end of

December. Chairman Rasmuson reactivated the budget committee from the October meeting consisting of: Mr. McKernan, Mr. Reitze, Mr. Wendler and Mr. Henry Eaton, to work on budget proposals for those years.

Discussion followed on the request for extension of the comment period on interim regulations and the Chairman directed that a wire be sent to the Secretary of Commerce requesting an extension.

Discussion followed on development of optimum yield standards with Mr. McKernan suggesting a small joint committee of the Council, Scientific Committee and Advisory Panel. No action was taken on this matter.

The Acting Executive Director gave a report on staffing, reporting hiring Miss Florence Mynarski as Executive Secretary and Mrs. Norma Jean McCorcle as a clerk-typist for the Council. The Council then discussed the location of permanent quarters for the Council, noting that GSA had been unable to identify any space in the Anchorage area for Council headquarters and that the Council would have to look for commercial space.

Chairman Rasmuson noted that he had looked over the summary minutes of the October meeting and with more time might have made a few minor modifications but directed that they be sent out for distribution as they were.

Discussion followed on the Council charter which has already been filed, as have the Charters for the Scientific and Statistical Committee and the Charter for the Advisory Panel. It was noted that changes were needed in both the Scientific and Statistical Committee Charter and the Charter for the Advisory Panel.

After a brief recess, the Council reconvened to consider the time frame for development of Council management plans and environmental impact statements. The material included in the Council workbook, developed for Council management plans by the Acting Executive Director, was discussed, noting that it consisted of time schedules for both environmental impact statements and Council management plans. In general summary it would take at least 146 days from the time a draft plan was first accepted by the Council before the Secretary would be in position to promulgate emergency regulations. That if the full course of events were followed under the law, it would take approximately 199 days from the start of

Council action until regulations actually became effective. Discussion followed on priorities on preparation of management plans by the Council with Dr. Alverson noting that the Scientific and Statistical Committee has rated them in the following order:

King crab
Tanner crab
Shrimp
Dungeness
Scallops

Council discussion on the pros and cons of rushing plans through for submission to the Secretary followed with Mr. Tillion advocating good plans, properly prepared, without too much regard to time, since he believed the State would retain authority until a plan replaced their jurisdiction. Other Council members wanted to rush at least the king and tanner crab plans through as quickly as possible. Council members Tillion and Brooks recommended placing priority on tanner crab plans and trawl fishery plans, including black cod. Mr. Jack Lechner, ADF&G, from the audience in answer to a question, said that the king crab management plan draft could not be redrafted before the middle of January. The discussion shifted to the preliminary management plans on trawl and tanner crab fisheries and further discussion of the disparity between TAC for tanner crab and the foreign allocation shown in the preliminary management plan and in the draft plan reviewed by the Scientific and Statistical Committee. No resolution was reached.

The Council adjourned at 5:00 P. M.

Friday, December 3, 1976--The Council reconvened at 8:30 A. M. in the Royal Room of the Sheffield House, Anchorage, Alaska. Council members present were:

Mr. Rasmuson
Mr. Lokken
Mr. Rietze
Mr. McKernan
Mr. Tillion
Mr. Bart Eaton
Mr. Henry Eaton
Rear Admiral Hayes
Mr. Wendler
Mr. Brooks
Mr. Mace (representing Mr. Donaldson)

Absent were:

Mr. Riffe
Mr. Nakatsu
Mr. Meacham
Mr. Harville

The first order of business was a joint meeting with the Advisory Panel with Chairman Rasmuson acting as moderator. He suggested the determination of optimum sustained yield as an area where the Advisory Panel could be of great value to the Council's operation. The Chairman of the Advisory Panel, Mr. Cotant, said that two matters of concern to the Panel members were the frequency of meetings and how many advisors were expected to attend, and, secondly, how was the Advisory Panel to enter into the actual functioning of the Council and the development of management of plans for each fishery.

Mr. Rasmuson responded by saying that the Advisory Panel was designed to be representative of a very broad section of the fisheries spectrum and suggested that one of the best ways of getting continuous representation was to limit the term of office for individual Panel members, noting that the draft charter originally submitted for the Advisory Panel by Council staff had provided for staggered lengths of terms, whereas the charter actually filed said that Panel members would serve at the discretion of the Council. Chairman Rasmuson suggested to the Advisory Panel that they may wish to discuss this subject with perhaps the option of a year's appointment subject to reappointment. He urged Panel members to represent a broad concept rather than narrow sectional views in their work with the Council, saying that an advisor is more helpful if he thinks in terms of the entire industry rather than just a particular segment of it. Chairman Rasmuson said that he recognized that 100% attendance by Advisory Panel members at Council meetings was not practical but pointed out that unless they attended as many meetings as possible, they would not have the input and exchange from other members of the Council bodies. That a rule of reason and practicality would have to be used.

Discussion followed on the role of the Advisory Panel with Mr. Lokken saying that he would like to hear both majority and minority views on Advisory Panel reports so that he could use his own judgment in making decisions. There was general agreement that working papers of draft plans, etc. should be circulated among Advisors and Council members as much prior to a meeting as possible so they would have a

chance to study them well before the meetings. Mr. Bevan pointed out that the members of the Advisory Panel were in a better position to determine whether management plans met the test of practicality than were the scientists that drafted them and reviewed them.

Discussion between Panel members and Council members followed on the subject of agendas, and getting materials to participants well ahead of the meetings. It was agreed by all that this was desirable but the practical problems were recognized.

Discussion by the group on the working role of the Advisory Panel dwelt on the routing of material to the Advisory Panel. The general feeling of Council and Advisory Panel members was that they wanted material relating to management plans as soon as possible, whether it came from the SSC or the Council, but certainly in adequate time to study it prior to advising the Council on the plans.

At this point the Chairman directed that the draft material submitted to the Scientific and Statistical Committee from the working groups be distributed to the members of the Advisory Panel.

Discussion continued on the operation of the Advisory Panel and its coordination with the Council and the Scientific and Statistical Committee.

Dr. Alverson summarized the discussion as follows:

The Scientific and Statistical Committee will take a leadership role identifying resources and insuring work is started in terms of management plans. They will identify the key agencies and also the academic institutions and individuals that might participate in the development of the management plans. Once that assignment has been laid out and the people begin to work, there will be a management team chairman who will assume the responsibility of seeing that progress on the plans proceeds in an appropriate manner and that there is a continuing dialogue between the Chairman of the management teams and the Advisory groups, or at least the grass root elements of the particular Advisory group. But as the plan is developed, it is ultimately supposed to come back to the Executive Secretary and to the Scientific and Statistical and Committee for comment. After the comments are made, the drafts are returned to the management team for

revision. It is the responsibility of the Scientific and Statistical Committee to ensure that the various work commitments outlined by the Council are being met. In most instances, however, the workload will be carried by people in the agencies, primarily the Alaska Department of Fish and Game and the National Marine Fisheries Service. In addition, the SSC will prepare comments and suggestions, or answers to specific questions from the Council, in the area of scientific and statistical matters, including bio-economic studies. We also believe that the management teams should have the perogative of calling on technical people from any of the agencies, if they so desire, and also should be able to call on people from the Advisory Committees or elsewhere in the evolution of the first plans. We feel that the SSC has substantial capabilities in the fields of economics and social sciences, that they can provide the Council with consultation and aid in moving from a qualitative view of what you ought to get to quantifying that in terms of the theory underlying the economic aspects and objectives.

Further discussion followed on the subject of the role of the Scientific and Statistical Committee and the role the Council's Executive Director is going to have in coordinating the preparation of management plans.

Discussion reverted to the Advisory Panel with Mr. O'Hara asking what constituted a quorum for the Advisory Panel. Mr. Gage requested copies of the Federal Advisory Committee Act which were not immediately available, but were promised as soon as possible.

Mr. A. W. Boddy requested Council guidance on the role of the Advisory members in connection with public hearings. Discussion followed, the general feeling being that Advisory Panel members should attend any public hearings in which they have a specific interest, whether they are in their particular geographic area or not. After considerable discussion by the Council members and some of the Advisory Panel members, Chairman Rasmuson summed up the consensus of the Council on policy regarding Advisory Panel members and travel, "It will be the position of the Council and the policy of the Council and the responsibility of the Chairman and the Director between them to see that these public hearings are covered by representative members of the

Advisory Panel to the extent practical, that any other member of the Panel who has not been designated is authorized to attend and, if possible, will communicate with the Executive Director to notify him of that intent. If he does attend and has not been able to notify the Executive Director, he still has that authority and his expenses shall be paid."

Mr. Lokken raised a point of order asking whether a decision like this should be made by vote rather than consensus and the Chairman explained that he had taken the position when he first became Chairman that if there was no objection he would consider it passed to save time. If there was a request for a vote or a rejection, then we would do it by vote. All that he was trying to do was have a consensus, et cetera. Mr. McKernan raised a point that at some of the public hearings it would be desirable to have technical advisors or members of the Scientific and Statistical Committee and said that we ought to recognize that the Chairman or the Council member who is going to officiate at a public hearing ought to be able in the Chairman's name to call upon appropriate technical advisors he might think necessary or desirable to have present. Some of these, of course, would need expenses which would not be covered by their working agencies.

Council members then went on to discuss restraining travel because of budgetary considerations with the general feeling being that when budgetary considerations required it, Advisory Panel members and Scientific and Statistical Committee members would be advised that they would not be able to travel until further notice or within very limited amounts, that there would be no overall requirement as a blanket policy for specific approval of all travel before it was undertaken. Following further discussion, the Chairman again stressed fiscal responsibility and requested a budget report from the Director by category at each meeting with advance warning when there appeared to be problems.

Mr. Henry Eaton asked whether there would be a fixed amount in the budget for the Advisory Panel and for the Scientific and Statistical Committee and urged that some restraint should be imposed on each of the Panel's spending, giving them the choice of judging who will attend meetings, etc. Mr. Tillion pointed out that his experience on bodies of this nature had been that advisory travel seldom ran beyond budgeted figures, that usually it was a greater problem getting people to attend than it was getting them to stay within the budget. A brief budget discussion followed in

Advise Panel on the extent practical. That any other member of the Panel who has not been designated as a substitute to attend and, if possible, will communicate with the Executive Director to notify him of that intent. If he does attend and has not been able to notify the Executive Director, he still has that authority and his expense shall be paid.

Mr. Loken raised a point of order asking whether a decision like this should be made by vote rather than consensus and the Chairman explained that he had taken the position when he first became Chairman that if there was no objection he would consider it passed to save time. If there was a request for a vote or a motion, then he would do it. He said that he was trying to do what he could to save time. Mr. Loken asked a point of order that some of the public hearings it would be desirable to have technical advisors on staff of the Technical and Statistical Committee and that he would like to know if there was a possibility of the Council members who are going to be in a public hearing could be invited to the Chairman's name to call upon appropriate technical advisors he might think necessary or desirable to have present. Some of these, of course, would not be necessary which would not be covered by their working expenses.

Council members then went on to discuss restrictions on the expense of industry consultants with the general feeling being that non-industry consultants would be invited. Advisory Panel members and Statistical and Technical Committee members would be advised that they would not be able to travel until further notice or within very limited amounts, that there would be no overall reimbursement as a blanket policy for approval of all travel before the was undertaken. Following further discussion, the Chairman again stressed fiscal responsibility and requested a report from the Director by January 15, 1977, and a report to the Board on the progress of the program. He also suggested that the Board should be informed on each of the Panel's meetings, and that the choice of judges who will attend meetings, and Mr. Loken pointed out that his experience on bodies of this nature had been that advisory panels seldom are beyond budget. He said that usually it was a greater problem getting people to attend than it was getting them to stay within the budget. A brief budget discussion followed in

which the Acting Director, Mr. Branson, pointed out that the Council was spending on the basis of the budget submitted by the Council at its October 5-8 1976 meeting, but that so far as he knew they were still working on the basic constraints of \$182,800 for the first half of fiscal 77, and that unless the requested budget was granted, travel would have to end prior to March 31, 1977 or we would be over the \$182,800 limit.

Mr. McKernan stated that he thought it was outrageous that the Council had not received a response from their first budget request in October, that the Council had warned the National office starting at the September meeting in Arlington that the budget they had prepared was inadequate and that he thought the Council had a right to assume and the record ought to show that they had the right to assume that the budget was going to be covered. Mr. Rietze noted that the Council had received a response to their budget submission and Mr. McKernan noted that the reply was not substantive, that the Council still did not know what their budget would be. Budget discussion continued, Council members generally expressing the feeling they needed to know exactly what the budget was going to be and that the \$22,000,000 allotted by Congress for extended jurisdiction could be allotted satisfactorily to the Councils to allow them to do their required jobs.

Chairman Rasmuson noted that State Department representative Mr. Carl Price, (designee for Mr. Lorry Nakatsu) had arrived and that the Council would go into closed session to hear a report on ongoing negotiations shortly. He also noted that Mr. Robert Mace (designee for Mr. John Donaldson) had arrived and was present at the Council meeting.

Mr. McKernan raised the question of clearances for the Advisory Panel and Scientific and Statistical Committee. Mr. Branson noted that requests had been submitted for clearances for all of the 20 Advisory Panel members nominated and that as soon as they were approved, that they would be expected to attend closed sessions of the Council.

Mr. Lokken requested a list of decisions that had to be made by the Council at this meeting. Chairman Rasmuson pointed out that he had gone through them with the Executive Director and that they would be taken in order. The Council then broke for lunch at 11:30.

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The Council reconvened in open meeting at 1:30 P. M. Council members, Charles Meacham and John Harville, had arrived and were present at this meeting. The only absent member was Mr. Jan Riffe.

Chairman started with a discussion of the agenda and noted that the Council would have to go into committee session to get some of the work done. The Chairman asked the Council to consider a formal request through channels, i.e., through the Secretary of Commerce, asking him to relay to the Secretary of State the desire of the Council to be involved in negotiations on any new agreements. Mr. Wendler made a motion to that effect. Mr. Lokken seconded it and it was passed unanimously on a voice vote.

The Chairman then went on to the changes requested in their charter by the Scientific and Statistical Committee and Mr. Lokken moved that the Council endorse the requests of the Scientific and Statistical Committee for changes in their charter. Motion seconded by Mr. Wendler. There were no comments on the question and it passed unanimously by voice vote.

Chairman Rasmuson noted that there had been an informal invitation for the North Pacific Council Chairman to meet with the other Council chairmen to consider an organization or association of the various Councils. He noted that there had been three subjects listed by Mr. John McKean, Chairman of the Pacific Regional Fishery Management Council, for the subject of a joint meeting. One was budgets, the second was optimum yield, third was a coordinating office in Washington between all of the Councils. It was proposed that the meeting be held on January 11 in Houston, Texas.

Mr. Lokken moved that the Council chairmen attend the proposed meeting in Houston and that the chairman of the budget committee, Mr. Don McKernan, also be authorized to attend the meeting in Houston representing the North Pacific Fishery Management Council. Mr. Rietze seconded the motion. Discussion followed on the motion, with Mr. Rietze pointing out that the question of optimum yield is one of the most important matters needing to be resolved by the Council. Mr. Lokken thought that OY would have to be decided species by species since it would vary for each and would have to be a matter for the Council rather than for a joint meeting of Councils.

Mr. Mace asked Mr. Lokken if he would consider amending the motion so that the Chairman could designate other members to attend the Houston meeting. Mr. Lokken stated he would have no objection. Chairman Rasmuson said he would like to see if the motion couldn't be expanded to include the Chairman and Vice-Chairman. Discussion followed with Mr. Lokken amending the motion, so the Chairman could appoint the members to go to the Houston meeting and that it should of necessity include the Vice-Chairman. The amendment was seconded by Mr. McKernan, discussion followed with Mr. Meacham stating his support of a national organization of Councils. Question was called for, carried by voice vote with one dissenting vote.

Chairman Rasmuson asked the Council to consider committee meetings on the budget and on members of the Advisory Panel. At this point, committee members, Mr. McKernan, Mr. Lokken, Mr. Reitze and Mr. Hayes, left to work on the budget with Executive Director Mr. Branson. The committee for the Advisory Panel consisting of Mr. Tillion, Mr. Meacham, and Mr. Henry Eaton, left to meet on the Advisory Panel. The remaining members remained in session.

Chairman Rasmuson requested comments on the management plans under consideration and noted that two Advisory Panel members, Mr. Paul Guy and Mr. Harry Wilde, wanted to present a position paper on the Bering Sea area but were not in the room at the moment. Mr. Nick Szabo, Vice-Chairman of the Advisory Panel, noted that most people wanted to speak before a full Council so would probably not want to speak at this time. Mr. Eric Sutcliffe, representing the City of Unalaska, spoke from the audience noting that he was trying to forecast the impact of these meetings on his city and requesting that someone from Unalaska be placed on the Advisory Panel. Mr. Sutcliffe said they simply wanted to be advised when decisions were made so that they could be kept up-to-date on developments.

There were no further comments from the audience so the Council recessed for an hour to reconvene at 3:30 as a full Council and hear reports from the committees.

Mr. Meacham reported for the committee on the Advisory Panel, noting that the committee had reviewed the responses

to the initial list of 25 people nominated for the Panel, that three people indicated that it would be impossible for them to serve, two people had not responded but had been personally contacted later and both did wish to serve. He said that there had been three additional names added to the nominations to bring the full number back to 25. They nominated Representative Keith Specking, from Hope, because of his interests in guiding and recreational fishing and experience as an advisor to INPFC.

In lieu of Mr. Gordon Jensen, the President of Alaska Board of Fisheries who did not have the time to serve on the Advisory Panel, they recommended Mr. Al Otness of Petersburg.

To replace commercial fisherman, Mr. Jack Phillips, who had been unable to serve among the original nominees, the committee recommended Mr. Bob Starck, from Unalaska.

Mr. Meacham reported that it was recommended that Dr. Don Bevan, who serves on both the Scientific Committee and the Advisory Panel, be removed from the Advisory Panel and serve on the Scientific Committee only, but that the Council would like to use him as liason between the two advisory bodies. To replace Dr. Bevan on the Advisory Panel, the committee recommended Mr. Bob Alverson of Seattle.

In answer to a question from Mr. Ken Olsen, Advisory Panel, Mr. Meacham noted that the two original nominees who had not responded were Mr. Bob Moss, Jr. of Homer and Mr. Jim Beaton of Juneau, both commercial fisherman. Both had been fishing and were unable to respond but both had been personally contacted and indicated they did wish to serve.

Mr. McKernan moved that the Council accept the nominations of the Committee, seconded by Mr. Henry Eaton. Passed unanimously by voice vote.

Mr. Rasmuson then called for the budget committee to report.

Mr. McKernan, reporting for the budget committee, noted that they had completed their work insofar as was necessary at this meeting. They had reviewed the budget for the second half of FY77, recommending essentially the same rate as submitted for the first half, taking into account the fact that the research or contract monies as requested for the first six month budget were really for a twelve month period rather than only six.

The committee had seen no reason to alter the general fiscal program for the following year except to take into account inflationary processes. They believed there would be some additional expenditures because of international meetings requiring the presence of members of this Council or staff so they had increased their request by a modest amount, approximately 10% for inflation and 10% for additional responsibilities.

The committee had been asked to make estimates for the following fiscal year (FY79) and they had done so on approximately the same basis. The committee has asked the Acting Executive Director to prepare this budget in appropriate form and request the Chairman to submit it as he did in October. Mr. McKernan concluded by saying that the committee was unanimous in its view that the budget was close to what they would be spending on the basis of the Council's experience so far.

Mr. Lokken asked for figures on the budget and they were furnished by Mr. Branson who noted that the submission for the first half of FY77 had been \$666,000, the second half FY77 budget would be approximately \$466,000, the FY78 budget would be approximately \$1,400,000.

Mr. McKernan reported that the budget committee believed it was urgent that studies be undertaken to promote and develop underutilized fisheries lying off our coast, with a specific reference to Alaska groundfish, that the committee believed this should be done through the budget of the National Marine Fisheries Service because they did not see that this particular item specifically relates to the Council's responsibility of drafting fishery management plans.

Mr. McKernan said that the committee was drafting a letter for consideration of the Council at this meeting, urging the National Marine Fisheries Service to consider input from its current budget with respect to this project, particularly in view of the fact that industry and the State of Alaska appear willing to participate in such a development, that because the law specifically states that this should be done and indicates there is a certain urgency to the problem, the committee felt the Council should call the attention of NMFS to the need for speedy progress and speedy development in the program.

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Mr. Tolson asked for figures on the budget and they were furnished by Mr. Johnson who noted that the submission for the first half of 1977 had been \$468,000, the second half 1977 budget would be approximately \$468,000, the 1978 budget would be approximately \$1,100,000.

Mr. McKernan reported that the budget committee believed it was urgent that studies be undertaken to promote and develop underutilized fisheries living off our coast with a specific reference to Alaska groundfish, that the committee believed this should be done through the budget of the National Marine Fisheries Service because they did not see that this particular item specifically relates to the Council's responsibility of drafting fishery management plans.

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Chairman Rasmuson asked for comments from the Council, received none. Mr. Meacham noted that they would need some staff help preparing the letter promised by Mr. McKernan and requesting that the appropriate parties stay at the conclusion of the meeting.

Chairman Rasmuson asked Mr. McKernan if his committee had considered any type of additional communication on the status of the Council's first budget submission. Mr. McKernan replied that he had discussed this with Mr. Reitze and understood there was some delay on submissions from other Councils, thus delaying response to the North Pacific Council but that the committee thought it might be appropriate to include in the cover letter for the budget submissions a request for a quick response to the original budget request. Further discussion followed on this point with Mr. Lokken asking Mr. McKernan if they had checked expense items in the budget to make sure that all of them were appropriate Council activities. Mr. McKernan replied that they were convinced that the kinds of projects they anticipated using contractual funds for were those which related specifically to the obligations of the Council under the terms of the Act. They were not thinking about those functions, projects or activities properly belonging or traditionally having belonged to the State or the Federal government. He felt that they could justify their budget on that basis. The subject had been considered at length and debated actively and Mr. McKernan felt the result was unanimous agreement on the budget and the items within this budget with respect to that issue. Mr. McKernan then moved to approve the budget as submitted. It was seconded by Mr. Lokken, Mr. Rasmuson noted that it had been moved and seconded that the budget as prepared by the sub-committee will be presented in regular form for signature. Question was called for and it was passed by unanimous voice vote.

Chairman Rasmuson noted that the first thing on the agenda for the next morning would be a joint meeting with the Alaska Board of Fisheries and that he understood in talking with Mr. Gordon Jensen (President of the Alaska Board of Fisheries) that the subject would not take all of the morning. Mr. Rasmuson suggested that the Council adjourn now, that they would have the joint meeting tomorrow morning, immediately following which they would try to get into the executive session for additional reports on the international situation.

Mr. Brooks asked the Chairman whether he intended to provide time for the Council to consider amendments to the preliminary management plans and on questioning noted that he had specific plans in mind, intending to propose minor amendments to the Gulf trawl fish preliminary management plans, to the Bering Sea trawl fish preliminary management plan and to the Bering Sea shellfish PMP. Mr. Brooks said that these subjects had been discussed by the SSC and that there were differences in the recommendations of the SSC provided in their most recent document on harvest levels on certain species for foreign fisheries as compared to those recommendations in the PMPs. Further analysis of the condition of these stocks had occurred between the time the PMPs were originally drafted and the drafts of the management plans for the Council and had revealed matters that in Mr. Brooks' opinion suggested that the PMPs ought to be amended in accordance with this most recent information.

The Chairman asked if these were matters that could be taken up immediately and that would not take too long. Mr. Brooks proceeded, pointing out that the Gulf of Alaska trawl fish plan, specifically the rockfish and flounder allocations, is 47,000 MT. In the most recent document prepared by the SSC, the recommended allocation of rockfish in the Gulf of Alaska to foreigners is reduced to 30,000 MT and that there was good justification for that.

Several people pointed out to Mr. Brooks that the actual figure was 25.2 thousand MT and Mr. Brooks acknowledged that the 47,000 MT currently in the PMP should be changed to 25.2 thousand MT.

Mr. Brooks said that the second change had to do with flounders. The PMP allocation of flounders is 30,500 MT but the actual PMP level should be 19,500 MT. Mr. Reitze stated in reply to a question that the U. S. catch of rockfish and flounder in the Gulf of Alaska had been zero in the past. The original schedule in the PMP reserved 4,800 MT to the U. S. as half of the U. S. industry's projection. Mr. McKernan asked where the estimate of roughly 5,000 tons had come from. Mr. Brooks replied that he thought it would be helpful if he read the SSC's explanation of this matter. They stated rockfish, Pacific Ocean perch, the dominant rockfish of the region, has been overfished to the extent that the current equilibrium yield of 50,000 MT is estimated to be only 40% of the MSY, the total allowable catch of 50,000 MT for all

rockfish contained in the PMP was based on the assumption that a significant amount of rockfish other than Pacific Ocean perch would be taken in the foreign trawl fishery, thus reducing the Pacific Ocean perch catch below its equilibrium yield to allow for stock rehabilitation. A review of resource assessment survey data, however, indicates that only a small amount of other rockfish catch is available in the Gulf of Alaska. Virtually all of the rockfish catch for that region would be expected to be Pacific Ocean perch. Accordingly the rockfish total allowable catch has been reduced to 30,000 MT, a value that would allow rebuilding of the perch population to the level of MSY in about eleven years. The only practical way towards significantly faster rehabilitation would be a moratorium on perch fishing. Mr. Brooks noted that even with that drastic measure the rehabilitation would still be a matter of six to eight years. He said that the foreign allocation was approximately 19,500 and he thought it appropriate that the PMP note that figure. Mr. Brooks again corrected his figure of 30,000 MT to 25,200. He noted that these were the only changes he would recommend in the Gulf trawl fishery and moved that the Council recommend to the Secretary that the Gulf trawl fishery PMP be amended accordingly. Mr. McKernan again asked what the basis there was for setting aside 10,000 tons for a U. S. fishery that didn't exist at the present time. He requested more time for consideration saying he thought the Council should act on this at this meeting but was opposed to taking action at this moment without hearing the remainder of the suggestions and having a chance to study the document in more detail overnight.

In answer to a question from the Chairman, Mr. Brooks noted that the figures under discussion had originated with the SSC and added he thought it appropriate that they have time to read the reports, asking that the Bering Sea trawl fishery PMP and the management plan in draft for the Council should be studied with respect to herring because he intended to address the foreign allocation of herring in the Bering Sea. Further he noted that he intended to ask the Council to address the question of allocation of tanner crab to the foreign fishery as recommended in the PMP. Discussion followed on availability of figures relative to the trawl plans.

The Council adjourned on a motion from Mr. McKernan,

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The North Pacific Fishery Council reconvened at 8:30 A. M., Saturday, December 4, 1976, in the Royal Room of the Sheffield House in Anchorage, Alaska. Council members present were:

Mr. Elmer Rasmuson
Mr. Harold Lokken
Mr. James Brooks
Mr. Don McKernan
Mr. Clem Tillion
Mr. Donald Moos
Mr. Bart Eaton
Mr. Henry Eaton
Mr. Harry Rietze
Mr. Carl Price
Mr. Robert Mace
Mr. John Harville
Mr. Charles Meacham
Rear Admiral J. B. Hayes

The only member absent was Mr. Jan Riffe.

The Council met in joint session with the Alaska Board of Fisheries who were represented by Mr. Gordon Jensen, Chairman, Danny Garrouette, Sam Demientiff, Nick Szabo, Herman Schroeder, Jim Beaton, with only one member of the Board of Fisheries absent, Mr. Thomas Dunn.

Both the Council and the Alaska Board of Fisheries expressed their desire to cooperate closely in managing the fishery resources off Alaska and both groups were of the opinion that existing State management schemes should remain in effect until the Council had an opportunity to develop management plans for those offshore stocks not now managed by the State of Alaska. Both groups recommended a study of current state regulations to ensure their compliance with the standards set forth in PL 94-265. Considerable discussion followed on the exact application and interpretation of those national standards.

Mr. Jensen, Chairman of the Alaska Board of Fisheries noted that the draft management plans being prepared for the Council, largely by Alaska Department of Fish and Game staff, had not been reviewed by the Board of Fisheries and that the Board had not taken an official stand. A short discussion of preliminary management plans followed and Chairman Jensen noted that the Board of Fisheries would have a position paper to present later in the day during the public hearing on the high seas salmon fishery and the foreign allocation of tanner crab in the Bering Sea.

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Following further discussion between the members of the two boards on cooperation and communication between them, the Joint meeting adjourned at 10:00 A. M. and the Council broke until 10:30 A. M.

Mr. Steve Pennoyer, Vice-Chairman of the Scientific and Statistical Committee, reported on the status of the Committee's work on preliminary management plans, and draft Council management plans. The Committee at this meeting had been working on the Council management plans developed by drafting teams and had reviewed the king and tanner crab and shrimp plans in detail and were just beginning review of the trawl fishery plans. The Dungeness and scallop plans had not been received from the drafters as yet.

The Scientific and Statistical Committee recommended that the plans be returned to the drafters for substantive and editorial changes prior to their submission to the Council for action.

Council discussed the need to take immediate action on the preliminary management plans developed by the Secretary and noted that the troll salmon plan had been assigned to the Pacific Council for responsibility as a Council management plan. The North Pacific Council decided that because of the amount of troll fishing in Alaska and the contribution of Alaskan stocks to that fishery, that there should be Alaskans on the management planning team and that the North Pacific Council should play a joint and equal role with the Pacific Council in adopting the plan for a troll salmon fishery.

The Council then discussed the revised TAC's for tanner crab in the Eastern Bering Sea and Dr. Jerry Reeves, National Marine Fisheries Service, explained that more recent data from 1976 surveys and the use of a new exploitation rate of .4 rather than .15 increased the TAC for *C. bairdi* to 108 million pounds (minimum size of 5-1/2") and the TAC for *C. opilio* (using the old exploitation rate of .15) should be 333 million pounds. These TAC figures included adjustments for incidental take by foreign trawlers and environmental factors, etc. Dr. Reeves said the 1976 surveys did indicate a downward trend but future surveys are needed to verify that indication.

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The meeting adjourned at 11:45 and reconvened in the Royal Room of the Sheffield House at 1:30 P. M. The Council directed the Scientific and Statistical Committee to give their attention to those preliminary management plans the Council needed to act on at this meeting, king and tanner crab, particularly tanner crab, the Bering Sea trawl fishery, including herring, and the Gulf of Alaska trawl fishery, and asked the Committee to report back to them the first thing Sunday morning, December 5. The SSC then met in Room 1107 of the Sheffield House, scheduling a second meeting for 8:00 P.M. the evening of December 4.

Chairman Rasmuson then opened the public hearing. Witnesses were as follows:

Mr. Harry Wilde, Sr., Mountain Village, Alaska, spoke on the herring situation along the coast of Western Alaska between the Yukon and the Kuskokwim Rivers. A copy of his presentation is attached to these minutes as inclusion No. 11.

Mr. Paul Guy, representing United Fishermen of the Kuskokwim area, presented testimony on the herring fishery in support of Mr. Wilde's comments. Mr. Guy then presented a paper concerning Japanese interception of Western Alaskan king and chum salmon. Copy of that paper is attached to this record as inclusion No. 12. One correction was noted in the presented paper--"we desire the Japanese to cease their fishing in these months in mothership fishery districts 8 and 10 east of the extension line" should be changed to "west of the extension line."

Mr. Nick Szabo, Vice-Chairman of the Alaska Board of Fisheries, representing that Board, presented a resolution concerning foreign fishing on the Eastern Bering Sea herring stock. The resolution (inclusion No. 13) made the following recommendations:

That the proposed foreign gillnet allocation of 1,000 MT for herring be eliminated and an area adjacent to Alaskan spawning areas should be closed to herring fishing by foreign nations.

The meeting adjourned at 11:45 and reconvened in the Royal Room of the Sheraton Hotel at 1:00 P. M. The Council directed the Scientific and Statistical Committee to give their attention to those preliminary management plans the Council needed to act on at this meeting. King and Tanner, particularly Tanner, and the Board of Fisheries, and the Gulf of Alaska Fishery, and the Gulf of Alaska Fishery, and the Committee to report back to them the first thing Monday morning, December 6. The 200 then met in Room 1107 of the Sheraton Hotel, scheduling a second meeting for 8:00 P. M. the evening of December 4.

Chairman Rasmussen then opened the public hearing. Witnesses were as follows:

Mr. Harry Wilde, Sr., Mountain Village, Alaska, spoke on the hearing situation along the coast of Western Alaska between the Yukon and the Kuskokwim Rivers. A copy of his presentation is attached to these minutes as Exhibit No. 2.

Mr. Paul Guy, representing United Fishermen of the Kuskokwim area, presented testimony on the hearing. He is in support of Mr. Wilde's comments. Mr. Guy then presented a paper concerning Japanese interference of Western Alaska King and Tanner salmon. Copy of that paper is attached to this record as Exhibit No. 3. One correction was noted in the presented paper. We desire the Japanese to cease their fishing in those months in Kuskokwim Fishery Districts 2 and 10 east of the extension line. This should be changed to "west of the extension line."

Mr. Dick Sarno, Vice Chairman of the Alaska Board of Fisheries, representing that Board, presented a resolution concerning foreign fishing on the Eastern Bering Sea during 1977. The resolution (including No. 40) reads the following recommendations:

That the proposed foreign limited allocation of 1,000 MT for herring be eliminated and an area adjacent to Alaskan spawning areas should be closed to foreign fishing by foreign nations.

Following questioning by the Council on the herring fishery of the Eastern Bering Sea, Mr. Szabo presented a second resolution from the Alaska Board of Fisheries (attached as inclusion No. 14) urging the Council to request that the Department of State promptly take appropriate action to initiate the renegotiation process with Japan and Canada with particular regard to salmon.

Discussion followed on this subject and Mr. Szabo presented another resolution from the Alaska Board of Fisheries (attached as inclusion No. 15) noting that the best scientific information defined the C. bairdi stock of tanner crab in the Bering Sea as being primarily south of 58° north latitude and east of 173° west longitude and that the total allowable catch of C. bairdi is within the harvesting and processing capability of the United States fishing fleet. The Alaska Board of Fisheries resolved that no foreign harvest of tanner crab be allowed within the defined area and that any foreign fishery of C. bairdi tanner crab be restricted to male crab greater than 140 mm of carapace width.

Mr. Sigfried Jaeger, representing the North Pacific Vessel Owners' Association, testified on the capability of the American fleet to harvest the entire Bering Sea crab resource and other bottom fish species as well. In his testimony, Mr. Jaeger noted that the current landing rate in the Bering Sea by American vessels was approximately 1. million pounds per day which was less than the existing processing capacity in the Dutch Harbor area.

He summed up his testimony by saying that the current capacity of the fishing fleet is in excess of the total allowable catch on C. bairdi as given by the Scientific and Statistical Committee of 108 million pounds.

Discussion and questioning by Council members followed with Mr. Jaeger stating in answer to a question from the Council that he had heard estimates of 60 million pounds for the tanner crab catch for 1977. He noted that marketing restraints would of course be a factor on the total catch.

Following questions by the Council on the hearing fishery of the Eastern Bering Sea, Mr. Zappa presented a second resolution from the Alaska Board of Fisheries (attached as Inclusion No. 11) urging the Council to request that the Department of State promptly take appropriate action to initiate the negotiation process with Japan and Canada with particular regard to salmon.

Discussion followed on this subject and Mr. Zappa presented another resolution from the Alaska Board of Fisheries (attached as Inclusion No. 12) noting that the best scientific information obtained the U.S. Pacific coast of Bering Sea as being primarily south of 55° north latitude and east of 175° west longitude and that the total allowable catch of salmon is within the harvesting and processing capability of the United States fishing fleet. The Alaska Board of Fisheries resolved that no foreign harvest of Bering Sea salmon be allowed within the defined area and that any foreign fishery of U.S. Pacific Bering Sea be restricted to a total catch of 100,000 metric tons of salmon.

Mr. Zappa then presented the North Pacific Vessel Owners' Association testimony on the capability of the American fleet to harvest the entire Bering Sea crab resource and other bottom fish species as well. In his testimony, Mr. Zappa noted that the current landing rate in the Bering Sea by American vessels was approximately 1.5 million pounds per year which was less than the existing processing capacity in the Dutch Harbor area.

He summed up his testimony by saying that the current capacity of the fishing fleet is in excess of the total allowable catch on U.S. Pacific as given by the Statistical and Statistical Committee of 100 million pounds.

Discussion and questions by Council members followed with Mr. Zappa stating in answer to a question from the Council that he had heard estimates of 60 million pounds for the Bering Sea catch for 1977. He noted that restricting harvest would of course be a factor on the total catch.

Following a short recess, the public hearing reconvened with Mr. Tom Casey of Kodiak, general manager of the Shrimp Marketing Association, speaking for that group. Mr. Casey spoke on the interpretation of optimum yield, the trade deficit in fishery products and the exploitation of U. S. resources by foreign nations.

The next witness, Mr. Vern Hall, Kodiak, owner and operator of a king crab and tanner crab boat in Kodiak and the Bering Sea, testified on the tanner crab fishery in the Eastern Bering Sea stating that there were gear conflicts between American and Japanese fishermen in that fishery and that there was sufficient U. S. capacity in the fishing fleet to catch the TAC of C. bairdi. He noted that tanner crab did not hold up to intensive fishing, that catch per unit of effort fell off rapidly unless the gear was moved.

Mr. Harry Buher, a tanner crab fisherman, testified on the tanner crab fishery.

Mr. John Hall, owner and captain of the fishing vessel "PROVIDER" testified on the king and tanner crab fishery in the western Alaska area, stating that the U. S. fleet had the capacity to harvest the total allowable catch but that foreign competition prevented them from doing so. Discussion following Mr. Hall's testimony centered on the marketing future for tanner crab and technological improvements to reduce manpower requirements for processing tanner crab meat.

The next witness was Mr. John Durkan, salmon and crab fisherman from Seward, Alaska.

Mr. Don Young, representing the Yakutat Fishermans' Cooperative, stated that his organization was newly formed and had just acquired from the City of Yakutat a modern cold storage plant, that the cooperative was looking to the Council to make sure there was sufficient stock, both in tanner crab and bottom fisheries, to enable their newly established cooperative to succeed.

Next witness was Mr. Darrell Peterson, Vice President and General Manager of Vita Food Products, Seattle. He stated that his company had shellfish processing facilities in Dutch Harbor, Alaska and operates year-round facilities for all species of shellfish, blue crab, tanner crab and shrimp, that they were a major

producer of shellfish and that the company did not have any Japanese interests, that they produced tanner crab meat and shell for the domestic market. They had placed a size restriction of 5-1/2" minimum two years before the legal requirement by the State of Alaska. He said that in his opinion the low U. S. catch of tanner crab in the Bering Sea in 1976 was due to a combination of ice and the high price and availability of blue crab. He said that his company considered the Japanese market for tanner crab a key factor in their business, that Vita Foods had made considerable strides in the development of meat extraction technology. Mr. Peterson summed up his testimony by saying that in his opinion the U. S. has the processing ability and the catching ability to fully utilize the C. bairdi species of tanner crab in the Bering Sea.

The Council members questioned Mr. Peterson on the marketing aspect of tanner crab, particularly in relation to foreign supply and demand. Mr. Peterson said that the Alaska King Crab Institute, an informal association of crab producers, are assessing themselves at the rate of 1 mill expecting to raise \$70,000 for advertising and promotion of snow crab (tanner crab). Mr. Peterson said that crab exported to Japan was always in sections and that their meat market was both in the United States and Europe, with some to the Pacific Islands, and that he believed there was a tremendous expansion potential in the Japanese market. He did expect expansion on the fishery to be dealing almost entirely with the larger C. bairdi species rather than the smaller C. opilio species for at least the next two or three years.

Mr. Ralph Hoard, representing the New England Fish Company, testified on the applications of PL 94-265 and the economic factors involved.

Mr. Harold C. Ostrosky of Naknek testified on a number of subjects relating to fisheries.

Mr. Tatsuo Saito, representing the Fishery Agency of the Government of Japan, testified on the Japanese fisheries off Alaska saying that his government wanted regulations to preserve the resource but hoped that in any change in the regulations, consideration of Japanese efforts in the fishery would be taken into account. Mr. Saito noted that the comments of the

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Japanese Fishery Agency on the various fisheries off Alaska had already been submitted to the North Pacific Council in writing and were a part of the Council record (Attached to this record as inclusion Nos. 16 & 17). Following his testimony, Council members questioned Mr. Saito about marketing tanner crab. In response to questions, Mr. Saito said that almost all of the tanner crab caught by the Japanese fleets were sold as frozen in-the-shell sections. At the present time the market seemed to be increasing in Japan and that he believed there was room for expansion. Mr. Saito said that the C. opilio species are marketed to restaurants and to the home market with the larger sizes going to the restaurants. In answer to a question on tanner crab exports from Japan, Mr. Hugh Takagi noted that the quantity was not very much, just a few hundred thousand cases of canned meat exported to Europe and some to the United States, that the market seemed to be increasing, especially in Europe.

Public hearing ended at 5:00 P. M. and the Council adjourned immediately after.

The North Pacific Fishery Council reconvened at 8:30 A.M., Sunday, December 5, in the Royal Room of the Sheffield House in Anchorage, Alaska.

Council members present were:

Mr. Elmer Rasmuson, Chairman
Mr. Harold Lokken, Vice Chairman
Dr. Donald L. McKernan
Mr. Charles H. Meacham
Mr. Clement Tillion
Mr. Douglas B. Eaton
Mr. Henry F. Eaton
Mr. Harry L. Rietze
Mr. Donald Moos
Mr. Robert U. Mace
Mr. James W. Brooks
Mr. Carl Price
Dr. John Harville
Commander Ralph Giffin
Mr. Jan E. Riffe

The first order of business was a report from Mr. Steve Pennoyer, Vice-Chairman of the Scientific and Statistical Committee. The Committee, responding to the Council's request of December 4 to review the preliminary management plans for tanner crab and the two trawl fisheries off Alaska, reported that because of a revision in estimated mortality rates of tanner crab and new survey data, the Committee agreed the best estimate of TAC for legal size C. bairdi in the eastern Bering Sea was 108 million pounds. That figure would require modification of the preliminary management plan.

The Committee noted that data presented in the draft management plan on tanner crab indicated that the United States had the fleet capacity and the processing capacity to adequately harvest that TAC of C. bairdi. The Committee received no quantitative market data with which to evaluate the ability of the U.S. industry to market that amount of C. bairdi. The Committee did receive substantial public input, and noted that the Council also had, indicating that it was the desire of the U.S. fleet and the U.S. industry to harvest the total TAC of C. bairdi. If this presumption is accepted and a zero total allowable foreign catch allocation for C. bairdi in the eastern Bering Sea were adopted the Committee recommended consideration of two options:

One, a restriction against the taking of C. bairdi and, second, an actual separation of the fleets of the two countries by allowing no foreign crab harvest south and east of 58° north latitude and 173° west longitude. The second option would accomplish two things -- minimize the operational interference between the fleets and probably minimize enforcement problems. The suggested line separates the stocks of C. opilio and C. bairdi. Late trawl survey data indicates only 2% of the C. bairdi population is north of that line.

The population of C. opilio species is approximately split in half by the recommended fleet separation along the 58° 173° lines. The Committee had no data to modify the approximately 167 million pounds TAC of C. opilio north of that line.

Some editorial modifications would be necessary on the preliminary management plan for king crab incorporating the information the Committee had given to the Council in a letter the first day of the meeting, which indicated the ranges of estimates between the Alaska Department of Fish & Game and the National Marine Fisheries Service overlapped. Additionally, the blue king crab estimate in the PMP which set TAC at 16 million pounds should be revised downward to 11 million pounds based on later information.

Questions followed from the Council to Mr. Pennoyer who stated again that the Scientific and Statistical Committee had no information available to it to indicate the effect of a foreign harvest of tanner crab on the U.S. market for tanner crab and that the Committee had made no analysis of the market since no information was presented on which to base an analysis.

Mr. Pennoyer then went on to present the Committee's report on the trawl plans. He stated that the Committee had had several draft management plans on the trawl fisheries to review and equating the information between the various drafts and the preliminary management plan had occupied a great deal of their time. They had examined the data presented on Bering Sea herring and concluded that the condition of the stocks was severely depressed but were unable to determine from the data presented the effect of the trawl or the gillnet fishery on the condition of individual spawning populations.

They had examined the two fisheries on herring in the Bering Sea--one, the trawl fishery northwest of the Pribilof Islands and the other, the inshore gillnet fishery along the coast in the spring.

On the trawl fishery, the Committee did not have enough data available to determine which proportion of the trawl fishery targeted on specific spawning stock along the Alaska coast. They did note a severe decline in this fishery and that a new estimate of the 1976 trawl herring harvest of about 12,000 MT indicates a further considerable decline from last year's level and from the high in 1968 of 126,000 MT. The Committee's examination of catch per unit of effort data for large Japanese trawlers also indicated a continuing severe decline on those particular stocks with the catch per hour declining over a period of four years from 6.8 MT down to less than 1 ton. The MSY for herring in the eastern Bering Sea is shown in the preliminary management plan (page 103) as 50,000 MT. The latest catch of record is only about 25% of that estimated MSY. Mr. Pennoyer said that he understood the entire Kamchatka area harvest of herring had been closed by the Russians and that some of that stock was involved in the eastern Bering Sea trawl fishery as well. Estimates on yields, a level at which the harvest would have to be set to rebuild stocks, age composition data or catch per unit of effort data is largely unobtainable but the Committee felt that some action should be taken to prevent further decline of the herring stocks. In the absence of any other data, their recommendation was that the trawl harvest be severely reduced, perhaps to half of the last year of record.

The Committee concluded in the case of the herring gillnet fishery along the west coast of Alaska that because of the difficulty of protecting individual stocks, the lack of data available to regulate in a stock-specific manner, and the overall indicated status of these stocks, would be best not to have a fishery unless information becomes available to allow management by individual stocks.

In answer to questions from the Council, Mr. Pennoyer noted that counts of herring schools by aerial survey in the Norton Sound area had dropped from 236 in 1968 to 13 in 1976. During further discussion, Dr. Frank Fukuhara, NMFS, NWAFC, said that the figures for the herring catch in the trawl fisheries for 1976 might go as high as 16,000 tons but certainly would not come close to the 45,000 tons allowed under the preliminary management plan.

Mr. Pennoyer continued the Scientific and Statistical Committee report on the groundfish of the Bering Sea noting that there were discrepancies in the preliminary management plan as it regarded Pacific ocean perch and suggested that either the MSY should be revised or that the TAC is set too high in the management plan. The Committee also noted that sablefish in the eastern Bering Sea appeared to be declining and that the TAC had been set near the lower range of the equilibrium yield. Available data was not sufficient to indicate that the TAC level was appropriate to rebuild the stock to its former level of abundance. The Committee recommended that the Council instruct the drafting agency to re-examine the data and make any changes they deem appropriate.

Mr. Pennoyer said that in the Gulf trawl plans, the Committee recommended adjustment of the TAC for rockfish/POP to 30,000 MT to conform to the figure in the draft management plan prepared for the Council. Revision was based on a re-examination of the data that indicated Pacific ocean perch was a higher part of the population than had originally been estimated and that a TAC of 50,000 MT would not allow rebuilding of the POP population, therefore, the TAC should be revised downward.

A re-examination of the data concerning flounders in the Gulf trawl plan by the drafters and by the Scientific and Statistical Committee recommended a revision downward from 37,500 MT TAC in the PMP to 24,000 MT based on the fact that in the complex of species involved, some stocks may be fully or overly utilized.

Discussion followed by Council members and Mr. Pennoyer on the provision for closing all fisheries when a quota had been reached on any single species. Following a short break, the Council reconvened at 10:10 A.M. with a discussion by the Council on action to be taken on the preliminary management plans. Mr. Tillion moved to reduce the TAC on herring in the eastern Bering Sea to 11,000 tons with no change in the thousand-ton gillnet quota. Motion was seconded by Mr. Lokken. Discussion followed, centering on the requirements of the native population along the west coast of Alaska with regard to both subsistence fishery and the possibility of expanding a commercial fishery within the next year or two.

Mr. Moos moved to amend the motion to delete the thousand MT gillnet fishery quota along the west coast of Alaska, seconded by Mr. Henry Eaton. The amendment was clarified to specify that the thousand-ton eliminated from the gillnet fishery would be added to the 11,000 ton trawl herring quota. The amendment to the motion carried by voice vote with one nay, Mr. Tillion.

The original motion with the amendment to reduce the TAC of herring in the eastern Bering Sea to 11,000 MT for the trawl fishery, eliminate the gillnet fishery with its 1,000 MT quota and add that 1,000 to the trawl fishery TAC, making a total TAC for the Bering Sea trawl herring fishery of 12,000 MT passed by unanimous voice vote.

Mr. Tillion moved that reductions in TAC for the Gulf of Alaska trawl fisheries as presented by the Scientific and Statistical Committee be adopted and the preliminary management plan approved with those changes, specifically reduce the TAC for rockfish from 50,000 MT to 30,000 MT, reduce the TAC on flounders from 37.5 thousand MT to 24 thousand MT. The motion was seconded by Mr. Brooks. Discussion followed centering around the ability of the U.S. industry to take 10,000 tons of flounder and perch from the Gulf of Alaska in 1977 as estimated in the preliminary management plan. The motion carried unanimously by voice vote.

After posting a chart of the Bering Sea tanner crab areas on the wall with a brief explanation, Mr. Tillion moved to adopt the quotas for tanner crab in the Secretary's preliminary management plan of 10,200 MT, that the areas now closed to fishing remain closed and that in addition to those, Area A with modifications should also be closed. The modification recommended is to continue the western boundary with a straight line to include the gully (Misty Moon grounds) that with that addition to Area A, the Japanese quota of 10,200 tons must be taken outside of Area A. The motion was seconded by Mr. Moos, Mr. McKernan moved to amend the motion, leaving Area A as is and amending the quota for foreign fisheries to 15,000 tons. The amendment was seconded by Mr. Mace. Discussion on the amendment followed, involving primarily the 108 million pounds of C. bairdi species shown as TAC and the 333 million pounds of C. opilio species shown as TAC.

Question was called for on the amendment to the motion to raise the quota for foreign fisheries to a total of 15 thousand tons from 10,200 MT. The amendment failed six to four, one abstaining.

Mr. Bart Eaton moved for an amendment to the original motion to redraw Area A as everything south of 57° 30' north and east of 173° west and restricting the foreign catch to Area B, that is, north and west of those two lines. The motion was seconded by Mr. Henry Eaton. The discussion that followed centered on the problem of the large TAC shown for C.bairdi species and the lack of minimum size limit for the foreign fishery while a minimum size was imposed on the U.S. fishery. Question was called for on the amendment and it failed with one aye vote and ten nay votes. Question was called for on the original motion which was that the quota stand as recommended by the Secretary at 10,200 MT but that an attempt to close out gear conflict Area A be modified by straightening the western boundary to include the Misty Moon grounds and that Area A be closed to taking of tanner crab by foreign nationals. Vote was by show of hands, those in favor of the amendment were Messrs. Brooks, Tillion, Lokken, Meacham, and Rasmuson. Those opposed were Messrs. Rietze, Bart Eaton, Hank Eaton, Moos, Mace, and McKernan. The motion failed. In effect, the Council took no action with regard to the preliminary management plan for tanner crab. Mr. Brooks gave notice that he intended to make a separate independent appeal to the Secretary to create a zone in accordance with the modified Area A in which foreign fishing will be excluded.

Mr. Brooks moved that the letter written concerning the troll salmon fishery of the Pacific Coast in accordance with the Council's wishes be approved. Motion was seconded by Mr. McKernan and carried unanimously by voice vote. A copy of the letter is attached as inclusion No. 18.

Mr. McKernan moved to accept the letter drafted by himself and Mr. Meacham at the direction of the Council to support the development of Alaska groundfish fisheries by the National Marine Fisheries Service be adopted by the Council, that he and Mr. Meacham would edit it to see that it conformed generally to that particular objection. Motion was seconded by Mr. Lokken, and passed unanimously by voice vote.

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December 2-5, 1976
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Council discussed the time and place of the next meeting. Mr. Pennoyer requested guidance from the Council on priorities on development of management plans and what time schedule they wanted. The Council instructed Mr. Pennoyer to continue with the draft plans, doing a thorough job based on the assumption that those fisheries currently managed by the Alaska Department of Fish & Game would continue that way, that foreign allocations were set in the preliminary plans and that priorities should be placed on the Gulf trawl plan, the Bering Sea trawl plan, and the tanner crab problem.

Mr. Brooks proposed that the preliminary management plan for the Bering Sea crab fishery be modified with respect to effecting a separation of domestic from foreign fleets harvesting tanner crab. Mr. McKernan put that proposal in the form of a motion and seconded it and it passed by unanimous voice ballot.

The meeting adjourned at 11:45 A.M.

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North Pacific Fishery Management Council
Summary of Actions
Second Plenary Session
December 2-5, 1976, Anchorage, Alaska

The Advisory Panel, with twenty members present, organized and Mr. Jack B. Cotant was appointed Chairman, Mr. Nick Szabo Vice-Chairman. Mr. Donald Bevan was removed from the Advisory Panel, retaining his seat on the Scientific and Statistical Committee. Mr. Keith Specking, Mr. Alan D. Otness, Mr. Bob Starck and Mr. Bob Alverson were appointed to replace the three original nominees who were unable to serve, i.e., Mr. Gordon Jensen, Mr. Thomas Dunn and Mr. Jack Phillips, and to take the vacancy created by Dr. Bevan.

On the recommendation of the Scientific and Statistical Committee, appointed Dr. Dayton L. Alverson Chairman and Mr. Steve Pennoyer Vice-Chairman of that Committee.

Requested changes in the Charters of the Scientific and Statistical Committee and the Advisory Panel Committee (see inclusions).

De-emphasized development of Council management plans governing domestic fisheries now under regulation, instructed the Scientific and Statistical Committee to give greatest priority to those fisheries not now regulated by the State of Alaska with priority on the tanner crab fishery in the eastern Bering Sea, trawl fishery in the Bering Sea and Aleutian Islands and trawl fishery in the Gulf of Alaska.

Acted on Secretarial preliminary management plans as per inclusion No. 22.

Requested an extension of time to comment on interim regulations governing Council operations.

Prepared and passed grant applications and budgets for North Pacific Council operations for the second half of FY77, all of FY78 and a budget proposal for FY79.

Directed the Acting Executive Director to locate and obtain office space for the Council in Anchorage and have it in operation prior to the next meeting.

Met jointly with the Alaska Board of Fisheries to determine methods of cooperation in the management of the resources off Alaska.

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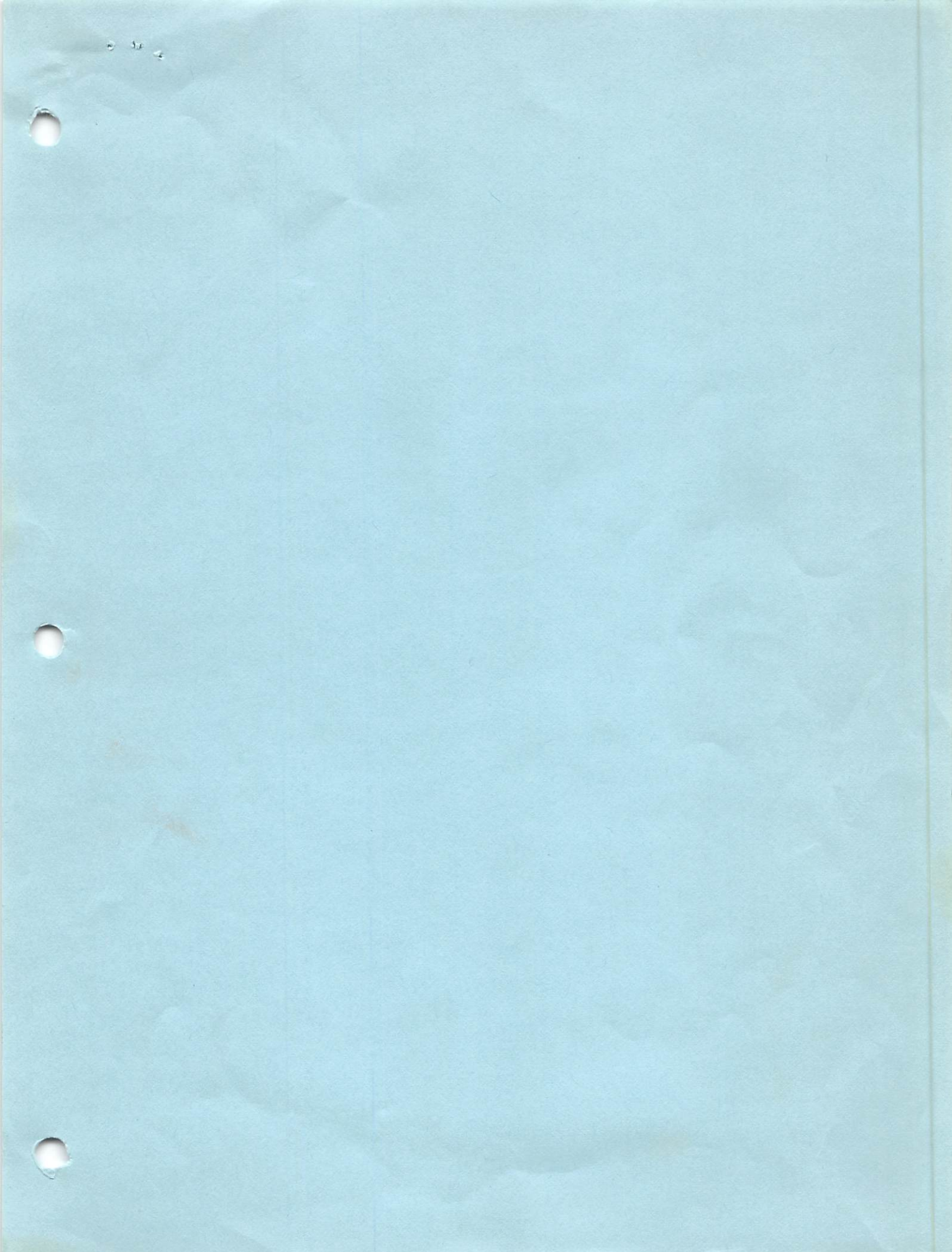
Voted to send the Chairman, Vice-Chairman and Mr. McKernan to the January 11 meeting of Councils in Houston, Texas.

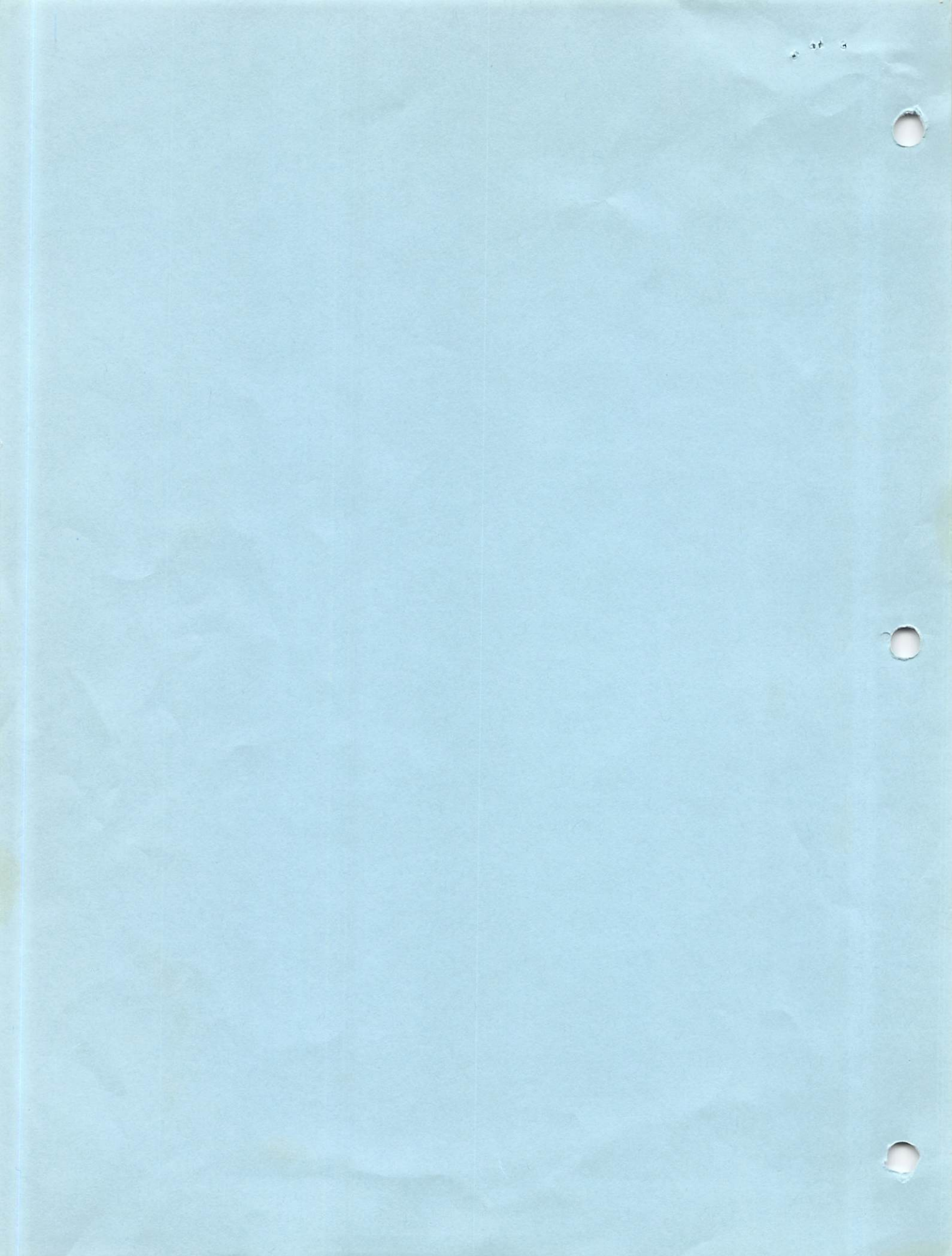
Requested by letter to the Secretary an equal role in the development of the management plans for the troll salmon fishery of the Pacific.

Requested by letter to Mr. Schoning funding of a fisheries development program through NMFS in conjunction with the State of Alaska and industry.

Next Council meeting was set for January 26 through 28, 1977 in Anchorage, Alaska.

Chairman was asked by the Council to appoint a screening committee for a final screening of applicants for Executive Director prior to the next Council meeting.





Dec. 4 in Anchorage

PUBLIC HEARING SPEAKERS

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

Mr. Harry Wilde-Fisherman Herring in Bering Sea	Mt. Village
Mr. Paul Guy-Fisherman Herring in Bering Sea-King & Coho Salmon	Napaskiak
Mr. Nick Szabo-AK Board of Fisheries Tanner crab in Bering Sea	Kodiak
Mr. Sigfried Jaeger-Crab Fisherman Tanner crab in Bering Sea-capability of fleet in excess of catch	Seattle
Mr. Harold Osterty SSC's responsibilities to the Council	Naknek
Mr. Tom Casey Japanese fishery	Kodiak
Mr. Vern Hall King crab & Tanner crab vessel in Bering Sea- impact of Japanese fishing King & Tanner crab	Kodiak
Mr. Terry Buholm Tanner crab-Bering Sea and Pribolof Islands	Unalaska
Mr. John Hall Tanner crab	Kodiak
Mr. John Durkin-Fisherman Salmon out of Seward	Anchorage
Mr. John Young Yakutat Fisherman's Cooperative	Yakutat

Mr. Darrell Peterson-Pres. & Gen. Manager
Vita-Food Products
Fish processing

Mr. Ralph Hoard
New England Fish processing

Mr. Harold Ostrosky
Spoke in General

Tatsuo Saito
Fishery Agency of Japan, Tokyo

Attachments to December 2-5, 1976 Minutes

1. Advisory Panel meeting summary December 2, 1976.
2. List of attendees at meeting.
3. Agenda.
4. Recommended changes to Advisory Panel Charter.
5. Summary of SSC meeting--November 29-December 5.
6. Resolution of King Crab TAC's with ADF&G
7. Re-analysis of Tanner Crab TAC's for Eastern Bering Sea stocks.
8. SSC review of Charter.
9. Wire to Secretary requesting extension of comment period on interim regulations.
10. Definition of terms used in management plans.
11. United Fishermen of the Kuskokwim & Lower Yukon Fishermen's Association report to NPFMC management program on Bering Sea herring given by Harry Wilde, Sr.
12. Address by Paul Guy on Japanese interception of Alaska king and chum salmon.
13. Resolution from Alaska Board of Fisheries relative to Eastern Bering Sea herring stocks.
14. Resolution from Alaska Board of Fisheries regarding renegotiations of INPFC.
15. Alaska Board of Fisheries resolution regarding the allocation of tanner crab in the Bering Sea.
16. Summary of Japanese comments on the PMP and related subjects (excluding the question of salmon) dated 11/12/76.
17. Additional Japanese comments on the tanner crab issue, dated 12/3/76.
18. Letter from Chairman Rasmuson to Secretary of Commerce re: Troll salmon fishery of the Pacific Coast, dated 12/5/76.

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17. Additional Japanese comments on the Tanner crab issue, dated 12/3/76.
18. Letter from Chairman Pearson to Secretary of Commerce re: Troll salmon fishery of the Pacific Coast, dated 12/3/76.

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19. Letter to Mr. Schoning from Chairman on fisheries development funding 12/23/76.
20. Letter to NPFC from Ketchikan Alaska Trollers Association.
21. Copy of Federal Register notices for December 1976 meeting of North Pacific Council, its Scientific & Statistical Committee, and Advisory Panel.
22. Summary of Council actions on Secretary's PMP's.
23. Summary of closed session of Council December 2 & 3, 1976.