

# North Pacific Fishery Management Council

Don W. Collinsworth, Chairman  
Clarence G. Pautzke, Executive Director

605 West 4th Avenue  
Anchorage, Alaska 99501



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

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

*Don Collinsworth*

Certified \_\_\_\_\_

Chairman

Date 5/23/90

## MINUTES

**89th Plenary Session  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL  
December 5-8, 1989  
Sheraton Hotel  
Anchorage, Alaska**

The North Pacific Fishery Management Council met December 5-8, 1989 at the Sheraton Hotel. The Advisory Panel and the Scientific and Statistical Committee began meeting on Sunday, December 3. Other Council workgroup and committee meetings held during the week included the AP Nominating Committee and Finance Committee, and a work session on bycatch. Members of the Council, Scientific & Statistical Committee and Advisory Panel in attendance are listed below.

### Council

Don Collinsworth, Chairman  
Joe Blum  
CDR Joe Kyle  
for RADM Ciancaglini  
Larry Cotter  
Oscar Dyson  
Bob Mace for Randy Fisher

Bob Alverson, Vice Chairman  
Tony Knowles  
Ron Hegge  
Henry Mitchell  
Dave Hanson  
Steve Pennoyer  
John Peterson

### NPFMC Staff

Clarence Pautzke, Executive Director  
Steve Davis, Deputy Director  
Judy Willoughby  
Terry Smith  
Dick Tremaine

Bill Wilson  
Marcus Hartley  
Hal Weeks  
Helen Allen  
Peggy Kircher

### Support Staff

Jim Brooks, NMFS-AKR  
Bob Trumble, IPHC  
Ron Berg, NMFS-AKR  
Loh-Lee Low, NMFS-AFSC  
Jim Balsiger, NMFS-AFSC  
Ken Parker, ADF&G  
Earl Krygier, ADF&G

Mark Pedersen, WDF  
Dale Evans, NMFS-AKR  
Craig Hammond, NMFS-AKR  
Craig O'Connor, NOAA-GCAK  
Jay Ginter, NMFS-AKR  
Phil Rigby, ADF&G  
Judith Merchant, WDF

## Scientific and Statistical Committee

Richard Marasco, Chairman  
Bill Aron  
Bill Clark  
Jack Tagart  
Dana Schmidt  
John Burns

Doug Eggers, Vice Chairman  
Larry Hreha  
Terry Quinn  
Don Rosenberg  
Don Bevan

## Advisory Panel

Nancy Munro, Chair  
Rick Lauber  
Paul Clampitt  
Ron Peterson  
Harold Sparck  
Dave Woodruff  
Lyle Yeck  
Jeff Stephan  
Ed Fuglvog  
Pete Isleib

Arne Aadland  
Al Burch  
Phil Chitwood  
Lamar Cotten  
Dave Fraser  
John Gilbert  
Vic Horgan, Jr.  
Joe Donohue  
Dan O'Hara  
John Woodruff

## General Public

Over 120 people attended the Council meeting. The following members of the public signed the attendance register:

Brian Bigler  
Vince Addington  
Herbert Holley  
Yoshiharu Kashio  
Rod Conti  
Eric W. Olsen  
Yang G. Paik  
Jong Ik Kim  
Naofumi Yoshiike  
Kris Norosz  
Mark Springer  
Percy Hadby  
Robert Brodie  
Kenneth Mack  
Edward Budzinski  
Robert Dolan  
Mark Chandler  
Janet Warburton  
Don Praast  
Roger Woods  
Bill Woolf  
J.C. Robison  
Terry Thomas  
Ted Smits  
Dave Shoemaker  
Steve Shapiro

Susie Degrace  
Chris Blackburn  
George Anderson  
Kate Graham  
Brad Matsen  
Vince Curry  
Brad Tischer  
Steve Drage  
Arni Thomson  
Perfenia Pletnikoff, Jr.  
Charles Manger  
Spike Jones  
F. Gregory Baker  
Ole Mathisen  
Emory Washington  
Steve Grabacki  
Tyson Vogeler  
Mark Kandearnes  
Steve Hughes  
Mike Roberts  
Kantasu Ito  
John Henderschedt  
Debby Swenson  
Jack Hill  
Robert F. Morgan  
Doug Dixon

John Bruce  
John W. Enge  
Tom Rueter  
Rod Armstrong  
Jon VanHyning  
Vern Hall  
Don Johnson  
Brad Resnick  
Bruce Jackson  
John Cleveland  
Yong Lee  
George Moreno  
Dan Ducommun  
Daniel Nye  
Pat Stoors  
Bill Bittner  
Valerie Haney  
Alec Brindle  
Aledander Galanin  
Chuck Meacham  
Jim Russell  
Rich Wilson  
Bill Orr  
Matt Doherty  
Susie Welch  
Mel Munsen

MINUTES  
NPFMC MEETING  
DECEMBER 1989

Rob Wurm  
John Iani  
Scott Hovik  
Bill Hayes  
John Roos  
Stephen McAlpine  
Eric Maisonpierre  
Bruce Buls  
Dan Zantek  
Don Beeson  
Joe Plesha  
Deming Cowles  
Xu Honggang  
N. Ning

Peter Block  
O. Setvik  
Charles Christensen  
Dave Harville  
Mike Atterberry  
George Shedlock  
Paul Gilliland  
Thomas St. Clair  
Gary Westman  
W. J. Moffatt  
Thom Smith  
Brenda Nahu  
Ken Allread  
F. Siito

Mike Heidner  
Kerry L. Pederson  
Erik Breivik  
Sam Hjelle  
David Behrend  
Tim Kramp  
C. Kramp  
Bob Kramp  
Chris Overbeck  
Norman Jarvis  
Lila Emmer  
Ted Evans

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

The meeting was called to order at 8:01 a.m., December 5, 1989, by Chairman Don Collinsworth. Minutes. The minutes of the previous meeting were not available for approval.

Agenda. Council members discussed how to proceed with the agenda with regard to reports from staff, plan teams, the SSC and Advisory Panel. The agenda was approved as prepared.

**B. REPORTS**

**B-1 Executive Director's Report**

The Executive Director reported that Chairman Collinsworth had appointed Jeff Stephan to fill the Advisory Panel seat vacated by Senator Zharoff in the interim until new AP appointments are made. Dr. Pautzke advised Council members that research priorities must be developed at the January Council meeting to have them incorporated in the NMFS budget planning schedule. The Council's Statement of Organization, Practices and Procedures also should be reviewed in January to incorporate comments of the Central Office of NMFS. Dr. Pautzke noted that the sablefish limited access analysis has required considerable time to complete because each major alternative and suboption need more quantitative cost-benefit analysis under E.O. 12291. The augmented analysis will not be available until about mid-December. Dr. Pautzke asked the Council to have the SSC assign a subcommittee to review the analysis before sending it out for a short public review before the January meeting. The Council had no objection to this suggestion.

**B-2 ADF&G Report**

Earl Krygier reviewed Alaska Department of Fish and Game's report which indicated that the C. bairdi harvest guideline may have to be modified based on the actual abundance encountered during the fishery. Catch-per-unit effort levels inseason will be compared to previous years when stock levels were similar to the 1989/1990 estimate to determine if adjustments are necessary. The final harvest for the Bering Sea red king crab fishery, which closed on October 6, was 10.3 million pounds. The winter troll fishery opened October 1 and will continue until April 15. The harvest through mid-

MINUTES  
NPFMC MEETING  
DECEMBER 1989

November was approximately 12,000 chinook salmon.

**B-3 NMFS Management Report**

Dale Evans reported that the Gulf of Alaska deep water flatfish fishery reopened on November 12 with an additional 36 tons of halibut for bycatch. Two vessels, each carrying an observer, participated with the proviso that if they exceeded a 4.5% bycatch mortality rate they would discontinue fishing. One vessel exceeded the rate and dropped out; one vessel continued to fish maintaining a bycatch rate under 3%. The Council was provided with current catch statistics for Gulf of Alaska and Bering Sea groundfish fisheries.

**B-4 Enforcement and Surveillance Report**

Commander Kyle reported on Coast Guard activities for the period September 16-November 15, 1989. Seventy foreign fishing vessels were sighted in the Bering Sea "donut hole" during this period. A chart showing the positions of the vessels was provided to the Council. A U.S. catcher-processor, the BERING 1, was seized on October 6 after being observed bottom trawling in a closed area of the Gulf of Alaska. The vessel was escorted to Kodiak and released after a \$630,000 bond was posted and over \$8,000 in Coast Guard seizure costs paid. Another U.S. catcher-processor, the ALASKAN HERO, was seized on October 19, also for bottom trawling in a closed area of the Gulf of Alaska. The vessel was also found to have retained prohibited species (sablefish) on board, and to be in violation of the manning standards required by the Anti-Reflagging Act. Proceedings have been initiated against the license of the U.S. Master for the manning and MFCMA violations. The vessel was escorted to Kodiak and released after a \$1 million bond was posted and \$36,000 in Coast Guard seizure costs paid. The fair market value of the catch on board will also be forfeited when sold. During the last major IPHC opening, five IPHC violations were detected in 19 surveillance flights.

Craig Hammond reported on shoreside enforcement actions by the National Marine Fisheries during the same time period. In addition to working with the Coast Guard, NMFS enforcement agents initiated an additional forty investigations of violations of the MFCMA, Endangered Species Act, Halibut Act, and Lacey Act and other federal laws.

**B-5 Report on Status of Sea Lions**

Dr. Bill Aron of the Alaska Fisheries Science Center reported a very serious decline in the Northern Sea Lion population off Alaska. The Environmental Defense Fund has petitioned the Secretary of Commerce to designate immediately all populations of the Northern Sea Lions as endangered. The Secretary may designate the species as either endangered or threatened, either of which could have a serious effect on the North Pacific fishing industry.

**COUNCIL DISCUSSION AND ACTION**

Larry Cotter suggested that the Council take some action to demonstrate to the industry that they have an active interest in this issue. He suggested that the Council develop and send a letter to industry to ensure their awareness of the problem and to alert them that the Council will be looking at possible causes and effects and solutions. Don Collinsworth agreed that the Council should take whatever action is necessary to make sure the commercial fisheries are not contributing to a further decline in the sea lion population. He suggested that the Council should go on record supporting

the necessary funding for research to address this issue.

A letter was drafted to the Secretary of Commerce for Council review. The letter called for intensified research on the causes of the decline; initiation of an aggressive program to educate the fishing industry on strategies to minimize incidental capture or inadvertent harassment of sea lions, and establishment of a working group of scientists, fishery managers, and members of the fishing industry and environmental community to determine what can be done immediately to help reverse the population decline. The letter also stressed the Council's concern with the health of the total ecosystem and stated its intent to be an active participant in helping to solve the problem.

**Bob Mace moved to approve the letter to be forwarded to the Secretary. The motion was seconded by Joe Blum and carried with no objection. Steve Pennoyer abstained from the vote.**

### C. NEW OR CONTINUING BUSINESS

#### C-1 Legislative Update

Steve Davis provided the Council with a recap of the written legislative update provided in Council notebooks.

#### C-2 International Fisheries

Steve Davis provided the Council with an overview of international fisheries activities during 1989 and upcoming negotiations and meetings.

#### C-3 Halibut Management

At the September meeting the Council forwarded to the Halibut Management Team for analysis and then public review, a proposal got IPHC Area 4C to impose 10,000 lb trip limits for the entire season's quota, to continue current hold inspections and vessel clearance requirements, and to begin the season on June 25.

### **Report of the Advisory Panel**

The Advisory Panel recommended the Council maintain the status quo for IPHC Area 4C.

### **Report of the Scientific and Statistical Committee**

The SSC reviewed the EA/RIR/IRFA for managing halibut in IPHC Area 4C and commented that the analysis of alternatives indicates that desired allocations of halibut catch to local fishermen will be assured only with direct allocations.

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

### **COUNCIL DISCUSSION AND ACTION**

**Tony Knowles moved to approve Alternative 2, season-long trip limits of 10,000 lbs, for allocative management of halibut in IPHC Area 4C. The motion was seconded by Larry Cotter. The motion**

MINUTES  
NPFMC MEETING  
DECEMBER 1989

was clarified to include the current hold inspection and vessel clearance requirements and a recommended season opening date of June 25.

Some Council members felt that local area residents have received ample opportunity to develop their fishery and have increased their participation rate and harvests, and that the status quo should be maintained.

**The motion carried, 6 to 5, with Alverson, Blum, Hegge, Mace, and Peterson voting against.**

It was further clarified that the preferred season opening date of June 25 should be relayed to the IPHC by letter and should not be included in the federal regulations.

C-4 Domestic Observer Program

The Council received an update on the development of the observer program for domestic groundfish fisheries off Alaska, scheduled for implementation on January 1, 1990.

**Report of the Advisory Panel**

The Advisory Panel continues to be concerned over reporting duplications between NMFS and ADF&G forms. They suggested that the Council recommend delaying the implementation of the "Monthly Product Value Report" for at least one amendment cycle so that NMFS and ADF&G can work together to develop a single reporting form. The AP is concerned about the validity of economic conclusions which NMFS may draw from the confidential product value numbers and believes that the exvessel prices already reported on fish tickets may provide NMFS with the information it needs to manage the fisheries.

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

**COUNCIL DISCUSSION AND ACTION**

There was considerable discussion on the proposed rule which would implement the observer program. Concerns included the quarterly period for accounting for observer coverage for boats requiring less than full coverage, the disproportionate costs of observers between small and large boats, duplicate observer coverage of shore plants and vessels delivering to them, and an exemption clause contained in the current rule.

**Bob Alverson moved that the Council recommend to NMFS that they consider semi-annual accounting periods for vessels less than 125' long requiring 30% observer coverage, rather than the quarterly period now in the proposed rule. The motion was seconded by Oscar Dyson.**

During discussion of the motion it was pointed out that the Regional Director has some flexibility under the proposed rule and that the Council could provide him with guidance throughout the year. Steve Pennoyer agreed saying that it is a pilot program and will require work throughout the year as the program develops. **Mr. Alverson withdrew his motion but asked that NMFS be made aware of the Council's discussion on this issue.**

**Larry Cotter moved that the Council comment to the Secretary of Commerce on the following areas which warrant additional review:**

1. **The issue of quarterly vs semi-annual requirements for observers on small boats, vis-a-vis the random needs and the costs.**
2. **The issue of required duplicative observer coverage (i.e., shoreside processors with boats delivering to them).**
3. **The provision regarding the exemptions contained in the current rule.**

**The motion was seconded by Joe Blum.**

It was suggested that item #3 should include a clear indication of the Council's wishes. It was a consensus of the Council that the wording should indicate that it is the Council's intent that exemptions apply only in extraordinary circumstances.

**The motion carried with Bob Alverson objecting and Steve Pennoyer abstaining.**

During public testimony it was pointed out that funds for observers under the amendments to the Marine Mammal Protection Act are being diverted to other regions, and possibly other programs. Council members were concerned that the region's observer program may be impacted by this diversion of funds. They felt that if funding cannot be used directly for living marine resource observers, then it should be used for marine mammal research in this region.

**Larry Cotter moved that the Council send a letter to the Secretary indicating that in the event that the marine mammal observer money earmarked for this region is not going to be used to fund the marine mammal observer program in this region, that the money should be used instead to pursue marine mammal research programs in this region. The motion was seconded.**

After some discussion, Tony Knowles moved to postpone action on this motion until later in the meeting after a draft letter had been prepared. The motion to postpone was seconded and carried with no objection.

When the Council came back to this agenda item, a draft letter to the Secretary had been prepared for Council review and approval. The letter incorporated the suggestions contained in Mr. Cotter's motion. **The motion carried with Steve Pennoyer abstaining.**

#### C-5 Inshore-Offshore Allocation

In September the Council sent to public review a draft problem statement and alternatives to address the inshore-offshore issue as it pertains to domestic harvesting and processing capacity in the groundfish fisheries off Alaska. Comments and new proposals were due by November 3 and then reviewed by the Fishery Planning Committee (FPC). The FPC discussed, but did not change, the draft problem statement, and rearranged and added alternatives based on industry comments.

#### **Report of the Advisory Panel**

The Advisory Panel recommended adoption of a revised problem statement and set of alternatives. The AP requested that the staff prepare a series of definitions for the term "catcher/processors" as part of the analysis and that those definitions be distributed for public comment. The AP considers

MINUTES  
NPFMC MEETING  
DECEMBER 1989

the inshore-offshore issue of major importance and urged the Council to make it a priority of Council staff so that the present schedule can be met.

**Report of the Scientific and Statistical Committee**

The SSC pointed out that the Fishery Planning Committee's report combines a statement of the problem, list of some symptoms and a number of concerns that are not related to allocation. The SSC generally agreed with the report of a Council-sponsored meeting of economists that:

". . . the nature of the problem was too many boats chasing too few fish, rather than an inshore-offshore allocation issue. The allocational conflict is a symptom of excess harvesting and processing capacity rather than an independent problem. The group also felt that the alternatives listed were in fact allocational rules, rather than solutions to the problems. If measures of this nature were adopted, they could solve the allocational conflict in the short term. However, as effort continued to enter the fishery it would be necessary to provide greater and greater allocational specificity . . ."

"Over time, changes in capacities and technology will necessarily force reexamination and readjustment of the chosen allocational system."

The SSC felt that the management alternatives will not provide a long-term solution. Not all of the problems posed will be solved by effort limitations alone, but without such limitations any allocation scheme will require continued adjustments.

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

**COUNCIL DISCUSSION AND ACTION**

**Larry Cotter moved to adopt the problem statement as amended by the Advisory Panel (see below). The motion was seconded by Tony Knowles.**

**Problem Statement**

The finite availability of fishery resources, combined with current and projected levels of harvesting and processing capacity and the differing capabilities of the inshore and offshore components of the industry, has generated concern for the future ecological, social and economic health of the resource and the industry. These concerns include, but are not limited to, localized depletion of stocks or other behavioral impacts to stocks, shortened seasons, increased waste, harvests which exceed the TAC, and possible pre-emption of one industry component by another with the attendant social and economic disruption.

Domestic harvesting and processing capacity currently exceeds available fish for all species in the Gulf of Alaska and most species in the Bering Sea. The seafood industry is composed of different geographic, social, and economic components which have differing needs and capabilities, including but not limited to the inshore and offshore components of the industry, which may be defined as follows:



MINUTES  
NPFMC MEETING  
DECEMBER 1989

- 1) **Inshore:** Includes fishing vessels that deliver product for processing to inshore and offshore (stationary or minimally mobile) processing facilities, and vessels which are dependent upon frequent shoreside logistical support.
- 2) **Offshore:** Includes highly mobile fishing vessels which have onboard facilities to process their own catch, mothership processors which are sufficiently mobile to pursue species throughout its range, and those processors which do not depend upon frequent shoreside logistical support.

The Council must determine whether or not to address these concerns through the adoption of appropriate management measures to advance the conservation needs of the fishery resources in the North Pacific.

**Joe Blum moved to amend the problem statement as follows: insert a period after the word "industry" in the last line of the second paragraph and delete items 1 and 2 from the problem statement; the last paragraph of the statement would be the one beginning "The Council must determine . . . ". The motion was seconded by Henry Mitchell.**

Mr. Blum felt that the definition of "inshore-offshore" should not be part of a problem statement, although they are a part of the process that will come later. **The motion to amend failed, 6 to 5, with Alverson, Blum, Mace, Mitchell and Peterson voting in favor.**

**Tony Knowles suggested that the words "and furthering economic and social goals" be added to the end of the last statement. This was included as a friendly amendment.**

**Henry Mitchell moved to change the first sentence of the 3rd paragraph to read, "The Council will address these concerns . . ." The motion was seconded by Ron Hegge and carried with no objection.**

Mr. Blum asked whether the current motion implies that the Council is directing staff to commit the necessary resources, whether present staff or additional staff, to do an adequate analytical study of this issue. Mr. Collinsworth replied that he felt it is not implied within this motion, but when the Council deals with the management alternatives it would be the appropriate time to discuss availability of time/personnel.

**The main motion carried, as amended, 7 to 4, with Alverson, Blum, Mace and Peterson voting against.**

The last paragraph, as adopted, reads:

The Council will address these concerns through the adoption of appropriate management measures to advance the conservation needs of the fishery resources in the North Pacific and to further the social and economic goals of the Act.

**Larry Cotter moved to adopt the management alternatives proposed by the Fishery Planning Committee (see below). The motion was seconded by Bob Alverson.**

MINUTES  
NPFMC MEETING  
DECEMBER 1989

**Management Alternatives**

1. Status quo with no change in regulations to address the problem.
2. Use traditional management tools including but not limited to: trip limits, periodic allocations, super-exclusive registration areas, and gear sizes.
3. Allocate the Total Allowable Catch (TAC) between inshore and offshore components of the industry. This could be done with or without specific operational areas.
4.
  - A. Prohibit factory/trawlers in the Gulf of Alaska. In the Bering Sea/Aleutian Islands, allocate a portion of the TAC between inshore and offshore components of the industry and define operational areas.
  - B. Prohibit catcher/processors in the Gulf of Alaska. In the Bering Sea/Aleutian Islands, allocate a portion of the TAC between inshore and offshore components of the industry and define operational areas.
  - C. Prohibit factory/trawlers in the Gulf of Alaska except as specifically provided for by the Council. In the Bering Sea/Aleutian Islands, prohibit factory/trawlers from the area between 168° and 163° West longitude and south of 56° North latitude except as specifically provided for by the Council.
  - D. In addition to the above, at the discretion of the Council, provide for future management options for disadvantaged communities.
    - (i) Yukon-Kuskokwim Fisheries Task Force Proposal
    - (ii) Kokechik Fishermen's Association
    - (iii) Community Development Quotas
5. Allocate TAC on basis of vessel length.
6. Use a combination of following measures: ban pollock roe-stripping everywhere, delay opening of the pollock season until after roe season, split pollock into roe, non-roe seasonal quotas, and divide the pollock area into separate districts.

**Henry Mitchell moved to amend the motion by deleting Alternative #1, the status quo. The motion was seconded by Ron Hegge.** The motion was withdrawn when it was pointed out that under NEPA regulations status quo must be analyzed as an alternative.

**Bob Alverson moved to add a seventh alternative which would mirror the Midwater Trawlers Proposal, with respect to pollock only: (1) allocate 50% of the pollock TAC in the Bering Sea/Aleutian Islands to vessels measuring 150 ft LOA or less; (2) allocate 50% of the Bering Sea/Aleutian pollock TAC to vessels measuring more than 150 ft. LOA; (3) allocate 50% of the GOA pollock TAC to vessels measuring 125 ft. LOA or less; and (4) allocate 50% of the GOA pollock**

**TAC to vessels more than 125 ft. LOA. The motion was seconded by Henry Mitchell.**

During discussion it was concluded that this option could be melded into Alternative #5, which would read:

**Allocate TAC on the basis of species (for example, just pollock) and vessel length (for example, partition the BSAI TAC 50-50 between vessels over 150' and those less than 150'. A threshold for the GOA might be 125').**

It was pointed out that at this time the Council is identifying alternatives which will be fleshed out by the Fishery Planning Committee and further analyzed by staff.

**The motion to amend carried with no objection.**

**Henry Mitchell moved to add Alternative #7, which was summarized as follows: (1) Establish an immediate moratorium on new harvesting and processing capacity; (2) exempt vessels under 40 ft. or in the pipeline; and (3) Establish a cut-off date of 12/31/89. The motion was seconded.**

There was discussion whether or not the Council can institute a moratorium. Mr. Pennoyer suggested that the ability to institute a moratorium would be decided on a case-by-case basis since he doesn't believe there is a legal precedent.

**The motion to amend carried, 9 to 2, with Dyson and Peterson voting against.**

**John Peterson moved to add "catcher/processors" under item 4C. The motion was seconded and carried 6 to 5, with Alverson, Cotter, Dyson, Hegge, and Knowles voting against.**

**The main motion, as amended, carried with Henry Mitchell objecting.**

After further discussion on the subject of motherships, Council members felt the alternatives should be clarified. Also, Steve Pennoyer suggested that, with regard to a moratorium, he didn't believe the Council could exclude current participants.

**Larry Cotter moved for reconsideration of the main motion. The motion was seconded by Henry Mitchell and carried with no objection.**

**Larry Cotter moved to amend the main motion on alternatives by replacing items 4A, B, & C with the following sentence:**

**"Prohibit some or all of the offshore components of the industry from the Gulf of Alaska, except as specifically provided for by the Council, and in the Bering Sea & Aleutian Islands, allocate a portion of the TAC between inshore and offshore components of the industry and define operational areas."**

**The motion was seconded by Ron Hegge and carried, 7 to 4, with Alverson, Blum, Mace and Peterson voting against.**

**John Peterson moved to delete the 12/31 cut-off date. The motion was seconded by Larry Cotter and carried with no objection.**

MINUTES  
NPFMC MEETING  
DECEMBER 1989

**The main motion, as amended, carried 7 to 4, with Alverson, Blum, Mace and Peterson voting against.**

C-6 Foreign Vessel Permits

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

Henry Mitchell asked which countries have provided data on their donut hole catches. It was pointed out that in past years the Council has specifically requested this information but in September decided not to for 1990.

**Bob Mace moved to approve all foreign vessel permit applications received. The motion was seconded by Bob Alverson.**

**Henry Mitchell moved to amend the main motion by deleting the vessel application of the SHIN YANG HO. The motion was seconded by Larry Cotter and carried 6 to 4, with Dyson, Hegge, Mace, and Pennoyer voting against. Mr. Peterson was not present for the vote.**

**Joe Blum moved to amend the main motion by deleting the permit application of the Icelandic vessel(s). The motion was seconded by Larry Cotter and failed on a tie vote of 5 to 5. Mr. Peterson was not present for the vote.**

Mr. Blum said the motion was in response to testimony by the industry group who had developed a compromise bycatch regime. They had requested that the Council not approve new participation in joint venture fisheries for 1990. Mr. Pennoyer pointed out that the Icelandic request is for cod and there will probably not be any excess cod in 1990.

**Henry Mitchell moved to amend the main motion to require that all vessel permits for countries who have not provided detailed information on pollock harvests and bycatches in the donut hole not be renewed until the information is made available to the U.S. government. The motion was seconded by Joe Blum. The motion carried with Bob Mace objecting and Steve Pennoyer abstaining. Mr. Peterson was not present for the vote.**

**Larry Cotter moved to amend the motion to limit allowable operations under the permits to direct support of American joint ventures and not of fisheries in the Donut Hole. The motion was seconded by Joe Blum and carried with Steve Pennoyer abstaining. Mr. Peterson was not present for the vote.**

**The main motion carried, as amended, with Steve Pennoyer abstaining. Mr. Peterson was not present for the vote.**

C-7 AP, SSC, Plan Team, and Pacific Northwest Crab Industry Advisory Committee Memberships

Chairman Collinsworth announced the following appointments:

Five new members were appointed to the Council's Advisory Panel:

George Anderson  
Kevin Kaldestad  
David Little  
Jay Skordahl  
Robert Wurm

Members reappointed to the Advisory Panel for another one-year term are:

Alvin Burch	Edwin Fuglvog	Don O'Hara
Phil Chitwood	Vic Horgan, Jr.	Harold Sparck
Paul Clampitt	Pete Isleib	Dave Woodruff
Lamar Cotten	Richard Lauber	John Woodruff
Dave Fraser	Nancy Munro	Lyle Yeck

Members appointed to the Council's new Pacific Northwest Crab Industry Advisory Committee are:

Arne Aadland	Spike Jones	Kaare Ness
Phil Chitwood	Kevin Kaldestad	Konrad Uri
Don Giles	Robert W. Miller	Rich White

Consideration of SSC memberships was delayed until the January 1990 Council meeting. Current SSC members will continue to serve for that meeting.

#### **D. FISHERY MANAGEMENT PLANS**

##### **D-1 Salmon Plan**

Because of time constraints, consideration of this agenda item was delayed until the January 1990 Council meeting.

##### **D-2 Gulf of Alaska Groundfish Plan**

(a-b) Final Stock Assessment and Fishery Evaluation Report/Set ABCs, TACs, Apportionments to DAP, JVP, TALFF, and Groundfish PSCs for 1990

#### **Report of the Plan Team**

The team continues to be concerned over the decline in pollock stocks in the Gulf. However, the magnitude of this decline differs between the two models used in the analysis. The team believes that using the projections based on a stock synthesis model tuned to the bottom trawl surveys and assuming a poor 1987 year class is the most appropriate approach for projecting yield for 1990. The preliminary results from the 1989 bottom trawl surveys conducted in the Kodiak area tend to support the team's approach. The team recommended a pollock ABC of 70,000 mt, with 7,000 mt of this amount apportioned to the Shelikof District and 63,000 mt to the Western/Central Regulatory Area. The team also recommended that the 63,000 mt be allocated to the first and second halves of the

MINUTES  
NPFMC MEETING  
DECEMBER 1989

year in the amounts of 28,000 mt and 35,000 mt, respectively. This would ensure that data collection from this fishery can occur throughout the year and that a portion of the quota would be reserved until after the Gulf-wide hydroacoustic survey is conducted next spring. The team's recommended semi-annual apportionment of pollock differs from Council guidance for equal quarterly allocations in 1990.

A 3,400 mt ABC for pollock is recommended for the Eastern Regulatory area. The team also supports a 10,000 mt exploratory TAC for the Central Regulatory area between January 1 and April 15, 1990, east of 151°30'W only.

The team reviewed new data on sablefish from the 1989 longline surveys. These surveys indicate a decline in Gulf sablefish relative abundance and the team is concerned over the potential lack of recruitment to this population in the near future. The team recommended an ABC of 26,200 mt for sablefish.

The slope rockfish assemblage is considered to be at low levels, but may be increasing. Of concern to the team is the potential disproportionate harvest of the higher value shortraker and roughey rockfish species in this complex. Until a comprehensive observer program is under way, the team recommended an ABC of 17,600 mt for this group of rockfish in order to maintain an appropriate exploitation rate on the individual species in this complex.

**Report of the Scientific and Statistical Committee**

SSC recommendations for Gulf of Alaska groundfish ABCs are listed below. For specific comments on each species, see the SSC Minutes, Appendix II to these minutes.

<u>Species</u>	<u>Area</u>	<u>ABC</u>
Pollock	W/C	63,750 mt
	Shelikof	6,250
	E	3,400
	<b>Total</b>	<b>73,400</b>
	Experimental	10,000
Pacific cod	W	22,800
	C	87,600
	E	9,600
	<b>Total</b>	<b>120,000</b>
Flatfish/deep	W	16,300
	C	77,700
	E	14,400
	<b>Total</b>	<b>108,400</b>
Flatfish/shallow	W	30,200
	C	52,200
	E	2,100
	<b>Total</b>	<b>84,500</b>

MINUTES  
NPFMC MEETING  
DECEMBER 1989

Arrowtooth flounder	W	27,000
	C	141,000
	E	26,600
	<b>Total</b>	<b>194,600</b>
Sablefish	W	3,800
	C	11,800
	W. Yakutat	4,600
	E. Yakutat/SE Outside	6,000
	<b>Total</b>	<b>26,200</b>
Slope rockfish	W	4,300
	C	7,700
	E	5,700
	<b>Total</b>	<b>17,700</b>
Pelagic shelf rockfish	W	1,400
	C	5,800
	E	1,000
	<b>Total</b>	<b>8,200</b>
Demersal shelf rockfish	SE Outside	Unknown
Thornyheads	Gulfwide	3,800
Other species	Gulfwide	N/A
<b>Gulf of Alaska</b>	<b>Total</b>	<b>636,800 mt</b>

**Report of the Advisory Panel**

The AP recommended that the Council establish TACs as follows:

<u>Species</u>	<u>Area</u>	<u>TAC</u>
Pollock	W/C	63,000 mt
	Shelikof	7,000
	E	3,400
	<b>Total</b>	<b>73,400</b>
	Experimental	20,000
Pacific cod	W	29,500
	C	59,500
	E	1,000
	<b>Total</b>	<b>90,000</b>

MINUTES  
NPFMC MEETING  
DECEMBER 1989

Flatfish/deep	W	3,650
	C	15,300
	E	3,050
	<b>Total</b>	<b>22,000</b>
Flatfish/shallow	W	3,570
	C	6,180
	E	250
	<b>Total</b>	<b>10,000</b>
Arrowtooth flounder	W	4,450
	C	23,170
	E	4,380
	<b>Total</b>	<b>32,000</b>
Sablefish	W	3,770
	C	11,700
	W. Yakutat	4,550
	E. Yakutat/SE Outside	5,980
	<b>Total</b>	<b>26,000</b>
Slope rockfish	W	5,770
	C	8,460
	E	5,770
	<b>Total</b>	<b>20,000</b>
Pelagic shelf rockfish	W	1,400
	C	5,800
	E	1,000
	<b>Total</b>	<b>8,200</b>
Demersal shelf rockfish	SE Outside	470
	Thornyheads	3,800
	Other species	15,294
<b>Gulf of Alaska</b>	<b>Total</b>	<b>321,164 mt</b>

The AP noted that these TACs are their idea of what DAP needs are and recommended that the Council set DAP equal to TAC. For pollock, the AP recommended the following: Set TAC equal to ABC. Allocate the TAC quarterly (in metric tons):

	<u>1st Qtr.</u>	<u>2nd Qtr.</u>	<u>3rd Qtr.</u>	<u>4th Qtr.</u>
W/C	10,500	17,500	17,500	17,500
Shelikof	7,000			



MINUTES  
NPFMC MEETING  
DECEMBER 1989

The AP recommended the Council establish a 10,000 mt exploratory fishery for pollock from January 15 through April 15 west of 159° to provide an opportunity to collect data on consistent industry reports of stocks in this area. This exploratory fishery, along with the 10,000 mt exploratory fishery on the Eastern side (147°-151°30'), will provide information on the extent and distribution of spawning stocks in the Gulf of Alaska.

The Council also received a report from Janet Smoker, NMFS-Alaska Region, summarizing their survey of domestic needs in the 1989 Alaska groundfish fisheries.

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

#### COUNCIL DISCUSSION AND ACTION

##### Gulf of Alaska ABCs

As in the past, the Council began with a motion to approve all ABCs and then revised the table through motions to amend.

**Bob Mace moved to approve the Gulf of Alaska ABCs recommended by the SSC. The motion was seconded by John Peterson.**

**Henry Mitchell moved to amend the motion to set the Pacific cod ABC in the Western Gulf at 30,000 mt. The motion was seconded by Oscar Dyson.**

Some Council members were concerned about increasing the quotas recommended by the scientists. Mr. Mitchell said that there has been evidence that in the past there were very large concentrations of cod in the Western area with good CPUEs. Also, there is some question about the method used to determine ABC. It was suggested that the motion be withdrawn until the total ABCs were determined.

Steve Pennoyer suggested that the total Gulf Pacific cod TAC of 90,000 mt suggested by the AP with their breakdown by area. While this would be over the recommended ABC for the Western Gulf, he noted that the resource is very healthy with a large unharvested surplus in 1989 and by setting the total TAC somewhat below the ABC recommended by the SSC, there would be some leeway for managers to look at the program when the observers are in place.

**Mr. Mitchell withdrew the motion with the concurrence of his second.**

**Steve Pennoyer moved to set the Pacific cod TAC for the Gulf of Alaska at 90,000 mt, distributed as follows: Western Gulf - 29,500 mt; Central Gulf - 59,500 mt; and Eastern Gulf - 1,000 mt. The motion was seconded by Ron Hegge.**

Council members continued to be concerned about using TAC figures as the basis for setting ABC and deviating from the recommendations of the scientists.

MINUTES  
NPFMC MEETING  
DECEMBER 1989

**Steve Pennoyer withdrew his motion with the concurrence of his second.**

It was pointed out that the exploitation rates used by the plan team and SSC differed and that perhaps using a middle range would be appropriate.

**Bob Mace moved to amend the motion to set the total Gulf Pacific cod ABC at 90,000 mt. The motion was seconded by Bob Alverson.**

**Larry Cotter moved to amend to set the total Gulf Pacific cod ABC at 120,000 mt, apportioned as follows: Western - 30,400 mt; Central - 80,000 mt; and Eastern - 9,600 mt. The motion was seconded by Joe Blum. The motion was found out of order.**

**Mr. Mace's motion failed by voice vote.**

**Mr. Cotter re-submitted his motion. The motion was seconded by Henry Mitchell and failed 8 to 3, with Blum, Cotter, and Mitchell voting in favor.**

**John Peterson moved to adopt the following ABCs for Pacific cod in the Gulf of Alaska: Western - 29,500 mt; Central - 59,500 mt; and Eastern - 1,000 mt; a total of 90,000 mt. The motion was seconded by Oscar Dyson and carried, 10 to 1, with Blum voting against.**

**John Peterson moved to set the ABC for slope rockfish at 20,000 mt with the following apportionments: Western - 5,774 mt; Central - 8,452 mt; and Eastern - 5,774 mt. The motion was seconded by Henry Mitchell. The motion failed, 7 to 4, with Collinsworth, Dyson, Pennoyer and Peterson voting in favor.**

**Joe Blum moved to amend the motion to set the ABC for slope rockfish at 35,000 mt. The motion was seconded by Henry Mitchell and failed 7 to 4, with Blum, Cotter, Dyson, and Mace voting in favor.**

During discussion it was pointed out that if the slope rockfish were separated out into their separate species, the ABC could be higher; however, until observer data are available, managing the species separately will not be practical.

**The main motion setting ABCs for the Gulf of Alaska, as amended, carried unanimously.**

**Gulf of Alaska TACs**

**John Peterson moved to set the TACs in the Gulf of Alaska equal to the ABCs. The motion was seconded by Joe Blum.**

**John Peterson moved to set both exploratory fisheries in the Gulf at 10,000 mt each for pollock in the areas designated, with both fisheries to take place between January 15 and April 15 for both. The motion was seconded by Oscar Dyson. It was clarified that the SSC's recommended caveats would be included: midwater trawl only with observers for both areas and that in the area west of 159°W longitude the fisheries would be closed if an unacceptable level of salmon and/or herring**

MINUTES  
NPFMC MEETING  
DECEMBER 1989

bycatch is recorded.

Mr. O'Connor suggested that the Council doesn't have any mechanism to set up areas for experimental fisheries outside the ABC. He recommended that the Council could provide Regional Director with guidance to configure a research fishery in the areas discussed under the conditions recommended by the SSC.

Steve Pennoyer suggested that he would have to consider the SSC comments that 5,000 mt for each fishery would be appropriate. He also stressed that getting the authority to create the experimental fisheries will take some time and probably could not be done by January 15.

**John Peterson withdrew his motion.**

**Larry Cotter moved to adopt the AP's recommendation for deep water flatfish TACs: Western - 3,650 mt; Central - 15,300 mt; and Eastern - 3,050 mt. The motion was seconded by Oscar Dyson. The motion carried, 8 to 3, with Blum, Mace and Mitchell voting against.**

**Larry Cotter moved to adopt the AP recommendation for shallow water flatfish TACs: Western - 3,570 mt; Central - 6,180 mt; and Eastern - 250 mt. The motion was seconded by John Peterson and carried, 8 to 3, with Blum, Mace and Mitchell voting against.**

**Larry Cotter moved to set the TAC for arrowtooth flounder as recommended by the AP: Western - 4,450 mt; Central - 23,170 mt; and Eastern - 4,380 mt, for a total of 32,000 mt. The motion was seconded by Oscar Dyson and carried, 8 to 3, with Blum, Mace and Mitchell voting against.**

**Ron Hegge moved to adopt the AP recommendation for sablefish TACs: Western - 3,770 mt; Central 11,700 mt; W. Yakutat - 4,550 mt; E. Yakutat/S.E. Outside - 5,980 mt. The motion was seconded by Joe Blum and carried with no objection.**

**Joe Blum moved to adopt the AP's recommended TAC for demersal rockfish - 470 mt. The motion was seconded by Bob Alverson and carried with no objection.**

**The main motion carried with no objection.**

**Gulf of Alaska DAP**

**Larry Cotter moved to set DAP for all species equal to TAC. The motion was seconded by Bob Alverson and carried with no objection.**

Council members felt that, based on the review of the DAP survey and testimony from industry, the domestic industry will need the entire TAC in the Gulf of Alaska for 1990.

On Friday, December 8, the Council received a table of quotas and apportionments based on the motions and discussions above. **Bob Mace moved to approve the Gulf of Alaska ABC, TAC, and**

MINUTES  
NPFMC MEETING  
DECEMBER 1989

**DAP quotas and apportionments as presented on the table (Appendix III to these minutes). The motion was seconded by John Peterson and carried with no objection.**

Further discussion of the exploratory fisheries revealed that in order to have the exploratory fisheries the TAC would have to be set high enough to accommodate the additional fish needed. The last time the Council recommended such a fishery it was accomplished by conditioning joint venture permits, a measure which cannot be used for DAP fisheries. After considerable discussion of the options, the Council concurred that at this time the exploratory fisheries may not be feasible.

**Bob Mace moved to drop the issue of the exploratory fisheries. The motion was seconded by Joe Blum and carried with no objection.**

Mr. Pennoyer said he will explore his authority to authorize exploratory fisheries for the future.

(c) Gulf Halibut Bycatch Management for 1990

**Report of the Scientific and Statistical Committee**

The SSC concurs with the plan team that data from the 1990 observer program should be used as much as possible for estimating bycatch in the 1990 fishery.

**Report of the Advisory Panel**

The AP recommended that the Regional Director monitor halibut mortality during the season and close the bottom trawl and fixed gear fisheries when their respective PSC caps are attained. The motion passed unanimously.

The AP also recommended that the Council take emergency action to provide quarterly releases of halibut PSC as follows:

	<u>1st Qtr.</u>	<u>2nd Qtr.</u>	<u>3rd Qtr.</u>	<u>4th Qtr.</u>
Trawl	40%	20%	20%	20%
Longline	20%	60%	10%	10%

This apportionment scheme assumes that unused PSC would be rolled over into the following quarter until the end of the year. The AP notes that the percentages are rough guidelines and the intent is for the Regional Director to have flexibility to respond to changes in season.

The AP discussed the need to establish a halibut PSC reserve system in the Gulf of Alaska (and in the Bering Sea/Aleutian Islands area). A general concept where a percentage of the annual PSC limit is held in reserve, and later provided to those fishermen who carry observers was suggested.

Given that the Council does not need to take emergency action on this issue at this meeting, a motion to table further discussion of the reserve system until the January 1990 meeting was passed although later, under agenda item D-3, Bering Sea/Aleutian Islands Groundfish, the same motion passed unanimously. The AP concluded discussion of this topic by stating their unanimous support

for a reserve system concept and requested that staff begin developing the program for review in January.

### COUNCIL DISCUSSION AND ACTION

Amendment 18 to the Gulf of Alaska groundfish FMP set halibut bycatches at 2,000 mt for trawl gear and 750 mt for fixed gear. Early attainment of halibut bycatches prematurely closed groundfish fisheries in 1989. The Council discussed two options available for 1990 under Amendment 18: (1) Set TACs based on a presumed set of halibut bycatch and mortality rates so that the 2,750 mt caps are not exceeded if the TACs are fully attained; (2) Set TACs based on DAP (and JVP) needs and allow the Regional Director to keep track of halibut mortality during the season and close the bottom trawl and fixed gear fisheries when their respective PSC caps are attained.

The National Marine Fisheries Service recommended that the Council take two emergency actions for 1990:

1. Implement on or about January 1 a seasonal apportionment of halibut trawl and fixed PSCs as follows:
  - 40% in 1st quarter
  - 20% in 2nd quarter
  - 40% for rest of year.

Fishing for a gear type would stop during a quarter when its PSC was attained. Presumably, any excess PSC would rollover to the next quarter. This emergency rule would expire after 180 days, on or about June 30, 1990. It would be followed by a second emergency rule as described below.

2. Implement on or about July 2, the following provisions:
  - (a) Divide each gear's remaining 40% halibut PSC, immediately releasing one half to the groundfish fishery, and saving the remainder in a reserve for the gear type. Presumably any rollovers from earlier quarters would be released immediately.
  - (b) The reserve would be available at the end only to vessels that agree to carry observers. Vessels fishing the reserve would be constrained by a NMFS-determined bycatch rate, accounted on a weekly basis. A vessel exceeding the rate would be expelled from the reserve fishery.
  - (c) The halibut bycatch mortality caps of 2,000 mt for trawl and 750 mt for fixed gear would not be exceeded.

Steve Pennoyer pointed out that in order to have PSC apportionments and a reserve system the Council would have to request that the Secretary of Commerce promulgate an emergency rule. It is possible that unless an emergency can be defined, the request wouldn't be approved. The second action would more likely have to be a Secretarial amendment rather than an emergency rule. Craig O'Connor said that in his opinion there would be a slim chance for a Secretarial amendment because

MINUTES  
NPFMC MEETING  
DECEMBER 1989

Amendment 18 has just been approved.

The Council discussed the possibility of using traditional management measures such as depth restrictions now that the observer program will be in place and better data for management will be available; however, it was unclear whether the data would be available early enough in the season to be useful.

Larry Cotter pointed out that when the Council approved Amendment 18 they did not know whether the observer program would be approved by 1990 and in the absence of reliable harvest and bycatch data, the Council felt that the more restrictive provisions of Amendment 18 were necessary.

**Larry Cotter moved to seek the implementation of an emergency rule to apportion the halibut PSC in the Gulf of Alaska for 1990 as follows: for trawl gear - 30% first quarter; 30% 2nd quarter; 20% each for the 3rd and 4th quarters; and for longline gear - 20% 1st quarter; 60% 2nd quarter; 10% each for the 3rd and 4th quarters. The motion was seconded by Joe Blum.**

It was pointed out that the second emergency action to cover the 3rd and 4th quarters may be difficult to achieve. After further discussion, the motion was restated as follows:

**Seek the implementation of an emergency rule to apportion halibut PSC for 1990 as follows: for the trawl fishery: 30% - 1st quarter; 30% for the 2nd quarter; and for the longline fishery: 20% for the first quarter and 60% for the second quarter.**

**The motion carried with Steve Pennoyer voting no.**

Larry Cotter asked that this subject be carried forward on the agenda for each meeting to keep the Council informed as to the extent the observer program will allow the Council to utilize traditional management tools.

The Chairman also suggested that a new workgroup or task force be formed to continue to monitor bycatch data and develop options for bycatch management in 1991.

**Joe Blum moved to adopt the recommendation of the plan team, SSC and AP that 1990 observer data be utilized for management during the season and that NMFS be requested to call a group of experts from the plan team and SSC to work on some preliminary bycatch rates so that observed rates can be utilized as quickly as possible. The motion was seconded by Oscar Dyson and carried with no objection.**

**Ron Hegge moved that a rate of 13% be used for longline mortality throughout the fishery. The motion was seconded by Tony Knowles.**

Steve Pennoyer suggested the percentage is a technical matter and that the technical team of plan team, SSC members, and NMFS staff should be charged with looking into this and developing recommendations.

MINUTES  
NPFMC MEETING  
DECEMBER 1989

**Mr. Hegge withdrew the motion with the concurrence of his second with the understanding that the technical team would be considering the issue.**

**D-3 Bering Sea/Aleutian Islands Groundfish Plan**

**(a-b) Final Stock Assessment and Fishery Evaluation Report/Set ABCs, TACs, Apportionments to DAP, JVP, TALFF, and Groundfish PSCs for 1990**

**Report of the Plan Team**

The revised SAFE incorporates new survey data and analyses available since the September draft. Changes in the final SAFE document include increased ABCs for pollock, Pacific cod, arrowtooth flounder, and sablefish. Most groundfish stocks appear to be healthy with the exception of Greenland turbot for which continued recruitment failure led the plan team to recommend a reduced ABC of 7,000 mt.

**Report of the Scientific and Statistical Committee**

SSC recommendations for Bering Sea/Aleutian Islands groundfish ABCs are listed below. For specific comments on each species, see the SSC Minutes, Appendix II to these minutes.

MINUTES  
NPFMC MEETING  
DECEMBER 1989

<u>Species</u>	<u>Region</u>	<u>ABC</u>
Pollock	EBS	1,450,000 mt
	AI	153,600
Pacific cod		417,000
Yellowfin sole		278,900
Greenland turbot		7,000
Arrowtooth flounder		106,500
Rock sole		216,300
Other flatfishes		188,000
Sablefish	EBS	2,700
	AI	3,700
Pacific ocean perch	EBS	6,300
	AI	16,600
Other rockfish	EBS	500
	AI	1,100
Atka mackerel		24,000
Squid		10,000
Other species		55,500
<b>Total Bering Sea/Aleutian Islands</b>		<b>2,937,700 mt</b>

**Report of the Advisory Panel**

The Advisory Panel recommended the following apportionments (in metric tons) to TAC, DAP, JVP and Reserves:



MINUTES  
NPFMC MEETING  
DECEMBER 1989

<u>Species</u>	<u>Region</u>	<u>TAC</u>	<u>Reserves</u>	<u>DAP</u>	<u>JVP</u>
Pollock	EBS	1,250,000	187,500	1,062,500	
	AI	50,000	7,500	42,500	
Pacific cod		237,000	35,550	191,250	10,200
Yellowfin sole		225,000	33,750	29,750	161,500
Greenland turbot		7,000	1,050	5,950	
Arrowtooth flounder		10,000	1,500	8,500	
Rock sole		100,000	15,000	63,750	21,250
Other flatfishes		60,150	9,023	10,200	40,927
Sablefish	EBS	3,200	480	2,720	
	AI	6,650	998	5,652	
Pacific ocean perch	EBS	6,300	945	5,355	
	AI	16,600	2,,490	14,110	
Other rockfish	EBS	500	75	425	
	AI	1,100	165	935	
Atka mackerel		21,000	3,150	17,850	
Squid		500	75	425	
Other species		5,000	750	4,250	
<b>Total</b>		<b>2,000,000</b>	<b>300,000</b>	<b>1,466,122</b>	<b>233,877</b>

**Public Testimony** on this agenda item is in Appendix I to these minutes.

**COUNCIL DISCUSSION AND ACTION**

**BSAI ABCs**

**John Peterson** moved to adopt the SSC's recommendations for Bering Sea/Aleutian Islands groundfish ABCs for 1990. The motion was seconded by Joe Blum.

MINUTES  
NPFMC MEETING  
DECEMBER 1989

**Bob Alverson moved to amend the motion to set the Aleutian Islands sablefish ABC at 4,500 mt. The motion was seconded by Ron Hegge and carried, 10 to 1, with Joe Blum voting against.**

**The main motion, as amended, carried unanimously.**

BSAI TAC, DAP, JVP

**Joe Blum moved to adopt the TACs recommended during public testimony by Steve Hughes and Bert Larkins. The motion was seconded by Bob Mace but was subsequently withdrawn.**

**Tony Knowles moved to adopt the TAC recommendations of the Advisory Panel. The motion was seconded by Henry Mitchell.**

**John Peterson moved to amend the motion to increase the Bering Sea pollock TAC to 1,280,000 mt and the Aleutian Islands pollock TAC to 100,000 mt. The motion was seconded by Bob Mace and carried, 8 to 3, with Cotter, Knowles and Mitchell voting against.**

**Bob Mace moved to set the TAC for Pacific cod at 217,000 mt. The motion was seconded by Joe Blum. The motion carried, 10 to 1, with Mitchell voting against.**

**Bob Alverson moved to set the Bering Sea/Aleutian Islands TAC for sablefish equal to the ABC (2,700 mt (EBS) and 4,500 mt (AI)). The motion was seconded by John Peterson and carried with Blum and Mitchell objecting.**

**Bob Mace moved to set the TAC for yellowfin sole at 207,650 mt. The motion was seconded by Joe Blum. The motion carried with Mitchell objecting.**

**Henry Mitchell expressed concern over related bycatch problems in this fishery and felt that the TAC should be set lower.**

**John Peterson moved to set the TAC for rock sole at 60,000 mt. The motion was seconded by Bob Mace and carried with no objection.**

**Steve Pennoyer moved to set the Aleutian Islands Pacific ocean perch TAC at 6,600 mt. the motion was seconded by Henry Mitchell and carried, 6 to 5, with Alverson, Blum, Hegge, Mace and Peterson voting no.**

**Joe Blum moved to reconsider the pollock TAC; the motion died for lack of a second.**

**Bob Mace moved to reconsider the Pacific cod TAC. The motion was seconded by Henry Mitchell and carried with Hegge objecting.**

**Bob Mace moved to increase the TAC for Pacific cod to 227,000 mt. The motion was seconded by Henry Mitchell and carried with Ron Hegge objecting.**

MINUTES  
NPFMC MEETING  
DECEMBER 1989

**The main motion setting TACs for the Bering Sea/Aleutian Islands groundfish carried unanimously, as amended.**

**BSAI DAP**

**John Peterson moved to set DAP equal to TAC, setting aside the appropriate reserve amounts. The motion was seconded by Larry Cotter.**

**Larry Cotter moved to set DAP for yellowfin sole at 29,750 mt. The motion was seconded by Joe Blum and carried with no objection.**

**Larry Cotter moved to set DAP for other flatfish DAP at 10,200 mt. The motion was seconded by Bob Mace and carried with no objection.**

**The main motion, as amended, carried without objection.**

**Joe Blum moved to reconsider the yellowfin sole DAP. The motion was seconded by Bob Mace and carried with no objection.**

It was pointed out that during public testimony industry had indicated a need for more yellowfin sole in the JVP fishery, and Council members felt that this could be accomplished while still providing adequate quota for the domestic industry.

**Joe Blum moved to set yellowfin sole DAP at 12,750 mt. The motion was seconded by Bob Mace and carried with no objection.**

**BSAI JVP**

No formal action was necessary for JVP. JVP apportionments created after DAP was set were: 163,752 mt for yellowfin sole and 40,928 mt of other flatfish species.

**Final ABC, DAP, JVP Apportionments for 1990 BSAI Groundfish**

**John Peterson moved to adopt the final table of apportionments prepared by staff as a result of the preceding motions. The motion was seconded and carried without objection.**

It was clarified that JVP bycatch needs will come out of reserves at the beginning of the season.

**(c) Halibut and Crab PSC Allowances**

Amendment 12a to the BSAI groundfish FMP establishes PSC caps for red king crab, C. bairdi Tanner crab and Pacific halibut in the Bering Sea for DAP and JVP fisheries. Staff provided the Council with estimates of the PSC apportionments based on the preliminary groundfish TACs and apportionments approved in September. Staff emphasized that actual observations of bycatch are

MINUTES  
NPFMC MEETING  
DECEMBER 1989

superior to statistical estimates for purposes of in-season bycatch management. A bycatch technical committee composed of AFSC, NOAA Fisheries, Alaska Region, ADF&G, IPHC and NPFMC staff has been formed to provide a role of coordination, communication and advice related to technical issues associated with bycatch management.

**Report of the Scientific and Statistical Committee**

The SSC felt that the bycatch simulation model which will be used to establish initial PSC apportionments may be useful in determining initial apportionments; however, these results should be viewed as a first attempt to determine bycatch needs. As information from various fisheries becomes available during the year, the initial apportionments may require adjustment.

**Report of the Advisory Panel**

The Advisory Panel recommended that the Council establish a halibut PSC reserve system and asked that the Council request staff to begin developing such a program for Council review in January. The AP also recommended that the Council request that the issue of bycatch, particularly for salmon and herring, be brought up at the March scientific meeting in the Soviet Union.

**COUNCIL DISCUSSION AND ACTION**

During public testimony industry representatives expressed concern over the possibility of premature groundfish closures because of early attainment of halibut bycatches. Council staff briefed Council members on the bycatch simulation model and results of model runs using various parameters suggested by Council members. An industry alliance group composed of representatives of trawl and fixed gear interests, submitted a strategy for the 1990 fishery for the Council's consideration.

**Bob Mace moved to approve the bycatch allocations submitted by the trawl alliance:**

<b>Trawl gear:</b>	<b>30% (600 mt) 1st quarter</b>
	<b>30% (600 mt) 2nd quarter</b>
	<b>40% (800 mt) 3rd and fourth quarters combined</b>

<b>Pot and longline gear:</b>	<b>20% (150 mt) 1st quarter</b>
	<b>60% (450 mt) 2nd quarter</b>
	<b>20% (150 mt) 3rd and 4th quarters combined</b>

**The opening date for the groundfish fisheries would remain at January 1, 1990. The motion was seconded by Joe Blum.**

It was noted that industry will work closely with the Regional Director to work out further division of apportionments between DAP flatfish and DAP other fisheries.

**Henry Mitchell moved to amend the motion to deduct 100 mt from flatfish DAP and add it under JVP for Halibut Zones 1 and 2H. The motion was seconded by Tony Knowles but withdrawn until**

**after discussion of final quotas and apportionments. The motion was resubmitted at that time and carried with no objection.**

D-4 General Groundfish

(a) Amendment 19/14, Pollock Roe-Stripping

In September the Council asked the staff to revise the EA/RIR to incorporate additional biological and economic information and to provide for quarterly allocations. The revised document was sent out to the Council family for review prior to the December meeting.

**Report of the Scientific and Statistical Committee**

The SSC will provide the plan team with written comments on the EA/RIR for Amendment 19/14. Subject to those comments being addressed, the SSC recommended that the document be released for public review and comment. To allow the team sufficient time to make modifications and verify and include additional data in the document, the SSC recommended that the Council delay final action until the April Council meeting.

**Report of the Advisory Panel**

The Advisory Panel unanimously recommended that the Council send the amendment package out for public review.

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

**COUNCIL DISCUSSION AND ACTION**

NOAA General Counsel reviewed the written legal opinion regarding the Council's authority to regulate or prohibit roe-stripping. The opinion suggests that while the Council may have the authority to limit wasteful practices of at-sea catchers/processors by various conservation and management measures, the Council would have no authority to directly regulate onshore processors.

There was considerable discussion of the various alternatives that could be used to alleviate the problems caused by roe-stripping.

The alternatives presented in Amendment 19/14 were:

Alternative 1: Do nothing - status quo.

Alternative 2: Prohibit roe-stripping in the pollock fisheries in the Gulf of Alaska and the Bering Sea/Aleutian Islands or portions thereof.

Alternative 3: Require full utilization of pollock in the pollock fisheries in the Gulf of Alaska and Bering Sea/Aleutian Islands or portions thereof.

MINUTES  
NPFMC MEETING  
DECEMBER 1989

Alternative 4: Establish a seasonal apportionment schedule for pollock in the Gulf of Alaska and Bering Sea/Aleutian Islands or portions thereof.

Alternative 5: Prohibit pollock roe-stripping and establish a seasonal apportionment schedule for pollock in the Gulf of Alaska and Bering Sea/Aleutian Islands or portions thereof.

**Tony Knowles moved to approve Amendment 14/19 for public review, subject to revision to incorporate SSC comments, and to delay final action until the April 1990 Council meeting. The motion was seconded by Joe Blum.**

**Ron Hegge moved to amend the motion to include an additional option under Alternatives 4 and 5: (a) that in the Gulf of Alaska pollock harvests would be restricted to midwater trawl only. The motion to amend was seconded by Bob Alverson.**

Some Council members felt that this option would be better dealt with in the analysis of bycatch measures during the 1990 amendment cycle.

**The motion to amend failed, 7 to 4, with Alverson, Hegge, Knowles and Mitchell voting in favor.**

**Henry Mitchell moved to add a new alternative, #6: In the Gulf of Alaska and Bering Sea/Aleutian Islands, fishing for pollock would be prohibited during the roe-bearing period. The motion was seconded by Tony Knowles.**

**The motion carried, 7 to 4, with Blum, Dyson, Mace and Peterson voting against.**

**Larry Cotter moved to amend to add an alternative to allow the Council to establish two separate TACs within the pollock TAC, one for roe-bearing pollock and the other for non-roe-bearing pollock. The motion was seconded by Henry Mitchell. It was suggested this could fit in as an option (a) under Alternative 6.**

**The motion to amend carried with Alverson and Dyson objecting.**

**Joe Blum moved to reconsider Mr. Hegge's motion. The motion was seconded by Ron Hegge and carried with Dyson objecting.**

**Ron Hegge restated his motion:**

**to include an additional option under Alternatives 4 and 5: (a) that in the Gulf of Alaska pollock harvests would be restricted to midwater trawl only.**

**The motion to amend was seconded by Bob Alverson. It was suggested that this should also be included under the new Alternative 6; there was no objection to including it.**

**The motion carried, 8 to 3, with Dyson, Mace and Peterson voting against.**

**The main motion carried, as amended, without objection.**

(b) Pollock Management for 1990

**Tony Knowles moved that the Council request the Secretary of Commerce to take emergency action to prohibit roe-stripping for 1990 in the Gulf of Alaska and Bering Sea, as follows: "It shall be unlawful to harvest pollock in a fishery for the purpose of extracting roe unless male and female carcasses are further processed into products of commercial commerce." The motion was seconded by Oscar Dyson.**

**Ron Hegge moved to amend to have the motion apply only to directed pollock fisheries, and to strike "commercial commerce" and insert, "which the primary use is human consumption." Pollock not fit for human consumption or under 30 cm in length overall may be discarded as necessary. The motion was seconded by Henry Mitchell.**

**After considerable discussion about enforceability and other concerns, the motion was withdrawn.**

**Mr. Hegge moved to amend the motion to apply only to directed pollock fisheries. The motion was seconded by John Peterson.**

**During discussion it was pointed out that under the "20% rule," a vessel could have 80% of another species on board and then target pollock and keep roe because it is an incidental species, not the targeted species. Mr. Hegge withdrew the amendment.**

**Mr. Knowles revised and re-stated his motion with the approval of the second:**

**It shall be unlawful to extract roe from pollock unless male and female carcasses are further processed into products of commercial commerce.**

**Council members discussed the need for emergency action. There has been evidence of problems in both the Gulf of Alaska and Bering Sea/Aleutian Islands - stocks are declining rapidly. There has been testimony that in the absence of some regulation, harvests taken in the early part of the year will disrupt opportunities later in the year and cause loss of jobs.**

**Ron Hegge moved to delete the words "commercial commerce" and substitute "for which the primary use is human consumption." The motion was seconded by Henry Mitchell and failed, 6 to 5, with Alverson, Dyson, Hegge, Knowles and Mitchell voting in favor.**

**The Chairman pointed out that this is a one-time emergency rule and it may be unrealistic to expect that adjustments can be made within the 90-day period the rule will be in effect. The more detailed the motion, the more difficult it may be to impose. The time to suggest more detailed alternatives and restrictions will be during the amendment process.**

MINUTES  
NPFMC MEETING  
DECEMBER 1989

**John Peterson moved a substitute motion:**

**It shall be unlawful to harvest pollock in a directed fishery for the purpose of extracting pollock roe unless the male and female carcasses are further processed into commercial products.**

**The motion was seconded by Bob Mace.**

During discussion it was pointed out by Mr. O'Connor that under this motion a harvester could catch and deliver to onshore processors for roe-stripping. There was considerable discussion of other ways of wording the motion to accomplish the Council's intent.

**The substitute motion failed, 9 to 2, with Peterson and Mace voting in favor.**

**Ron Hegge moved to amend the main motion to add that pollock caught in the directed fishery under 30 cm in overall length may be discarded as necessary. The motion was seconded by Bob Alverson.**

The Council recessed to allow the maker of the motion to prepare it in written form.

The motion submitted for Council discussion is:

**Tony Knowles moved that the Council advise the Secretary of Commerce to take emergency action to prohibit pollock roe-stripping for 1990 in the Gulf of Alaska and Bering Sea//Aleutian Islands.**

**The proposed regulation shall read: It shall be unlawful to extract roe from pollock unless the male and female pollock carcasses are further processed into products of commercial commerce.**

**On the floor also was an amendment proposed by Mr. Hegge: that pollock under 30 cm in overall length may be discarded.**

Don Collinsworth said that NMFS has indicated that if the Council adopts a simple motion, similar to the first paragraph of the motion above, that they have enough guidance and information from the AP, SSC, Council and public testimony to develop the necessary regulations to carry out the Council's intent. **Mr. Hegge agreed to withdraw his proposed amendment as long as it will be considered as part of the intent when regulations are developed.** Pollock under 30 cm in overall length may be discarded, however, there is no exception for "unfit" pollock.

**Joe Blum moved to amend the main motion to read:**

**That the Council advise the Secretary of Commerce to take emergency action to prohibit pollock roe-stripping for 1990 in the Gulf of Alaska, Bering Sea and Aleutian Island Management Areas.**



MINUTES  
NPFMC MEETING  
DECEMBER 1989

**This was considered a "friendly" amendment by the maker and second of the motion. The motion carried with Steve Pennoyer voting no.**

The Council reiterated that it is their intent that this action apply to both inshore and offshore components of the industry. The Executive Director was asked to prepare a letter from the Council asking the Alaska State Legislature to take parallel action to apply to the shoreside processing industry.

(c) Inseason Pollock Management

In September the Council provided policy guidance to the Regional Director to apportion pollock in all areas of the Gulf of Alaska equally by quarter with a provision for rollover to subsequent quarters within the fishing year. An emergency rule may be required to implement this guidance.

Steve Pennoyer pointed out that an emergency rule will only apply for 180 days, so apportionments could only be made for the first two quarters; the other 50% would be for the balance of the year. The only way to change that would be to request a Secretarial amendment which may be difficult. Council members felt an emergency rule would be justified because of the strong appeal from industry during public testimony to avoid having the season shut down in three months; this does create an economic and social emergency and also could be a biological emergency in that a large portion of the quota is being taken out of one component of the stock. Allocating in quarters will allow better monitoring of the fishery inseason.

**Oscar Dyson moved to advise the Secretary of Commerce of the need for an emergency rule to allocate 25% of the pollock quota to each quarter (17,500 mt per quarter), with the total Shelikof quota available in the first quarter. Any unused quota would rollover to the next quarter. The motion was seconded by Tony Knowles.**

During discussion of the ability to allocate to the last two quarters in the absence of an emergency rule, it was decided that the Regional Director has the authority to set seasons and if warranted he could choose not to open a season in the third quarter.

**Larry Cotter moved to amend the motion to allocate 25% of the quota (17,500 mt) to the Western/Central Gulf of Alaska pollock TAC to the first quarter; 25% to the second quarter, and provide that the Shelikof Strait portion be counted within the first quarter allocation. The motion was seconded by Oscar Dyson. This was considered a friendly amendment to the main motion.**

**Bob Alverson moved a substitute motion to allocate 50% of the pollock TAC in the Western Central Gulf of Alaska be allocated through June 30. The motion was seconded by Joe Blum and failed, 8 to 3, with Alverson, Blum and Mace voting in favor.**

**The main motion carried, 10 to 1, with Pennoyer objecting.**

MINUTES  
NPFMC MEETING  
DECEMBER 1989

(d) Status of Regulatory Amendments

The Council received a brief status report on the halibut exclusion device. NMFS staff recommended that an industry working group be established to consult with staff to discuss the ideas and advise on the feasibility of recommended regulations. The Executive Director suggested that a meeting with industry could be held in Seattle the day after the sablefish hearing in December. Council members agreed with this suggestion. Bob Alverson will chair the meeting.

**E. FINANCIAL REPORT**

There was no financial report.

**F. PUBLIC COMMENTS**

There were no further public comments.

**G. CHAIRMAN'S REMARKS AND ADJOURNMENT**

Chairman Collinsworth adjourned the meeting at 5:10 p.m. on Friday, December 8, 1989.