

# North Pacific Fishery Management Council

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## MINUTES

### NORTH PACIFIC FISHERY MANAGEMENT COUNCIL NINETEENTH PLENARY SESSION September 28-29, 1978

The regular monthly meeting of the North Pacific Fishery Management Council was held in Sitka, Alaska at the Centennial Building. An attendance roster of Council members, the SSC, AP and public is attached as Appendix A.

The Council meeting was called to order on Thursday, September 28th at 8:30 a.m. by Chairman Harold Lokken. The Scientific and Statistical Committee met in the Centennial Building on September 27th and again on the 28th. The Advisory Panel met on September 27th and 28th in the Centennial Building. Both groups met concurrently with the Council throughout the meetings.

The preliminary agenda for the Council meeting was approved after deletion of two items; a presentation on the concept of a PISCES organization by Dr. Lee Alverson and SSC and Council relationships by Dr. Alverson. Dr. Alverson was unable to attend the meeting and therefore these were delayed until the November 2 - 3 meeting. The agenda is included as Appendix B. Minutes of the August meeting were approved and are included as Appendix C.

#### EXECUTIVE DIRECTOR'S REPORT

Included as Appendix D.

#### SCIENTIFIC & STATISTICAL COMMITTEE REPORT

Included as Appendix E.

#### ADVISORY PANEL REPORT

Included as Appendix F.

#### U.S. COAST GUARD REPORT

Commander Pete Busick reported that since the last Council meeting, two reports of violations and six citations had been issued. Council Member Bob Mace asked what types of fines are given on these violations

and Commander Busick stated that was handled by NOAA Legal Counsel's office. Mr. Kim White, NOAA legal counsel, said there were guidelines which NOAA followed, but vessel size was a determining factor and that he would provide a monthly report to the Council describing penalties, fines, etc., which have been issued on the violations and citations.

#### FINANCE COMMITTEE REPORT

Mr. Jim Campbell, Acting Chairman of the Finance Subcommittee reported the Finance Committee met on September 28th and reviewed the Joint Venture study contract with the University of Alaska. They recommended approving payment of the contract. They also reviewed the Dames & Moore Report (herring socio-economic studies) and approved final payment of the contract. They discussed the reduction in the FY'79 administrative budget but took no action at this time. They heard a report from the SSC on the cost of the Shrimp Workshop which is projected to cost \$14,000.00. The subcommittee recommended the Council fund \$3,500 of that amount. The University of Alaska Sea Grant Program has already committed \$4,000 and it is expected that ADF&G and NMFS will fund the remainder. The Finance Committee recommended not increasing the SSC from 10 to 11 members at this time. For reasons of economy they feel the membership should remain at 10. If at some future date an increase is needed the Finance Committee asked for a cost estimate before they reviewed the matter. The Council unanimously approved the Finance Committee recommendations.

#### INCIDENTAL SPECIES GROUP REPORT

Council Member Don Hales, Chairman of the Incidental Species working group, said the group met on September 28th and reviewed the working draft of a position paper which lays out the problems of mixed species fisheries management and proposed strategies and guidelines for dealing with the problem. They will meet again on November 1 and have a more complete report for the Council at the November meeting.

The AP said some of their members had attended a meeting of the Incidental Species Working Group on September 28th. The AP withheld comment pending further work by the Incidental Species Group.

The SSC said Dr. Donald Bevan represented the SSC at this meeting. The SSC will discuss the subject at their meeting on October 25-26 and report to the Council.

#### TANNER CRAB FMP FOR 1979

The Council heard testimony from Mr. Jay Hastings, representing the Japanese Tanner Crab Industry, regarding the amendments to the Tanner Crab FMP the Japanese Tanner Crab Industry had asked for during the August meeting. Mr. Hastings asked the Council to postpone considering those requests until the November 2nd and 3rd meeting, after meeting with the U.S. crab industry to get comments on the proposals.

The Council considered revisions to the Tanner Crab FMP for 1979 but due to the lack of up-to-date data deferred action until the November 2nd and 3rd meeting, allowing time to get comments from the U.S. crab industry.

#### SSC MEMBERSHIP

The SSC requested a revision to their Charter to increase their membership to eleven. This would enable them to replace Don Collinsworth with an economist from the Alaska Department of Fish and Game when one is hired, and still enable them to add a marine mammal specialist.

The Council unanimously approved reappointing members Alan Millikan, Ed Miles, George Rogers, Jack Robinson, Donald Bevan and Donald Rosenberg, with Jack Robinson as Vice-Chairman and Don Bevan as Deputy Vice-Chairman and approved the appointment of Jack Lechner of ADF&G, Kodiak to replace Carl Rosier on the SSC. They discussed revising the SSC Charter to include eleven members, but upon the recommendation of the Finance Committee left the number at ten with the tenth position to be filled with a marine mammal specialist.

#### PUBLIC HEARINGS

Due to the good attendance at the public hearings held on the Troll Salmon FMP in Juneau, Ketchikan, Petersburg, Pelican and Sitka between September 22 and 27, the public hearing scheduled for October 5, 1978 in Ketchikan, Alaska was cancelled. Over 300 fishermen and interested persons attended the hearings with testimony from approximately 60 people. Mr. Scott Stafne, attorney for the Alaska Trollers Association concurred with the Council's action to cancel the October 5th hearing.

#### HALIBUT WORKING GROUP

The Advisory Panel reported they had reviewed the 14 recommendations drawn up by the Halibut Working Group at their meeting in Seattle on September 18th (Appendix G). They discussed development of the halibut management plan, and adopted a motion expressing concern over the probability there would be no management regime off Washington, Oregon and California for halibut after the IPHC was terminated and conveyed this concern to the Council, asking that it also be formally expressed to the Pacific Council.

The SSC stated they reviewed and endorsed the recommendations of the working group with the exception of the order in which the 14 points were listed. They feel the 14 point proposal provides a logical course of action and urged the Council to take immediate steps to support legislation which would provide for continuation of IPHC functions under the NMFS and the transfer of the scientists and support staff of the IPHC to NMFS.

The Council reviewed the recommendations which urged immediate negotiations with Canada with the aim of continuing joint halibut research after April 1, 1979; in the event this is unacceptable to Canada, 13 other recommendations were made which included terminating the IPHC on April 1, 1979, as scheduled; transfer management of halibut stocks off Alaska to the NPFMC and the stocks off Washington, Oregon and California to the Pacific Fishery Management Council; transfer the staff of the Halibut Commission, thru legislation if necessary, to a special division of NMFS to continue their current research function; and others.

Council member Wendler suggested that a letter signed by the Chairman of the Council be sent to the Chairman of the Pacific Council advising him of our actions.

Council member Meacham stated Governor Hammond was aware of the action the Council was taking and supported it. He asked that Governor Hammond be kept uptodate on our actions as he will then write to the Alaska State Senators and Congressman Young in support of our actions.

Congressman Don Young of Alaska attended the meeting briefly on the 28th and asked the Council to draft these recommendations in the form of legislation and forward them to him in Washington, D.C.

Council member Harville stated the Pacific Council had asked their Groundfish FMP Management Plan Development Team to consider the halibut management problem.

The Council unanimously adopted the 14 recommendations as their policy and action was initiated to implement them.

#### ELECTION OF CHAIRMAN FOR 1979

The Council unanimously elected Mr. Clement V. Tillion as the new Chairman for the North Pacific Fishery Management Council for 1979 and Mr. Harold Lokken as Vice-Chairman, effective October 1, 1978.

#### HERRING FMP STEERING GROUP APPOINTED

A Council steering group consisting of Dr. John Harville, Pacific Marine Fisheries Commission, Dr. Ronald Skoog, Alaska Department of Fish & Game and Jim Campbell, Anchorage, Alaska, was appointed by the Council to work with the Management Plan Development Team on the Herring Fishery Management Plan.

#### SSC MEETING FOR OCTOBER

The SSC will be meeting on October 25-26 at the Northwest and Alaska Fisheries Center in Seattle in advance of the November 2nd and 3rd Council meeting. Among the topics they will review are public comment on the troll plan and any other material in support of that and

the Halibut FMP. Due to scheduling conflicts there will be no formal SSC meeting on November 2nd and 3rd, however members of the SSC will be present at the Council meeting to present their report. The SSC asked that the Council staff provide them with the necessary material they will need to review and consider at that meeting.

#### INPFC CONFIRMATION

The Council discussed appointment of members to represent them on the INPFC. The Council unanimously approved Council members Harold Lokken and Clement V. Tillion to continue as the Council's representatives.

#### JOINT VENTURE APPLICATION FORM

A proposed joint venture application form was submitted to the Council for their review by the DOC, with comments and/or recommendations to be submitted by October 20th.

The Advisory Panel reviewed the application form and recommended improvements in several areas by making the following changes:

Item 2 Change to read "Estimated number and type of vessels of the United States from which United States harvested fish will be received."

Item 3 "State home and principal operating port."

Item 4 was recommended strengthened by requiring that specific INPFC statistical areas be designated as operating areas in the Gulf of Alaska and appropriate geographical areas in the Bering Sea be identified.

Item 5 was recommended changed to read "Months during which vessels are expected to operate."

A new Item 12 was recommended: "Method of measuring catch and incidental catch."

The Panel expressed concern that precautions must be taken to guarantee the proper conduct of the joint venture operation.

The Council discussed the proposed joint venture application form and concurred with the recommendations of the Advisory Panel. The Council unanimously moved to accept the AP recommendations with the changing of Item 3 to read "State home port and principal operating port."

## KMIDC/DAVENNY JOINT VENTURE

Council member John Harville expressed concern about the Council not having current information on KMIDC/Davenny operation. He wanted it on the records that we have asked for more information regarding this operation. Chairman Lokken asked the Executive Director to write Mr. Davenny and asked for information on the number of vessels, size, names of Masters, some idea of experience, and provide this information at the November meeting.

## NMFS REPORT ON FOREIGN FISHING ACTIVITIES OFF ALASKA (Appendix H)

Ron Naab, NMFS Juneau, presented the NMFS report. There has been a substantial decline in the number of Japanese vessels fishing off Alaska in 1978. There were 290 foreign vessels fishing off Alaska during a period from September 1 to 15 with approximately 235 foreign vessels at present, the main reduction being in the Japanese fleet.

There are no foreign vessels off Southeast Alaska at the present time. Off Yakutat four Japanese longliners are concentrating on blackcod and two Japanese stern trawlers working on pollock and rockfish. There are four Japanese longliners, six Japanese stern trawlers and one support ship and two Soviet stern trawlers off Kodiak. In the Western Gulf of Alaska, Chirikof and Shumagin areas, there are six Japanese longliners, some of which are fishing cod, three Japanese stern trawlers, five South Korean stern trawlers and two South Korean longliners. There are a total of 35 foreign fishing vessels in the Gulf at the present time.

Eight Japanese stern trawlers and one Soviet stern trawler are operating along the entire Aleutians.

The major fishing effort is in the Bering Sea. In the area just north of Unimak Pass and in the area northeast of the Pribilofs there are currently 95 foreign fishing vessels. The group immediately northwest of Unimak Pass is fishing primarily on pollock. There are 57 Japanese vessels composed of two fleets that are producing surimi; also 3 South Korean stern trawlers, 1 support ship and 2 Taiwanese stern trawlers. There are 24 large Soviet stern trawlers with 1 support vessel fishing for flounders in the Bering Sea. There is also 1 Japanese factory ship with six accompanying trawlers in this fishery. They anticipate the catch of flounders, primarily yellowfin sole, in the eastern Bering Sea will increase rapidly. In the central Bering Sea there are nearly 100 foreign vessels fishing primarily for pollock.

The Japanese crab fishery in the Bering Sea ended on September 14. The unharvested remainder of their 15,000 ton quota was 35 tons.

Mr. Carl Price, State Department Representative, reported Mexico had contacted the State Department and indicated that they intended to take only a small amount of their quota and the remaining amounts could

be reallocated. They indicated they would not be taking the following amounts:

14,000 mt of pollock  
5,600 mt of Pacific cod  
1,000 mt of squid  
2,000 mt of POP

Mr. Jim Brooks reported on the status of actions to release PMP reserves in the Gulf of Alaska and revise PMP TAC's in the Bering Sea/Aleutians. He stated the release of reserves the Council had recommended at its August meeting had been made.

He said that in order to deal with the problem of additional allocations to South Korea, they amended the 1978 OY's in the Bering Sea for the purpose of augmenting allocations sufficiently to resolve bycatch problems. The increases by species were as follows:

Yellowfin sole	20,000 mt
Other flounders	20,000 mt
POP	1,500 mt (Bering Sea only)
Pacific cod	11,000 mt
Other groundfish	6,400 mt (Bering Sea only)
Squid	800 mt

These amendments were published in the Federal Register the last week of September and will become effective after a 15-day comment period.

He asked for Council concurrence in this action. He stated that concurrence by the Council to make these additional releases would waive much of the comment period and the cooling off period. He pointed out it was obligatory under the FCMA to provide opportunity for foreign fishermen to harvest surpluses if we cannot show good cause for not doing so.

Council Member Tillion opposed voting 'after the fact.' The Council passed a motion to concur with this action, with Vice Chairman Tillion opposing the motion. The Council asked that in the future all matters be brought before the Council before action is taken so they could review the matter.

#### RESEARCH CONTRACTS

- o Final Report - Investigation of Joint U.S./Foreign Ventures in the Developing Commercial Fishery off Alaska - University of Alaska

The AP reported they had listened to a report from the SSC on their findings of the University of Alaska joint venture report and agreed with the SSC to recommend to the Council that the report be accepted in fulfillment of the contract.

The SSC said their socio-economic subcommittee studied this report by the University of Alaska. The options presented were not recommendations but alternate views on what might occur under various possible circumstances. They said that without actual experience with joint venture operations it is not possible to evaluate the effects of such operations on the domestic harvesters or processors. The picture is changing rapidly and the present report is already out of date. The SSC recommended the report be accepted and that the Council authorize final payment under the terms of the contract.

The Council moved to accept the report and upon the recommendation of the Finance Committee authorized payment under the contract.

- o Final Report - A Study of the Socio-Economic Impacts of a Commercial Herring Fishery on the Villages and Residents of the Arctic/Yukon/Kuskokwim Area in Western Alaska - Dames & Moore

The Advisory Panel, noting that they did not necessarily agree with all the findings in the report, recommended the Council accept the Dames & Moore Report. They stated Mr. Harry Wilde and Mr. Jesse Foster had testified during the Advisory Panel meeting and the AP recommended they testify before the Council on the report.

The SSC said they had reviewed the final report and concluded that it conformed to the requirements of the contract and recommended the report be accepted by the Council. They stated the report was well written and provided information not previously compiled regarding the utilization of herring for subsistence in the study area. A subcommittee of Steve Pennoyer, George Rogers and Ed Miles was appointed to evaluate the management alternatives and recommendations of the report as they relate to the Bering Sea Herring Management Plan and they will report to the Committee at the next meeting.

The Council heard testimony from Harry Wilde, Jesse Foster and Joe DeMantle representing the herring subsistence areas. They presented a table entitled "Summary of Subsistence Harvest of 9 Villages in the A.V.C.P. Region, 1976." They felt the report was a good one but was lacking information on subsistence and the actual amount of fish products used per family. They feel the Dames & Moore report underestimates subsistence use and wants the area closed to commercial fishing until further studies can be conducted. Mr. DeMantle stated that there was no scientific data by Dames & Moore to back up their subsistence information.

The Council, upon the recommendation of the Finance Committee, SSC and AP, accepted the Dames & Moore report and approved final payment of the contract.

The Council also heard brief comments on five other contracts, Interim Report - "An Investigation of the Continent of Origin of Sockeye and Coho salmon in the Area of the Japanese Landbased Fishery," University



of Washington; Interim Report - "Coded Wire Tag Recovery Program on Chinook and Coho salmon in Southeast Alaska," ADF&G; Interim Report - "The Pilot Observer Program for the Troll Salmon Fishery off Alaska," ADF&G; Interim Report "Study to Determine the Effects of Hydraulic Clam Harvesting in the Eastern Bering Sea" Tetra Tech; and Interim Report "Assessment of Spawning Herring & Capelin Stocks at Selected Coastal Areas in the Eastern Bering Sea", ADF&G.

#### PUBLIC TESTIMONY

During the Public Comment period of the meeting the Council heard oral comment on the Salmon Troll FMP from Mr. William Donnelly, a power troller from Sitka; Mr. William Stokes, representing the Sitka Hand Trollers Executive Board; Ms. Leania Newman and Mr. Steve Lowery. Also from Mr. Charles Christenson regarding the Halibut FMP.

#### Japan Deep Sea Trawlers Association

Mr Hiromi Kawamoto, a representative of the Japanese Deep-Sea Trawlers Association, presented comments concerning the 1979 FMP for the Bering Sea/Aleutian area. (Appendix I).

#### Japanese Fishing Industry

Mr. Jay Hastings, attorney for the Japanese Fishery Association, asked that the Council not consider their requests made at the August meeting regarding revisions to the Tanner Crab FMP at this time. They asked the Council wait until the meeting on November 2nd and 3rd.

The meeting adjourned at 9:45 a.m. The next meeting will be held November 2nd - 3rd, 1978 at the Westward Hilton Hotel in Anchorage, Alaska.

Complete tapes of the Council meetings are available through Alaska Sound Labs at the price of \$2.00 per 60 minute tape. If interested in obtaining a set, please contact the Council offices.