

North Pacific Fishery Management Council

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CERTIFIED:

Keith Specking
 Keith Specking, Chairman

2 April 79
 Date

ADVISORY PANEL
 MEETING MINUTES
 MARCH 21, 1979

The Advisory Panel to the North Pacific Fishery Management Council met at 9:30 a.m. in the Gold Room, Baranof Hotel, Juneau, Alaska.

Advisory Panel members present for the meeting were:

Keith Specking, Chairman
 Jesse Foster
 Ed Linkous
 Bob Blake
 Jeffrey Stephan
 Chuck Jensen
 Don Rawlinson
 Sig Jaeger
 Ray Lewis
 Truman Emberg
 Rick Lauber

Staff present were:

Jim H. Branson, Executive Director
 Janet Murray
 Mike Hershberger

The Advisory Panel received the Executive Director's report from Jim Branson. Details of the report were included under agenda item #3 in the Council packets. In summary, supplementary funds in the amount of approximately \$43,000 will be needed for the administration of the Council office.

Cmdr. Jim Ellis, USCG counsel, reported to the AP that he is leaving effective May 1, 1979 to attend a year-long management institute at MIT and introduced his assistant, Doug Smith, who will assume charge of the USCG legal office for the 17th CG District.

The AP commenced its discussion of agenda matters at 10:00 a.m., and discussed the following items:

#1 SSC AGENDA - Cmdr. Pete Busick presented the USCG report; the USCG put aboard boarding parties on both KORMEX I and KORMEX II during the past two weeks. K-II is presently headed back to Korea for repairs, K-I is fishing. A sample crew complement aboard KORMEX I indicates 36 Korean nationals and two Mexican nationals. Both ships were fishing in the Shumagin area. K-I was issued a citation for bobbins and rollers in place on trawl equipment. Two Japanese vessels seized previously have posted bail and were released, the first time that particular circumstance has occurred.

Mr. Chuck Meacham, Council member and Director, Internal Affairs and External Fisheries, State of Alaska, was recognized from the audience and asked to give an update on the current state of relations between Canada and the U.S. with regard to the halibut treaty. The form of the agreement is in place (two-year phase-out) but fishing dates are still under debate.

AP member Ed Linkous spoke briefly on the observer program for the troll fishery in Southeast Alaska. He indicated that information gained from the program last year was disappointing. It was his observation that most fishermen either do not want or cannot take an observer aboard a troller. Physical limitations, presence of family on boats, and the nature of the fishery works against the good utilization of observers in this particular instance. An observation was made that the success/results of the troller's logbook program will affect the status of the observer program. Mr. Linkous indicated that 11 percent of the trollers, who accounted for 18 percent of the troll catch, participated in the logbook program. The data for 1978 will be available soon and combined with other data will yield three years' information.

RECESS 10:30 a.m.

AP member Bob Blake reported on the experimental contract groundfish fishery out of Cordova. Two trawlers, "Alert" (96') and "Capt. Joe" (106') are participating under a contract with the State of Alaska. Amount of the contract is \$90,000, and the purpose is to assess the amount and condition of the resource in the general area from St. Elias to Middleton Island in Prince William Sound. The best effort was 70,000 lbs. in one day, mostly POP from the Middleton Island area of the Sound. The catch is being hand-filleted by four experts from Oregon. Blake indicated some problems with gear conflict, specifically in Hinchinbrooke Entrance where there is crab gear concentrated. Tidal conditions there

put buoys under, compounding the massive gear concentration. Results of the fishery to date indicate no quantities of any species have been found that would warrant an investment in processing facilities.

Blake suggested the State of Alaska bottomfish coordinator work closely with the ADF&G and Sea Grant officials when future contracts are drawn, and said the input of local fishermen would remedy some of the potential for gear or area conflicts. An extended discussion indicated the consensus of the AP to be a reluctance to criticize the operation without giving it a chance to work, with Mr. Lauber suggesting that the test fishery will reveal where the weaknesses of such a program lie.

#9 DISCUSSION OF U.S. CATCHER-PROCESSORS - The AP reviewed the problem of catcher-processors in the crab fishery by reviewing a memorandum from Robert Otto (king crab PDT) which reported the results of an investigation into the problem by AP member Jaeger and Otto. Briefly: the C/P may be an efficient utilization of the resource through reduced dead-loss; there is a need for supervision especially in the size-sex area; and the "problem" is not of sufficient proportion at this time to require urgent attention. The discussion will continue.

#10 PROPOSED INTERIM REGULATIONS ON P.L. 95-354 - On this subject, (the implementation of the "processor's preference" amendments to the FCMA), it was a consensus that little or no need had been shown for the information relating to the price of, and markets for, fish. Price and market information should be held confidential for purposes of competition in the free market and should not be the province of the government.

With respect to the letter from Denton R. Moore (agenda item #10), the solicitation of comments on the uses to which such information should be put and what protection should be given to confidential aspects of the information sought was held by the AP to be moot based on its decision that price and market information should not be required.

Because of the complexity of the question of procedures and criteria for estimating U.S. harvesting capacity, no recommendations were offered pending more study.

On the question of the definition of "processing," an extended discussion was held with the conclusion that "processing" is literally anything that should or can be done to fish to prepare it for human use, and that what is done to fish that can be termed "processing" depends on what the eventual market and use destination is. A great deal of flexibility is needed in the defining of the term as it has implications (particularly in the regulations section) for all fisheries which, if improperly defined for that fishery, could cause problems.

A tentative, starting definition for use by Council, if it wishes, was agreed on as: "The preparation of fish products caught and/or delivered for commercial utilization."

On the subject of procedures and criteria for establishing conditions and restrictions on permits for foreign fish processing vessels which receive U.S.-harvested fish, the AP re-adopted the decision based on previous discussion in November.

#11 REVIEW OF RECOMMENDATIONS TO THE ALASKA BOARD OF FISHERIES - The following proposals, adopted by the Alaska Board of Fisheries, were discussed and resolved as follows as they affect Council FMP activities:

<u>PROPOSAL #</u>	<u>AP ACTION</u>
236	recommend approval
237	recommend approval
77	recommend approval
81, 83	no recommendation
149, 92	no recommendation
150, 198	no recommendation
189, 134	no recommendation
135, 192	no recommendation
204	no recommendation
208	recommend approval
228	recommend rejection (This proposal would close the Bering Sea north of 57° N to a commercial clam fishery based on food requirements for walrus.)

On the question of the proposal that there be no domestic trawling for herring in the Bering Sea outside 3 miles and north of 56° N, the AP heard from Greg Cook, the Executive Director of the Board of Fisheries. Mr. Cook explained the basis for the "no trawl" decision as: (1) winter congregations of herring should be managed as discrete stocks harvested closer to terminal fisheries; (2) subsistence needs are protected in that fish get inshore and (3) there is an economic benefit to local users, apart from subsistence users, of herring returning to inshore fisheries without having been subjected to a high seas fishery.

After a lengthy discussion, the focus of the AP comment was that closure outside negates the harvest of herring when food value (oil content is highest in winter) is highest and that such a closure would preclude either a food fishery or research efforts/test fisheries from which valuable information could be gained.

The AP entertained a motion as follows: "The Council is requested to ask the Board of Fisheries to reconsider its action in proposing that no trawl fishing be permitted in the FCZ pending the completion of work on the FMP by the plan development team for herring."

The rationale for the motion was that there should be opportunity for a limited effort such as an experimental food or research fishery. The motion passed.

The AP also made the suggestion that when fishery management plans and Board actions concern fisheries which are in the process of plan development by the Council, that joint efforts be made to avoid conflicts through better communication.

SALMON TROLL REGULATIONS - The AP entertained the following motion which was passed unanimously: "That the Council recommend to the Board of Fisheries they not eliminate or change agreed upon regulations for the troll fishery as decided upon at the December Board meeting." The motion passed unanimously.

The motion was spurred by the information from Ed Linkous and Scott Stafne that many vessels from Oregon, Washington, and California would be entering other fisheries during the coming salmon season.

A list of the vessels was supplied and their size indicated they were "highliners" and could be expected to enter the Alaska salmon troll fishery because of predicted poor fishing in the south.

A companion motion was passed unanimously that the AP should inform the Council that the Secretary of Commerce should be informed that her lack of action with respect to the approval of the salmon troll plan threatens the conduct and future of the fishery. The motion was re-worded to the following:

"The Council is requested by the AP to inform the Secretary of Commerce of a need to expedite review and approval of the Salmon Troll FMP."

NMFS REPORT - Ron Berg, NMFS, reported to the AP on the results to date of the Japanese Tanner crab fishery. There is a 15,000 TALFF and to date, 1,008 mt have been taken. The fishery started on February 24 (starting date last year was March 12). At this point in the fishery last year, the harvest was 1,560 mt. The fishery is being conducted by two ships, one north and one south of 58° N. The second ship is expected to move south soon. Two hundred metric tons have been taken (opilio) south of 58° N.

#12 GoA GROUND FISH RESERVE - Mr. Berg told the AP that NMFS has recommended the release of 25 percent of the sablefish reserve except in the Southeastern area (east of 140° W longitude) and the holding of all other reserves. The next release date is May 2.

#14 MARINE SANCTUARIES - The following motion was passed by the AP: "To advise the Council that the AP is in agreement with and supports the Branson memorandums concerning marine sanctuaries, proposals, and regulations and their implications."

#13 BS/A GROUND FISH FISHERY FMP - The plan was accepted for final review by the AP with the acceptance of Chartlet 2 (foreign fishing landward of 12 miles except as shown in the chartlet). This is the PDT recommendation.

All other aspects of the plan were accepted as presented.

Bert Larkins (NW&AFC) and PDT leader for the plan, explained certain longline sanctuary proposals for the information of the panel.

Larkins indicated that as a result of the SSC meeting in Seattle, the mechanics of the release of reserve amounts would be included in the FMP.

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AP member Rick Lauber proposed the following motion: "Considering the potential harm that excessive taxes could do to the existing fishing industry, as well as the inhibiting effect an unhealthy tax climate could have upon an emerging bottomfish industry, it is respectfully suggested that the Alaska State Legislature conduct a study of any proposed tax increase prior to a substantial change in the existing tax structure."

While the motion was adopted, the Chairman of the Advisory Panel believes that this is not an appropriate item for Council comment and recommends that it be viewed as an internal state matter. Surely any panel member can urge the members of the state legislature to take a particular action.