

EXECUTIVE DIRECTOR'S REPORT

Last week we received a letter signed by many of the most able and respected leaders of the Northwest fishing industry asking the Council to re-evaluate many of its procedures. That letter is Attachment B-1(a) under this agenda item. The questions they raise, and the recommendations they make are very thought provoking and, I believe, very timely. Some of the problems they outline do involve procedural matters that are difficult or impossible to change without greatly altering some of the current legislation and administrative procedures required of the federal government. But many are not, and I think those areas can be improved. In fact, the Council staff has been working since July on a plan to change our current procedure and while it may not, in the long run, greatly speed things up, I think it can greatly improve the quality of the end product and simplify the now sometimes cumbersome and expensive role of interested users.

I don't believe it's necessary or desirable to respond to this letter in detail at this time. I do look on it as constructive criticism, and I would like the Council to work with the staff, probably through the Policy and Planning Committee, to thoroughly review all of these problems and find solutions that we can implement within current legislative guidelines.

Chairmen's Meeting

Attachment B-1(b) is the tentative agenda for the Chairmen's Meeting scheduled for Biloxi, Mississippi November 2-4. I have asked them to add conflict of interest problems with Council and AP members and OMB review of Council actions. Time is getting tight; if you have other additions you wish to recommend, please let me know at this meeting.

Conflict of Interest

NOAA General Counsel in Juneau is working with the NOAA Counsel in Washington in an attempt to get an exemption from the conflict of interest statute for Council members. Meanwhile, the suit brought by Alaska Legal Services on the halibut moratorium still drags on with a possibility that depositions will still have to be made by some Council and AP members. Pat Travers or Thorn Smith should be able to elaborate on the current status of this subject.

Other Meetings and Conferences

October and November are loaded. The symposium on fisheries law, Oct. 21-22 in Seattle, has five reservations for the Council. We need to decide at this meeting how many of those we want to use and who will attend.

The Fish Expo in Seattle October 26-29 will have a North Pacific Council presence in a booth we are sharing with other Alaska fishery groups, Sea Grant, ADF&G, United Fishermen of Alaska, and Alaska Seafood Marketing Institute. The display will be modest, but it will be manned so that we can discuss fishery management with anyone willing to stop and chat.

EXECUTIVE DIRECTOR'S REPORT, cont'd

The fisheries conference in Rome sponsored by FAO starting October 10 is still on, but the representative of the Pacific and North Pacific Councils, Professor Bevan, will not be a member of the U.S. delegation. Instead of the original 13-member delegation planned, there will only be 6 going for the U.S. Dr. Bevan's name was apparently seventh on the list. We are not quite sure how the final selection was made, but it was not on the basis of professional ability or status in the field of fisheries.

The International North Pacific Fisheries Commission U.S. Section will meet in Anchorage on Friday and Saturday following this meeting. Their plenary session is set for November 1-4 in Anchorage.

The Marine Mammal Conference on the inter-relationship between fisheries and marine mammals in the Bering Sea, co-sponsored by the Council and the Marine Mammal Commission, will be held in Anchorage October 18-21. The purpose of the conference is to discuss that inter-relationship and identify areas where we should concentrate to obtain further information on this complex problem.

The meeting between the U.S. and Japanese fishing industries to work out joint venture arrangements for 1984 has not been scheduled, but we expect it to be sometime in the first half of November. That meeting will give us most of the information we need to estimate joint venture requirements next year and set final TALFF figures at the December meeting.

The Pacific Marine Fisheries Commission meets Nov. 7-8 in Boise, Idaho, and the Pacific Council meets Nov. 9-10 in the same city. I have been invited to attend the Pacific Marine Fisheries Commission meeting and would like to do so in conjunction with my return trip from the Chairmen's meeting in Mississippi. I would like to stay for the Pacific Council Meeting. I have not attended one of their meetings for several years. Those I have attended in the past have allowed me to compare our methods of operation and incorporate some procedures that have helped us. I find it quite productive to sit in with any of the other Councils whenever I get the opportunity.

Attachment B-1(c) is the current status of plans and amendments.

We have scheduled a group photo of the Council for 10:30 a.m. this morning. It should only take a few moments and will be done in this room.

Please be sure to submit all travel claims within 30 days. The end of the fiscal year is here.

The following information is being furnished to you for your information only. It is not to be disseminated outside your organization. This information is being furnished to you for your information only. It is not to be disseminated outside your organization.

The following information is being furnished to you for your information only. It is not to be disseminated outside your organization. This information is being furnished to you for your information only. It is not to be disseminated outside your organization.

The following information is being furnished to you for your information only. It is not to be disseminated outside your organization. This information is being furnished to you for your information only. It is not to be disseminated outside your organization.

The following information is being furnished to you for your information only. It is not to be disseminated outside your organization. This information is being furnished to you for your information only. It is not to be disseminated outside your organization.

The following information is being furnished to you for your information only. It is not to be disseminated outside your organization. This information is being furnished to you for your information only. It is not to be disseminated outside your organization.

Attachment B-1 (c) contains information of a classified nature.

The following information is being furnished to you for your information only. It is not to be disseminated outside your organization. This information is being furnished to you for your information only. It is not to be disseminated outside your organization.

The following information is being furnished to you for your information only. It is not to be disseminated outside your organization. This information is being furnished to you for your information only. It is not to be disseminated outside your organization.

Council Members
September 13, 1983
Page 2

The following examples are presented in the hope that they will be of value to the Council in considering the concerns noted above.

1. Requests are often made for the Council to take action on important management issues including plan modifications. Many of the requests lack supporting data outlining the characteristics of the problem, the value of proposed changes and the impact on various user groups. In some instances the Council acts quickly on the requests and subsequently asks its staff, the National Marine Fisheries Service and state agencies to develop the supporting justification. The post-documentation process is not subject to discussion in public Council meetings nor is it reviewed by the SSC and the Advisory Panel.

2. In order to make effective use of existing state management capabilities, the Council has transferred to the Alaska Fishery Board a significant share of the responsibility for development of annual king crab regulations. Nevertheless, the undersigned are united in the view that the Council retain the responsibility to review carefully king crab regulations to ensure their conformance with the purposes and intent of the MFCMA.

3. The long delays in implementing management plans have left the industry uncertain as to the future management of many resources and as to the capacity of the government to achieve the management goals of the MFCMA.

4. The repeated occurrence of agenda items dealing with unresolved problems requires interested users to spend valuable time and money attending meeting after meeting where little or no progress is evident. Frequently there is no explanatory information accompanying agenda items and no technical or scientific data provided to interpret the consequences of proposed actions.

It is obviously easier to raise and identify problems than to suggest satisfactory solutions. Some of the difficulties involve procedural matters and may reflect the workload and limited time available to deal with the spectrum of issues before the Council. In order to bring a greater sense of order and commitment to required procedures, we strongly urge that the Council: (a) carefully review guidelines for selecting agenda items; (b) consider a more selective and time-structured process for dealing with recurrent issues; (c) require parties asking for plan modifications

Council Members
September 13, 1983
Page 3

to submit a written statement of the nature of the problem, action required for its resolution and the consequences of their proposal to the impacted user groups; (d) evaluate its method of dealing with management plans with the intent of minimizing repetitious items dealing with singular problems; (e) organize meetings to deal primarily with a specific management objective of the MFCMA.

In closing, it is important to note that the signers of this letter are strong supporters of the MFCMA and clearly recognize the opportunities it offers for rational use of our living resources and their development. We also recognize that the success of the Council hinges on active public participation and involvement. It is our concern for the Council and its future that has given rise to this letter. We thank you for consideration of our concerns and hope our proposals may lead to an improved Council process.

Yours sincerely,

R. Barry Foster
Hughes' Yachest Estlin
Walter Rieppa
Marine Resources Co-
Fund 1/5/83
Stewart Seafoods

John B. Peters, President
Ocean County Export, Inc.

Ernar Pedersen SR
(Highlanders)

Carl H. Johnson
Falcon Fish
Royal Fishing Inc.

James R. Buntant
Touquet Seafoods Corp

Kenneth S. Ubi
North Pacific Seafoods Inc.

Myrtle Peterson Petri - Seafoods

Alb H. Brendt
Hatch Sea Fishing Co
Columbia - Hatch Fisheries
Robert D. Alverson, Fishing Vessel
Owners Association
Barry D. Collier, North Pacific Fishing
Vessel Owners Association

Robert McWhorter
FISH SEAFOODS INC

Robt J Meyer - Pacific Sealed Products
1982

John - Universal Seafoods, Ltd.

Asa W. INLAKS SEAFOOD CORP.

Donald Peterson AMERICAN No. 1
North Pacific Fishing
Nennis Peterson Vessel Owners Assoc.

H.K. Pedersen SEAWEST INDUSTRIES
EXX

TENTATIVE AGENDA
COUNCIL EXECUTIVE DIRECTOR'S SESSION
BILOXI HILTON
NOVEMBER 2, 1983

- I. Adoption of Agenda - Swingle
- II. Council Chairmen's Agenda - General Discussion
 - a. Review of Discussion Topics
 - b. Determination of Order of Council Statements (Agenda Topic II)
 - c. Selection of Council Rapporteur and Spokesmen, Etc.
 - d. Revisions to Agenda
- III. Confidentiality Procedures for Councils - General Discussion
- IV. Proposed Council Operations Guidelines - General Discussion
- V. Report on Resolution of OMB Modification of Rules - Bryson
- VI. Impacts of Budget Reduction on Council Operations - Greenley
- VII. Inclusions of Fishery Products in U.S. A.I.D. Commodities Program - Bryson
- VIII. Theory of Management - Branson
- IX. Effectiveness of Framework Measures - General Discussion
- X. Responsiveness of NMFS to Council Research Requirements - General Discussion
- XI. Need for Council Liaison Staff in Washington - Marshall
- XI. Summary of Executive Director's Discussions - Swingle
- XXI. Other Business - Swingle

TENTATIVE AGENDA

COUNCIL CHAIRMEN'S MEETING

BILOXI HILTON

NOVEMBER 3 - 4, 1983

- I. Introduction and Adoption of Agenda - Gulf Chairman
- II. Future of Fisheries Management Under the Magnuson Act
 - a. Achievements and Problems During the Past Seven Years
 1. Council Viewpoints - each Council's Spokesman
 2. NMFS Viewpoint - NMFS Spokesman
 - b. How should Fishery Management be Directed to Better Serve the Nation
 1. Council Viewpoints - Each Council's Spokesman
 2. NMFS Viewpoint - Gordon
 - c. Requirements for Improved Fishery Management
 1. Council Viewpoints - General Discussion
 2. Summary of Recommendations - Finch
 - d. Final Statement
 1. Council Rapporteur
 2. William Gordon
- III. Budget
 - a. NMFS and Council FY' 84 Funding Levels and Future Outlook - Gordon
 - b. Impact of Funding Levels on Council Effectiveness - PC
 - c. Involvement of the Council's in the Budget Process - SAC/Gordon
 - d. Consideration of a Joint Approach if Reductions in Budget Occur - MAC
 - e. Consideration of Alternatives for Administration of Council funding - NEC
- IV. Council Access to Confidential Statistics - MAC/Gordon
- V. Litigation Affecting FMP's and Council Operations - McMannus/Johnson
- VI. Current Legislative Bills Affecting Fisheries - Congressional Staffs
- VII. Report on Executive Director's Session - Executive Directors
- VIII. Future Meetings of Chairman - Gulf Council Chairman

Status of Fishery Management Plans

1. Salmon FMP

No action is required of the Council at this meeting. There will be an update on the fishery.

2. Herring FMP

The Council will consider final approval of the FMP, proposed regulations, and supporting documents at this meeting. Several alternatives for treating incidental catch will be reviewed.

3. King Crab FMP

The final package is ready for re-adoption by the Council so that the plan can be submitted for fast-track Secretarial review.

4. Tanner Crab FMP

The Council is scheduled to take final action on Amendment 10 addressing recent state changes in exclusive registration areas and pot limits. The Council will also review NMFS's disapproval of pot limits in Amendment 8.

The Council approved in July Amendment 9 which will update ABC/OYs with numerical ranges, framework seasons, revise the in-season adjustment section, and add a new section on pre-season adjustments. The amendment package is being prepared and will be submitted to Secretarial review in mid-October.

Amendment 8, the housekeeping amendment, began Secretarial Review on May 16, 1983 and is targeted for implementation on October 5, 1983. The portion setting Kodiak pot limits at 250 was disapproved by NMFS.

5. Gulf of Alaska Groundfish FMP

The Council will hear a report on the meeting of the Prohibited Species Workgroup and may consider a prohibited species amendment. The Council will give preliminary consideration to equilibrium yields, optimum yields, DAP and JVP for 1984.

In July the Council voted to raise the pollock OY from 143,000 mt to 183,000 mt in the Central Gulf. The mechanics of implementing this increase in OY are now being worked out and may be discussed at this meeting.

Amendment 12, which would ban pots in the Southeast sablefish fishery, is being prepared for submission to Secretarial review.

Amendment 11, which adjusts sablefish and pollock OY and introduces a framework DAH was approved by NMFS on September 1, 1983 and is targeted for implementation on January 1, 1984.

Statement of Financial Position

Section 100

no action is required of the Council in this regard. There will be no report on the Library.

Section 101

The Council will continue to have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS.

Section 102

The Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS.

Section 103

The Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS.

The Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS.

The Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS.

Section 104

The Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS.

The Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS.

The Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS.

The Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS, and upon approval of the IRS, the Council will have approval of the IRS.

6. Bering Sea/Aleutian Islands Groundfish FMP

The Council will review the Resource Assessment Document for 1984 and initially review TACs, DAP, and JVP for the 1984 groundfish fishery. These will be finalized in December. The Council may also clarify its past actions in Amendment 1 concerning the beginning date of the foreign trawl fishery closure for Petrel Bank.

Amendment 9 establishing field order authority for conservation closures, was approved in July for public review. Final Council action will come in December.

Amendment 8 setting salmon PSC limits for 1984 and 1985 was approved by the Council in May 1983 and will be implemented through a rule-related notice.

Amendment 7 modifying restrictions on foreign longliners in the Winter Halibut Savings Area was implemented on August 31, 1983.

Amendment 6 creating the Fishery Development Zone began Secretarial review on September 5, 1983 and, if approved, will be implemented on January 24, 1984.

Amendment 1 on managing groundfish as a complex was approved by NMFS on July 26, 1983, and is scheduled to be implemented on January 1, 1984. The portion concerning the Petrel Bank needs to be clarified (see above).