

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Chris Oliver *Chris*
Executive Director

DATE: June 1, 2004

SUBJECT: Central Gulf of Alaska Rockfish Demonstration Program

ESTIMATED TIME
2 HOURS

ACTION REQUIRED

Finalize alternatives and elements for analysis.

BACKGROUND

Section 802 of Title VIII of the Consolidated Appropriations Act of 2004 directed the Secretary of Commerce to develop a rockfish demonstration program for the Central Gulf of Alaska rockfish fisheries in consultation with the Council. At its April meeting, the Council responded to the directive of the legislation, a discussion paper from NOAA Fisheries staff, public testimony, and an industry stakeholder proposal, by adopting for analysis a set of alternatives and elements that could be used to select an alternative to establish the demonstration program. The Council included in its motion from its April meeting a request that staff provide the following information concerning activity of participants eligible for the rockfish program:

- 1) Vessels (by name) that made landings in the CGOA target rockfish fishery from 1996-2002 with current endorsement status;
- 2) Estimates of TH and RE/SR incidental catch requirements in the sablefish, halibut and pcod LL fisheries. The Council recommends using observer and IPHC data;
- 3) Natural divisions in the level of history awarded within each sector (i.e. between vessels with minimal, moderate and high participation);
- 4) For the following fisheries: GOA flatfish (all), AI POP, BSAI other flatfish, BSAI yellowfin sole, BSAI pacific cod, WGOA rockfish, WYAK rockfish;
Participation patterns in these fisheries during the month of July by LLP holders who will receive allocations;
- 5) Percentage of total catch, by species complex, in the month of July for each year 96-02 by sector
GOA: Deep complex=rex sole, deep water flatfish, arrowtooth flounder
Shallow complex=shallow water flatfish, flathead sole
BSAI: Other flatfish=rocksole, flathead sole, arrowtooth flounder, Alaska plaice, other flatfish.

In response to this request, staff has provided the attached Report on Sideboards (Item C-5(a)). Time limitations did not allow staff to provide all of the information requested by the Council. The report contains all of the information requested in 1), 3), and 4) and the percentage of retained catch by eligible vessels in response to 5).

Staff has also reviewed the Council's motion identifying alternatives, elements, and options for analysis with NOAA Fisheries staff. Comments from this review and proposed clarifications to the motion are provided for Council consideration in the annotated copy of the motion attached (Item C-5(b)).

At this meeting, the Council will finalize alternatives and elements, so that staff can begin the analytical process.

As noted in the Executive Director's report, this project is being used as a pilot for the regulatory streamlining process that is intended to develop procedures and review processes to ensure the preparation of adequate and complete analyses of proposed management actions in a timely manner. Attached is an Action Plan (Item C-5(c)) that has been developed by Council and NOAA Fisheries staff for this project. The Action Plan is considered a planning document which reflects the problem, alternatives, and initial determination on appropriate NEPA document, as well as time lines and resources. Also attached is a letter reflecting the Regional Administrator's review of the Action Plan for this project (Item C-5(d)).

**Report on Sideboards
Central Gulf of Alaska Rockfish Pilot Program
June 2004**

At its April 2004 meeting the Council requested staff to provide the several items at this meeting to assist the Council in the development of options for sideboards to restrain participants in the Central Gulf of Alaska rockfish pilot program from encroaching on other fisheries. Specifically, the Council requested the following:

- 1) Vessels (by name) that made landings in the CGOA target rockfish fishery from 1996-2002 with current endorsement status
- 2) Estimates of TH and RE/SR incidental catch requirements in the sablefish, halibut and pcod LL fisheries. The Council recommends using observer and IPHC data
- 3) Natural divisions in the level of history awarded within each sector (i.e. between vessels with minimal, moderate and high participation)
- 4) For the following fisheries: GOA flatfish (all), AI POP, BSAI other flatfish, BSAI yellowfin sole, BSAI pacific cod, WGOA rockfish, WYAK rockfish:
- 5) Participation patterns in these fisheries during the month of July by LLP holders who will receive allocations
- 6) Percentage of total catch, by species complex, in the month of July for each year 96-02 by sector
GOA: Deep complex=rex sole, deep water flatfish, arrowtooth flounder
Shallow complex=shallow water flatfish, flathead sole
BSAI: Other flatfish=rocksole, flathead sole, arrowtooth flounder, Alaska plaice, other flatfish

In response to this request, staff has developed this report, which provides the information requested in 1), 3), 4), and 5). Also, this report provides the percentage of retained catch for possible sideboard fisheries identified in 6). Staff was unable to develop total catch estimates, necessary to provide the information requested in 6). In addition to the information requested by the Council, staff has included a description of landings inside of State waters, intended to verify the extent to which State water issues could arise in the management of these fisheries.

Vessel List for the Pilot Rockfish Program for the Central Gulf

Following is a list of vessels with target rockfish history that may be eligibility for the Central Gulf of Alaska rockfish pilot program. For purposes of generating this list, eligibility for the program is assumed to be based on having one or more targeted landings in the Central Gulf rockfish fishery (i.e., Pacific Ocean perch, northern rockfish, and pelagic shelf rockfish) between 1996 and 2002 and a valid LLP with trawl and Central Gulf endorsements. For catcher vessels, fish ticket data were assigned a weekly target based on retained fish only (not including fish destined for meal production). For catcher/processors, NMFS Blend data weekly target determinations were used.

The list was developed by identifying vessels that:

- 1) have one or more targeted rockfish landings in the CGOA in the month of July in at least one of the years 1996 to 2002, inclusive; and
- 2) received a CGOA trawl endorsed LLP license by
 - a) meeting the requirements for that license; or
 - b) transfer.

For each license/vessel meeting these requirements, the most recent vessel associated with the LLP license is identified below. In the case of licenses that have been transferred, the original vessel is also referenced in parentheses. LLP data, current to May 7, 2004, were used to assess LLP license/vessel associations. If no vessel is currently associated with the LLP, then the original vessel, which generated the LLP license is

included on the list. Only vessels that are either currently associated with an LLP license or the original vessel that generated the LLP are included on the list. Only one LLP per vessel is shown; some vessels have more than one Gulf trawl LLP. Also, note that the Intrepid Explorer, received both CV and C/P LLPs through transfer, and is included on both the catcher vessel and the catcher/processor lists.

Note: The list is being produced solely for analytical purposes and to assist industry members in coordinating discussions of the program. The presence or absence of your vessel on these lists does not establish your eligibility for the program. The methodology used is admittedly incomplete, in that it does not capture all transfers or transfer history. Eligibility for the program will be determined by NOAA Fisheries after adoption by the Council and approval by the Secretary of Commerce. Due to confidentiality requirements that protect catch data, this list will not be revised in the analysis, as doing so could compromise some data released concerning landings.

QUALIFIED CATCHER VESSELS

ALASKA BEAUTY	LLG1590
ALASKA DAWN	LLG1905
ALASKAN	LLG3764
AMBER DAWN	LLG2608
BAY ISLANDER	LLG3504
CAPE KIWANDA	LLG2636
CAPT'N ART	LLG2148
CARAVELLE	LLG2973
COHO	LLG4851
COLLIER BROTHERS	LLG1523
COMMODORE	LLG3904
DAWN	LLG2487
DEFIANT	LLG3496
DUSK	LLG2165
ELIZABETH F	LLG1273
EXCALIBUR II	LLG3521
FORUM STAR	LLG2394
GOLD RUSH	LLG3987
GREEN HOPE	LLG2188
GRUMPY J	LLG3604
HAZEL LORRAINE	LLG2567
HICKORY WIND	LLG3600
INTREPID EXPLORER	LLG3756 (NORDIC EXPLORER)
LADY JOANNE	LLG2222
LAURA	LLG3665
LESLIE LEE	LLG1183
MAR DEL NORTE	LLG1841
MAR PACIFICO	LLG2696
MARATHON	LLG2882
MARCY J	LLG2278
MICHELLE RENEE	LLG2550
MISS LEONA	LLG1710
MORNING STAR	LLG2164 (OCEAN HOPE I)
MUIR MILACH	LLG2554
NEW LIFE	LLG1367 (DOMINION)
OCEAN HOPE 3	LLG2683
PACIFIC RAM	LLG3144
PACIFIC STAR	LLG4852
PEGGY JO	LLG3594
PROGRESS	LLG3896
PROVISION	LLG2319
ROSELLA	LLG2364
TAASINGE	LLG2603
TOPAZ	LLG2535
TRAVELER	LLG3463
VANGUARD	LLG2565

WALTER N LLG1271
 WINONA J LLG2653
 (Two catcher vessels have targeted landings that do not appear to have LLP licenses)

QUALIFIED CATCHER/PROCESSORS

ALASKA RANGER	LLG2083 (ALASKA WARRIOR)
ALASKA SPIRIT	LLG3043
ALASKA VICTORY	LLG2080
ALLIANCE	LLG2905
AMERICAN NO 1	LLG2028
BILLIKIN	LLG3744 (BERING ENTERPRISE)
DEFENDER	LLG3217
GOLDEN FLEECE	LLG2524
INTREPID EXPLORER	LLG3741 (HARVESTER ENTERPRISE)
LEGACY	LLG1802
SEAFISHER	LLG2014
SOVEREIGNTY	LLG3740 (AMERICAN ENTERPRISE)
U.S. INTREPID	LLG3662
UNIMAK	LLG3957
VAERDAL	LLG1402

(5 catcher processors have targeted rockfish landings that do not appear to have LLP licenses)

“Natural Divisions” of Eligible Vessels Based on Total Targeted Rockfish Catch History

The Council requested staff to provide information concerning “natural divisions in the level of history awarded within each sector (i.e., between vessels with minimal, moderate and high participation).” Table 1 shows the division of eligible participants into three categories, based on the amount of qualified catch history.

“Natural divisions” in the total qualified harvests of eligible vessels shown have the following characteristics:

- 1) the divisions are based on large breaks in total history of the eligible catcher processors (as no clear dividing points exist for catcher vessels); and
- 2) the divisions are based on total harvests of eligible catcher vessels (no years were dropped in determining these divisions).

Table 1. “Natural Divisions” - Number of eligible participants in each sector by amount of qualified catch history

Total Catch of Targeted Rockfish 1996 to 2002	Catcher Processors	Catcher Vessels
Greater than 3,500 MT	5	0
3,500 MT to 750 MT	5	21
Less than 750 MT	5	27

Participation Patterns in the Targeted Rockfish Fishery

Tables 2 and 3 show participation patterns of eligible catcher processor and catcher vessel participants in the targeted rockfish fishery. These tables include transfer of history that occurred through the transfer of licenses between vessels. In these instances, the combined participation of both vessels is reflected in the table. So, if the original vessel associated with the LLP participated in 1996 and 1997 and the current vessel associated with the LLP participated in 1999, the table would reflect a single vessel that participated in 1996, 1997, and 1999.

Table 2. Participation patterns in the targeted rockfish fishery of eligible catcher processor participants

1996	1997	1998	1999	2000	2001	2002	Number of vessels with pattern	Cumulative number of vessels
X	X	X	X	X	X	X	2	2
	X	X	X	X	X	X	1	3
	X		X	X	X	X	1	4
X	X		X		X	X	1	5
X		X	X	X		X	1	6
X				X	X		1	7
	X	X			X		1	8
	X				X		1	9
X	X	X					1	10
X	X		X				1	11
X	X						2	13
X							1	14
		X					1	15

Table 3. Participation patterns in the targeted rockfish fishery of eligible catcher vessel participants.

1996	1997	1998	1999	2000	2001	2002	Number of Vessels with Pattern	Cumulative Number of Vessels
X	X	X	X	X	X	X	12	12
X	X	X	X		X	X	1	13
X	X	X		X	X	X	1	14
X	X			X	X	X	1	15
	X	X	X	X	X	X	3	18
	X	X		X	X	X	1	19
X		X	X	X	X	X	2	21
X			X	X	X	X	3	24
		X	X	X	X	X	2	26
			X	X	X	X	1	27
					X	X	1	28
X	X		X	X		X	1	29
X	X					X	1	30
X			X			X	1	31
				X		X	1	32
						X	1	33
X	X	X	X	X	X		1	34
X	X	X		X	X		1	35
					X		1	36
X	X	X	X	X			1	37
X	X	X					2	39
X							1	40
		X					4	44
			X				4	48

Table 4 shows the number eligible participants of each type by number of years of participation. The table shows that consistency of participation varies significantly across eligible participants for both sectors.

Table 4. Number eligible participants in each sector by number of years of participation

	years of participation							Total
	1	2	3	4	5	6	7	
Number of catcher processors	2	3	4	0	3	1	2	15
Number of catcher vessels	11	2	4	1	10	8	12	48
Total number of vessels	13	5	8	1	13	9	14	63

Target Participation in Other Fisheries by Eligible for the Rockfish Pilot Program

Tables 5 and 6 show participation patterns in possible sideboard fisheries of catcher processor and catcher vessel participants eligible for the rockfish pilot program. These patterns include all targeted participation by vessels with qualified rockfish participation that are currently associated with a valid, permanent LLP with a Gulf of Alaska trawl endorsement. As with the previous participation tables, these tables include transfer of history that occurred through the transfer of licenses between vessels. In instances when the license of an eligible participant was transferred, the combined participation of both vessels is reflected in the table. So, if the original vessel associated with the LLP participated in 1996 and 1997 and the current vessel associated with the LLP participated in 1999, the table would reflect a single vessel that participated in 1996, 1997, and 1999. Participation in the following fisheries was evaluated:

- Gulf of Alaska flatfish (rex sole, deep water flatfish, arrowtooth flounder, shallow water flatfish, flathead sole)
- Aleutian Islands Pacific Ocean perch
- Bering Sea/Aleutian Islands other flatfish (rocksole, flathead sole, arrowtooth flounder, Alaska plaice, other flatfish)
- Bering Sea/Aleutian Islands yellowfin sole
- Bering Sea Aleutian Islands Pacific cod
- Western Gulf of Alaska rockfish
- Western Yakutat rockfish

The tables show a variety of participation in these other fisheries by rockfish eligible participants. In the catcher processor sector, rockfish eligible participants most frequently participated in the flatfish fisheries in both the Bering Sea/Aleutian Islands and the Gulf. In the catcher vessel sector, rockfish eligible participants also most frequently participated in the flatfish fisheries. Eligible catcher vessel participants, however, participated primarily in the Gulf flatfish fisheries.

Table 5. Target participation in other fisheries by eligible catcher processor participants in the Central Gulf rockfish fishery.

(Continued)

	1996	1997	1998	1999	2000	2001	2002	Number of Participants
Western Gulf of Alaska rockfish	X	X	X	X	X	X		1
	X	X	X		X	X		1
	X							1
		X	X	X				1
Total Participants								4
Western Yakutat rockfish	X	X	X	X	X	X		1
	X	X						2
	X							1
				X		X		1
Total Participants								5

Table 6. Target participation in other fisheries by eligible catcher vessel participants in the Central Gulf rockfish fishery.

	1996	1997	1998	1999	2000	2001	2002	Number of Participants
Bering Sea/Aleutian Islands Pacific cod			X					1
							X	1
	Total Participants							
Gulf of Alaska flatfish (rex sole, deep water flatfish, arrowtooth flounder, shallow water flatfish, flathead sole)	X	X	X	X		X	X	1
	X	X	X		X	X	X	3
	X	X	X		X		X	1
	X	X	X		X			1
	X	X	X			X	X	1
	X	X	X			X		1
	X	X	X				X	2
	X	X	X					6
	X	X			X	X	X	1
	X	X			X	X		1
	X	X				X		1
	X	X						3
	X		X			X	X	1
	X					X	X	2
	X						X	1
	X							1
	X							6
			X	X		X	X	X
		X	X					1
			X				X	1
			X					1
					X		X	1
Total Participants								41

Table 6. Target participation in other fisheries by eligible catcher vessel participants in the Central Gulf rockfish fishery.

	1996	1997	1998	1999	2000	2001	2002	Number of Participants
Western Gulf of Alaska rockfish		X						1
							Total Participants	1
		X						1
Western Yakutat rockfish				X				2
					X			1
						X		1
							Total Participants	5

Table 7 shows the number of rockfish eligible participants that participated in the various fisheries being considered for sideboards by number of years of participation. The table shows that participation in these other fisheries varies substantially across rockfish eligible participants.

Table 7. Number of rockfish eligible participants with target participation in other fisheries by years of participation.

		Years of Participation							Total
		1	2	3	4	5	6	7	
Aleutian Islands Pacific Ocean perch	Catcher processors	1	0	1	2	0	0	0	4
	Catcher vessels	0	0	0	0	0	0	0	0
Bering Sea/Aleutian Islands other flatfish	Catcher processors	0	2	3	4	2	1	0	12
	Catcher vessels	0	0	0	0	0	0	0	0
Bering Sea/Aleutian Islands Pacific cod	Catcher processors	3	3	2	0	0	0	0	8
	Catcher vessels	2	0	0	0	0	0	0	2
Bering Sea/Aleutian Islands yellowfin sole	Catcher processors	3	5	2	0	0	0	0	10
	Catcher vessels	0	0	0	0	0	0	0	0
Gulf of Alaska Flatfish	Catcher processors	2	2	0	1	1	1	2	9
	Catcher vessels	10	7	8	8	4	4	0	41
Western Gulf of Alaska rockfish	Catcher processors	1	0	1	0	1	1	0	4
	Catcher vessels	1	0	0	0	0	0	0	1
Western Yakutat rockfish	Catcher processors	1	3	0	0	0	1	0	5
	Catcher vessels	5	0	0	0	0	0	0	5

State Water Harvests of Targeted Rockfish

A review of fish ticket and blend data reveal three landings in 1996 and one landing in 1999 of harvests identified as from inside State water statistical areas. These landings total 96 metric tons (taken by four vessels). The four vessels all have lengthy harvest histories and are all LLP qualified. The fish tickets that show harvest from statistical areas inside of State waters also had harvest from statistical areas outside of State waters. Possible explanations of these harvests are exploratory fishing or reporting error.

**NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
CENTRAL GULF OF ALASKA ROCKFISH PILOT PROGRAM
Council Motion
April 3, 2004
STAFF REVISION INCLUDES 3 ALTERNATIVES**

PROBLEM STATEMENT

The present management structure of the CGOA rockfish fishery continues to exacerbate the race for fish with:

- Increased catching and processing capacity entering the fishery,
- Reduced economic viability of the historical harvesters (both catcher vessels and catcher processors) and processors,
- Decreased safety,
- Economic instability of the residential processor labor force,
- Reduced product value and utilization,
- Jeopardy to historical groundfish community stability,
- Limited ability to adapt to Magnuson-Stevens Act (MSA) requirements to minimize bycatch and protect habitat.

While the Council is formulating GOA comprehensive rationalization to address similar problems in other fisheries, a short-term solution is needed to stabilize the community of Kodiak. Kodiak has experienced multiple processing plant closures, its residential work force is at risk due to shorter and shorter processing seasons and the community fish tax revenues continue to decrease as fish prices and port landings decrease. Congress recognized these problems and directed the Secretary in consultation with the Council, to implement a pilot rockfish program with the following legislation:

SEC. 802. GULF OF ALASKA ROCKFISH DEMONSTRATION PROGRAM. The Secretary of Commerce, in consultation with the North Pacific Fishery Management Council, shall establish a pilot program that recognizes the historic participation of fishing vessels (1996 to 2002, best 5 of 7 years) and historic participation of fish processors (1996 to 2000, best 4 of 5 years) for pacific ocean perch, northern rockfish, and pelagic shelf rockfish harvested in Central Gulf of Alaska. Such a pilot program shall (1) provide for a set-aside of up to 5 percent for the total allowable catch of such fisheries for catcher vessels not eligible to participate in the pilot program, which shall be delivered to shore-based fish processors not eligible to participate in the pilot program; (2) establish catch limits for non-rockfish species and non-target rockfish species currently harvested with pacific ocean perch, northern rockfish, and pelagic shelf rockfish, which shall be based on historical harvesting of such bycatch species. The pilot program will sunset when a Gulf of Alaska Groundfish comprehensive rationalization plan is authorized by the Council and implemented by the Secretary, or 2 years from date of implementation, whichever is earlier.

The fishing fleets have had little experience with cooperative fishery management and needs to begin the educational process. For the fishery to be rationalized all aspects of the economic portfolio of the fishery needs to be recognized. To stabilize the fishery economy all the historical players – harvesters (both catcher vessels and catcher processors) and processors need to be recognized in a meaningful way. The demonstration program is designed as a short-term ~~two-year~~ program for immediate economic relief until comprehensive GOA rationalization can be implemented.

Inclusion of the specific language from the legislation would be intended to focus the problem statement as prescribed by the legislation.

Alternatives, Elements and Options

The Council recommends the following elements and options for the CGOA Rockfish Pilot program be included for analysis:

- 1) Status Quo
- 2) Cooperative program with license limitation program for processors
- 3) Cooperative program with cooperative/processor associations

Alternatives 2 and 3 are defined by the following elements and options. Differences in the elements and options between the two alternatives are noted.

1 Set-asides

Prior to allocation of catch history to the sectors, NMFS shall set aside:

- 1.1 ICA: An Incidental Catch Allocation (ICA) of POP, Northern rockfish and pelagic shelf rockfish to meet the incidental catch needs of fisheries not included in the pilot program
- 1.2 Entry Level Fishery: A percentage of POP, Northern rockfish and pelagic shelf rockfish for catcher vessels not eligible to participate in the program, as mandated in the Congressional language. For the first year of this program, this set-aside will be: a) 3% b) 4% c) 5% percent of each of these target rockfish species. If this amount is less than 5% and is taken in the first year, the set-aside will be increased to 5% in the second year.
 - o Allocations shall be apportioned between fixed and mobile gear:
 - Option 1. 50/50
 - Option 2. proportional to the number of applications received
 - o The Council will develop an method for rolling over an allocation to the other entry level sector, in the event a sector is unable to harvest its allocation.
 - o **Prosecution of the entry level allocation will be supported by allocations of PSC to the gear type and the general allocations of incidental catch species.**

Administration of the entry level fishery will be simplified by allowing participants to fish off general allocations. Attempting to make a separate allocation to the entry-level fishery could compromise the ability of the agency to manage the fishery and could result in premature closure of the fishery, if incidental catch rates are unexpectedly high.

2 Entry-Level Fishery

2.1 Catcher Vessel Participation:

Vessels that can participate in the Entry Level fishery are those vessels that did not qualify for the CGOA rockfish pilot program.

2.2 Processor Participation:

Processors who purchase and process the entry level rockfish quota must be non-qualified processors.

2.3 Fishery participation:

Before the beginning of each fishing year an application must be filed with NMFS by the interested vessel that **includes a contract—statement from a non-qualified processor confirming an available market with a non-qualified processor for a market.**

The authorizing legislation likely does not provide the Council with discretion to limit the entry level fishery to participants that have a contract with a processor. The legislation requires delivery to a non-qualified processor, so it is reasonable to require a demonstrated market.

2.4 NMFS will determine:

- Whether limits need to be imposed on vessel participation
- If limits need to be imposed, determine the appropriate number of vessel that would be allowed to fish in the entry level fishery
- ~~If more vessels apply then the fishery can support, a lottery will occur to determine the participants.~~

The agency authority to establish a lottery is not provided by the authorizing legislation (see problem statement above). The agency, however, would need to assess the circumstances in the fishery each year to determine whether the TAC is capable of supporting a fishery of the registered entrants. If the agency is unable to manage the TAC given the participants that have applied for the fishery, the fishery would remain closed.

Suboption: Equal shares distributions to the vessel applicants

The Council should clarify if individual share allocations are the only option for management of the entry level fishery or if a limited access competitive fishery is also an option. Under this second option, access would only be limited by requirements that 1) the person not be eligible for the general rockfish program and 2) the person apply for the entry level fishery.

- Entry permits are non-transferable and must be fished by the named vessel

3 Sector Allocations

3.1 Sector Definitions

Option 1. Trawl catcher vessel

Option 2. Trawl catcher processor

A trawl catcher-processor is a trawl vessel that has a CP LLP license and that processes its catch on board.

3.2 Rationalized Areas

- History is allocated for the CGOA only (NMFS statistical areas 620 and 630)

3.3 Sector Allocations

- Catch history is determined by the sector qualified catch in pounds as a proportion of the total qualified catch in pounds.
- Sector allocation is based on individual qualified vessel histories with the drop-2 provision at the vessel level.

3.3.1 Each sector is allocated catch history based on:

Option 1. The sum of all catch history of vessels in that sector for the years 1996-2002, drop two, whether the vessels earned a CGOA LLP endorsement or not.

Option 2. The sum of all catch history of vessels in that sector for which it earned a valid, permanent, fully transferable CGOA LLP endorsement, for the years 1996-2002 drop two.

Suboption: include history of vessels which hold a valid interim endorsement on implementation of the program

3.3.1.1 Target species:

- Qualified target species history is allocated based on retained catch (excluding meal)
- History will be allocated to each sector for POP, Northern rockfish and pelagic shelf rockfish caught in the CGOA while targeting any one of these species during the qualifying period, including incidental catch of these species caught while targeting another of these target rockfish species.
- Different years may be used for determining the history of each of the three rockfish species.

- Full retention of the target rockfish species required

3.3.1.2 Secondary species:

- Secondary species history is allocated based on
 - a) total catch
 - b) retained catch
 while targeting the primary rockfish species listed above.
- History will be allocated to each sector for sablefish, shortraker/rougheye rockfish, thornyheads and Pacific cod.
 - ~~Option 1.~~ Participants must retain all allocated secondary species and stop fishing when cap is reached.
 - Option for Pacific cod.** Pacific cod history will be managed by MRA for vessels that fish on the offshore pcod quota
- All non-allocated secondary species will be managed by MRA, as in the current regime. This includes Arrowtooth flounder, deep water flatfish, shallow water flatfish, flathead sole, rex sole, pollock, other species, atka mackerel and other rockfish.
- Secondary species allocations will be based on:
 - Option 1) Catch by sector of the secondary species caught while targeting rockfish divided by the catch of secondary species by all sectors over the qualifying period. The calculated percentage is multiplied by the secondary species quota for that fishery year and allocated to each sector in the pilot program. (analyze total and retained catch)
 - Option 2) Percentage of catch by sector of the secondary species within the rockfish target fisheries divided by the total number of years in the qualifying period. The calculated percentage is multiplied by the secondary species quota for that fishery year and allocated to each sector in the pilot program. (analyze total and retained catch)

3.3.1.3 Prohibited species (halibut mortality):

- Allocation to the pilot program will be based on historic average usage, calculated by dividing the total number of metric tons of halibut mortality in the CGOA rockfish target fisheries during the years '96-'02 by the number of years (7). This allocation will be divided between sectors based on:
 - Option 1) The actual usage of each sector
 - Option 2). The relative amount of target rockfish species allocated to each sector.

4 Allocation from Sector to Vessel

- 4.1 Within each sector, history will be assigned to LLP holders with CGOA endorsement that qualify for a sector under the 'sector allocations' above. The allocations will be to the current owner of the LLP of the vessel which earned the history.
- 4.2 Basis for the distribution to the LLP license holder is: the catch history of the vessel on which the LLP license is based and shall be on a fishery-by-fishery basis. The underlying principle of this program is one history per license. In cases where the fishing privileges (i.e., moratorium qualification or LLP license) of an LLP qualifying vessel have been transferred, the distribution of harvest shares to the LLP shall be based on the aggregate catch histories of (1) the vessel on which LLP license was based up to the date of transfer, and (2) the vessel owned or controlled by the LLP license holder and identified by the license holder as having been operated under the fishing privileges of the LLP qualifying vessel after the date of transfer. (Only one catch history per LLP license.)

4.2.1 Persons who have purchased an LLP, with a CGOA endorsement to remain in the fishery may obtain a distribution of harvest share on the history of either the vessel on which the LLP is based or on which the LLP is used, not both. License transfers for purposes of combining LLPs must have occurred by April 2, 2004.

4.3 Target species:

Each LLP holder will receive an allocation of history equivalent to their proportion of the total of the sector qualifying history.

4.4 Secondary species:

Each LLP holder will receive an allocation of sector history proportional to their allocation of target rockfish history

4.5 PSC (halibut mortality)

- Each LLP holder will receive an allocation of halibut mortality equivalent to their proportion of the sector rockfish history

4.6 Allocations of secondary species:

Option 1) Must be fished in conjunction with the primary species allocations.

(Compliance monitored at offload)

Option 2) May be fished independently of the primary species allocations.

5 Co-op provisions

5.1 Duration of cooperative agreements is 2 years, ~~with the pilot rockfish program expiring at the end of two years or when Comprehensive GOA rationalization is implemented.~~

5.2 For all sectors

- The co-op membership agreement and the Contract will be filed with the RAM Division. The Contract must contain a fishing plan for the harvest of all co-op fish.
- Co-op members shall internally allocate and manage the co-op's allocation per the Contract.
- Subject to any harvesting caps that may be adopted, allocated history may be transferred and consolidated within the co-op to the extent permitted under the Contract.
- The Contract must have a monitoring program. ~~Monitoring and enforcement requirements would be at the co-op level.~~ Co-op members are jointly and severally responsible for co-op vessels harvesting in the aggregate no more than their co-op's allocation of rockfish species, secondary species and PSC mortality, as may be adjusted by inter-co-op transfers.

To effectively enforce the allocations, the agency must be assured of reliable accounting at the individual vessel level. The stricken provision could be inconsistent with that need. Deleting the provision is not intended to diminish the cooperative benefits, but to ensure that the monitoring and enforcement needs are fully developed prior to fully committing to cooperative level enforcement and monitoring.

- Co-ops may adopt and enforce fishing practice codes of conduct as part of their membership agreement.
- Co-op membership agreements shall allow for the entry of other eligible harvesters into the co-op under the same terms and conditions as agreed to by the original agreement.
- Co-ops will report annually to the Council as per AFA.

5.3 CP sector:

History is allocated to the current owner of the LLP of the vessel that earned the history.

- Owners may fish their allocation independently if the LLP has a CGOA endorsement, or may enter into a cooperative arrangement with other owners.
- More than one co-op may form within the sector
- Any number of eligible LLPs may form a co-op

- Allocations may be transferred between co-ops of at least:
 - Option 1: two LLPs
 - Option 2: three LLPs

5.4 CV sector:

The following provisions are intended to capture the second alternative specified by the Council at the end of its April motion (i.e., a limited entry processor program described briefly on the last page of this motion)

For Alternative 2:

- Voluntary co-ops may form between eligible harvesters.
- All cooperative harvests under this program must be delivered to eligible processors.
- Harvesters may elect not to join a co-op, and continue to fish in an LLP/Open Access fishery ~~during the two-year pilot program~~. Those LLPs that opt out of the cooperative portion of the pilot program will be penalized 0 to 20% of their historical share (annual allocation). The penalty share will be left with the CV cooperative portion of the rockfish fishery and will be prorated among CV cooperatives based on cooperative share holdings. The LLP's remaining share will be fished in an open access fishery environment and must be delivered to one of the qualified processors.

The Council should specify whether this fishery is open to all CGOA LLPs or only qualified vessels. The Council might consider the penalty level for non-members of cooperatives when making this decision.

- An eligible processor is a processing facility that has purchased 250 MT of aggregate Pacific Ocean Perch, Northern Rockfish, and Pelagic Shelf rockfish harvest per year, for 3 4 years, from 1996 to 2000 ~~2001~~. Eligible processors will be issued a license under this program. Licenses are not transferable.

The authorizing legislation for this program requires that the program recognize historic fish processing history from 1996 to 2000, best 4 of 5 seasons. Inclusion of an additional year, 2001, is beyond the authority granted by the legislation. The Council may wish to consider whether the threshold is appropriate, given the change in the years to be considered.

- If a processing facility has closed down and another processing facility has acquired that processing history through purchase, for the purpose of determining processor eligibility the history belongs to the facility that purchased that history. That history can only be credited to another facility in the community that it was generated in for purposes of establishing eligibility under this program.
- The harvesters that enter into a co-op membership agreement shall be the members of the co-op.
- A pre-season Contract between eligible, willing harvesters is a pre-requisite to a cooperative receiving an annual allocation ~~of historical shares~~.
- Co-op membership agreements will specify that processor affiliated harvesters cannot participate in price setting negotiations except as permitted by general antitrust law.
- Catcher vessel cooperatives are required to have at least:
 - ___ eligible LLPs
- Co-ops may engage in inter-cooperative transfers of ~~historical shares~~ annual allocations ~~during the 2-year co-op period~~ to other cooperatives with agreement of the associated qualified processor.

For Alternative 3:

- Voluntary co-ops may form between eligible harvesters in association with processors.
- Catcher vessel co-ops must be associated with an eligible processor.
- An eligible processor is a processing facility that has purchased 250 MT of aggregate Pacific Ocean Perch, Northern Rockfish, and Pelagic Shelf rockfish harvest per year, for 3 4 years, from 1996 to 2000 ~~2001~~.

The authorizing legislation for this program requires that the program recognize historic fish processing history from 1996 to 2000, best 4 of 5 seasons. Inclusion of an additional year, 2001, is beyond the authority granted by the legislation. The Council may wish to consider whether the threshold is appropriate, given the change in the years to be considered.

- A harvester is eligible to join a cooperative in association with the processing facility to which the harvester delivered the most pounds of the three rockfish species combined during the year's 1996 – 2000 ~~2001~~ drop 1 year (processor chooses the year to drop, same year for all LLPs)

The authorizing legislation for this program requires that the program recognize historic fish processing history from 1996 to 2000, best 4 of 5 seasons. Inclusion of an additional year, 2001, is beyond the authority granted by the legislation.

- Harvesters may elect not to join a co-op, and continue to fish in an LLP/Open Access fishery ~~during the two-year pilot program~~. Those LLPs that opt out of the cooperative portion of the pilot program will be penalized 0 to 20% of their historical share (**annual allocation**). The penalty share will be left with the LLP's associated cooperative. The LLP's remaining share will be fished in an open access fishery environment and must be delivered to one of the qualified processors.

The Council should specify whether this fishery is open to all CGOA LLPs or only qualified vessels. The Council might consider the penalty level for non-members of cooperatives when making this decision.

- If a processing facility has closed down and another processing facility has acquired that processing history through purchase, the history belongs to the facility that purchased that history. That history must remain in the community that it was generated in.
- The harvesters that enter into a co-op membership agreement shall be the members of the co-op. The processor will be an associate of the cooperative but will not be a cooperative member.
- A pre-season Contract between eligible, willing harvesters in association with a processor is a pre-requisite to a cooperative receiving an **annual allocation of Historical Shares**.
- Co-op membership agreements will specify that processor affiliated harvesters cannot participate in price setting negotiations except as permitted by general antitrust law.
- Processors are limited to 1 co-op per plant.
- Catcher vessel cooperatives are required to have at least:
 - a) 50-75 percent of the eligible ~~Harvest~~ **historical shares** for each co-op associated with its processor
 - b) Any number of eligible harvesters (allows single person co-op)
- Co-ops may engage in inter-cooperative transfers (~~leases~~) of ~~historical shares~~ **annual allocations** ~~during the 2-year co-op period~~ to other cooperatives with agreement of the associated qualified processor.

5.5 CP Transfer provisions

CP ~~historical shares~~ **annual allocations** may be ~~leased-transferred~~ within co-ops and between co-ops with at least:

- Option 1: two LLPs each (with CGOA endorsements)
- Option 2: three LLPs each (with CGOA endorsements)

5.6 Sector Transfer provisions

CP ~~historical shares~~ **annual allocations** may be ~~leased~~ transferred to CV cooperatives. CV ~~historical shares~~ **annual allocations** may not be ~~leased-transferred~~ to CP cooperatives.

All transfers of **annual allocations** would be temporary and history would revert to the original LLP at the beginning of the next year.

A person holding an LLP that is eligible for this program may transfer that LLP. That transfer will effectively transfer all history associated with the LLP and any right to participate in this program that might be derived from the LLP.

6 Co-op harvest use caps

6.1 CV co-ops:

Control of harvest share by a CV co-op shall be capped at:

- Option 1. 30% of aggregate POP, Northern Rockfish and PSR for the CV sector
- Option 2. 40% of aggregate POP, Northern Rockfish and PSR for the CV sector
- Option 3. 50% of aggregate POP, Northern Rockfish and PSR for the CV sector
- Option 4. No cap

6.2 CPs:

Control of harvest share by a CP shall be capped at:

- Option 1: 50% of aggregate POP, Northern Rockfish and PSR for the CP sector
- Option 2: 60% of aggregate POP, Northern Rockfish and PSR for the CP sector
- Option 3: 75% of aggregate POP, Northern Rockfish and PSR for the CP sector
- Option 4: No cap

Eligible CPs will be grandfathered at the current level

7 Shoreside processor use caps

Shoreside processors shall be capped at the entity level.

No processor shall process more than:

- Option 1. 30% of aggregate POP, Northern Rockfish and PSR for the CV sector
- Option 2. 40% of aggregate POP, Northern Rockfish and PSR for the CV sector
- Option 3. 50% of aggregate POP, Northern Rockfish and PSR for the CV sector
- Option 4. No cap

Eligible Processors will be grandfathered.

8 Program Review

Program review the first and second year after implementation to objectively measure the success of the program, including benefits and impacts to harvesters, processors and communities. Conservation benefits of the program would also be accessed.

9 Sideboards

Opt out provision: Qualifying LLPs may choose to opt out of the program on an annual basis. The history of these LLPs will stay with the sector. LLPs which opt out of the program will not be sideboarded in other fisheries if their allocation is less than a) xx b)xx c)xx d)xx (a series of appropriate numbers provided by staff based on catch distribution).

Exemptions from sideboards:

Vessels with rockfish allocations less than the following percentages are exempt from sideboards:
a) xx b)xx c)xx d)xx (a series of appropriate numbers provided by staff based on catch distribution).

- o Allocations may not be leased

Qualifying LLPs which participate in the CGOA rockfish pilot program are limited, in July, in the following fisheries:

CGOA flatfish (all), AI POP, BSAI other flatfish, BSAI yellowfin sole, BSAI pacific cod, WGOA rockfish, WYAK rockfish

1) To fisheries in which the LLP participated in July from 1996 to 2002 for:

- a) Any one year
- b) Any two years

- c) Any four years
- d) Any six years

2) To

- 1. maximum percentage
- 2. average percentage

of

- 1. total catch
- 2. retained catch

by target, and PSC by target (BSAI) or deep or shallow water complex (GOA) during the month of July in any one year from 1996-2002

In fashioning provisions for analysis, the motion should make clear which provisions are being analyzed to:

- 1) *set the sideboards*
- 2) *define the vessels that are subject to the sideboards*
- 3) *define exemptions from the sideboards*

Sideboards typically limit total catch of participants subject to those sideboards to a specific percentage of the TAC. Under the AFA and the crab rationalization program, sideboards levels were determined based on historic retained catch of the participants subject to the sideboards.

The agency has maintained that administration of sideboards be on a fleet basis (rather than vessel basis). Consequently, proposals for analysis should be geared toward that approach.

~~As a separate option, the CP sector could choose to fish its sector allocation under the current management regime, with the rockfish fishery starting on July 1st.~~

Moved down to end of the motion

Additionally, the Council requests the following:

- Vessels (by name) that made landings in the CGOA target rockfish fishery from 1996-2002 with current endorsement status
- Estimates of TH and RE/SR incidental catch requirements in the sablefish, halibut and pcod LL fisheries. The Council recommends using observer and IPHC data
- Natural divisions in the level of history awarded within each sector (i.e. between vessels with minimal, moderate and high participation)
- For the following fisheries: GOA flatfish (all), AI POP, BSAI other flatfish, BSAI yellowfin sole, BSAI pacific cod, WGOA rockfish, WYAK rockfish:
 - Participation patterns in these fisheries during the month of July by LLP holders who will receive allocations
 - Percentage of total catch, by species complex, in the month of July for each year 96-02 by sector
 - GOA: Deep complex=rex sole, deep water flatfish, arrowtooth flounder
 - Shallow complex=shallow water flatfish, flathead sole
 - BSAI: Other flatfish=rocksole, flathead sole, arrowtooth flounder, Alaska plaice, other flatfish

~~In the event this program has a duration of more than 2 years, Before this program can be renewed beyond the 2-year pilot period, the issue of use/ownership caps must be brought back to the Council to will reconsider company and vessel caps.~~

~~Inclusion of a third alternative for analysis (status quo is first alternative, elements and options above define second alternative)~~

~~The Council directed staff to revise the elements and options as necessary to define a third alternative that is a harvester cooperative program that includes a license limitation program for processors. This third~~

~~alternative will rely on the elements and options above (including those that define processor eligibility) to the extent practicable.~~

See 5.4 above for the incorporation of possible provisions defining this alternative.

Alternative 3 for the CP Sector

As a separate **alternative option**, the CP sector could choose to fish its sector allocation under the current management regime, with the rockfish fishery starting on July 1st.

This alternative is a slight variation on the status quo, since CVs would be subject to the pilot program, while CPs would be subject to a sector allocation that is managed in a manner similar to the LLP. Under this approach, the Council could select different alternatives for different sectors.

Note: This document is the first critical decision point in the Regulatory Streamlining Project Strawman Operating Guidelines. An Action Plan is the initial determination of how to proceed with identification of management alternatives and analysis of the environmental impacts of a proposed action by the North Pacific Council. The strawman proposes that the Regional Administrator must concur in the Action Plan, and Regional General Counsel must determine it to be legally sufficient, before activity can progress. Under the Regional Operational Agreement between the NPFMC and the AKR, however, the Action Plan is considered a planning document which reflects the action problem, alternatives, and initial determination on appropriate NEPA document, as well as time lines, FMAT and resources. The Action Plan will be reviewed by the AKR and GCAK, but written clearance will not necessarily be provided or necessary for the Council to proceed in tasking staff to develop the project analysis. Further, determinations of 'legal sufficiency' will be an ongoing process in the development and assessment of analytical and other products supporting proposed action.

DRAFT Action Plan for Central Gulf of Alaska Rockfish Rationalization Pilot Program

Proposed Action: Implement a pilot program to rationalize the Central Gulf of Alaska (CGOA) rockfish fishery by establishing cooperative programs for both the trawl catcher vessel sector and trawl catcher processor sector in response to Section 802 of Title VII of the Consolidated Appropriations Act of 2004.

Problem Statement/Objective: The present management structure of the CGOA rockfish fishery continues to exacerbate the race for fish with:

- Increased catching and processing capacity entering the fishery,
- Reduced economic viability of the historical harvesters (both catcher vessels and catcher processors) and processors,
- Decreased safety,
- Economic instability of the residential processor labor force,
- Reduced product value and utilization,
- Jeopardy to historical groundfish community stability,
- Limited ability to adapt to Magnuson-Stevens Act (MSA) requirements to minimize bycatch and protect habitat.

While the Council is formulating GOA comprehensive rationalization to address similar problems in other fisheries, a short-term solution is needed to stabilize the community of Kodiak. Kodiak has experienced multiple processing plant closures, its residential work force is at risk due to shorter and shorter processing seasons and the community fish tax revenues continue to decrease as fish prices and port landings decrease. Congress recognized these problems and directed the Secretary in consultation with the Council, to implement a pilot rockfish program. The fishing fleets have had little experience with cooperative fishery management and needs to begin the educational process. For the fishery to be rationalized, all aspects of the economic portfolio of the fishery needs to be recognized. To stabilize the fishery economy all the historical players - harvesters (both catcher vessels and catcher processors) and processors need to be recognized in a meaningful way. The demonstration program is designed as a short-term program for immediate economic relief until comprehensive GOA rationalization can be implemented.

NEPA analysis: EA

Range of Alternatives: See Attachment.

Fishery Management Action Team: Council - Mark Fina (Analytical Project lead), AKR - Glenn Merrill (Analytical assistance, rulemaking), Phil Smith (analytical assistance - IFQ/Coop account mgt (RAM) , GCAK John Lepore - (analytical assistance - legal guidance),

Other necessary staff resources: Council Elaine Dinneford (database development); NMFS-AKR Alan Kinsolving (Analytical assistance, monitoring/enforcement), Andy Smoker (analytical assistance - Inseason management), Jeff Passer (Analytical assistance - Enforcement), NMFS-AFSC (rockfish stock assessment authors (EA - analytical assistance), Bill Karp (analytical assistance-use of observer data in monitoring program).

NMFS Headquarters Liaison: OSF – Regina L. Spallone

Time line to Implementation (Harvest specifications and allocations authorized under the new program will need to be scheduled for the *beginning* of a fishing year):

- ✓ Preliminary economic discussion paper/refinement of alternatives - October, 2004
- ✓ Initial Review - December, 2004
- ✓ Second Initial Review with preliminary preferred alternative - February, 2005
- ✓ Final Review and Council Action - April, 2005
- ✓ Development of proposed rule and Regional review - April through July, 2005
- ✓ Initiate Secretarial Review - August, 2005
- ✓ Proposed rule published - September, 2005
- ✓ Secretarial approval - December, 2005
- ✓ Final rule published with 30-day cooling off period (final rule may also include adjustments to 2006/2007 harvest specs pending approval of Amd. 48/48) - March 2006
- ✓ Three month application period for eligibility determinations- April through June 2006
- ✓ Appeals process - Duration uncertain, however, appeal determinations after Oct 2006 likely could not be effected until either the 2007 final harvest specs (March 2007) or the beginning of the 2008 fishing year
- ✓ Database finalized for 2007 coop allocations [Additional rulemaking may be required to specify coop allocations effective Jan 1, 2007; the final 2007 harvest specifications that would be effective around March 1 would establish coop allocations for the remainder of 2007 and into 2008]

Applicable laws with **Significant** issues for analysis to be defined by the team

- MSA - amendment by Section 802 of 2004 Consolidated Appropriations Act authorizing this program; One issue to be determined is whether existing MSA authority provides for AFA-style cooperatives, catch accounting and monitoring.
- PRA - Lots of new paperwork requirements anticipated;
- EO 12866
- RFA
- Anti trust law
- Consolidated Appropriations Bill, 2004 (804)



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

June 3, 2004

Chris Oliver, Executive Director
North Pacific Fishery Management Council
605 W. 4th
Suite 306
Anchorage, AK 99501-22562

Dear Chris,

We have reviewed the draft Action Plan prepared for the Central Gulf of Alaska Rockfish Rationalization Pilot Program that has been developed by Council and NMFS staff. We note that the Action Plan addresses requirements of Council, NMFS, and NOAA-GC staff who may be necessary for analytical assistance and also liaison with NMFS Headquarters.

We believe that the Action Plan prepared for the pilot program meets its intended purpose as a preliminary planning document. We agree that an environmental assessment is the proper NEPA document to pursue at this time and anticipate that the alternatives and options currently under consideration by the Council will be refined as the Council process progresses and public participation occurs. The proposed time line for this project reflects the complexity and process associated with the development and implementation of limited entry programs and associated allocations of target and non target species among different user groups. Although this time line may be longer than anticipated by members of the public, we believe it reflects appropriate considerations and expectations.

We recognize that staff time and resources required to complete this project have yet to be fully assessed, although the nature of staff expertise necessary to complete the analysis is acknowledged. Finally, we agree that the Action Plan's list of applicable laws that pose potentially significant analytical issues reflects a deliberative assessment and we have no further additions to the list at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Balsiger".

James W. Balsiger
Administrator, Alaska Region



MARK FINA-----NPFMC

Dear Mr. Fina,

In regard to the council plan to design and implement the Pilot Program for Central Gulf Rock Fish we feel it is of major importance to consider the Kodiak area jig fisheries in the overall planning process.

While the Rock Fisheries around Kodiak have been harvested mainly by the trawl fleet there have been for many years small but steady harvests of Pelagic Shelf Rock Fish (primarily Blacks and Dusks) by jig gear. There is also interest in using jig gear for Pacific Ocean Perch, with test fishing now taking place out of Sitka. There is a growing number of vessels which use jigging as an entry level fishery as it can be done with small boats for a minimal capitol investment.

For these reasons we would like to request that the Council provide a 5% set aside of GOA Rock Fish as an entry level allocation with 50% of that set aside (ie 2.5% of the total harvest) dedjicated to jig gear, with a .5% increase each year the jig quota is caught, until 5% is reached. We would also accept option No. 2 as described in Council Motions of April 3, 2004, allocation in proportion to applicants of each gear type. We feel it is imperitive that we be included in the pilot program as it devolops.

In regard to the PSC cap and incidental catch we would hope that the allocation for jig gear could mirror the other 97.5% of the harvest.

THANK YOU

Kodiak Area Jig Association

**Box 3849
Kodiak Alaska 99615
(907)487-9791**

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MAY 19 2004
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MARK FINA----NPFMC

POB 2160

- Peter Allan - Peter Allan F/V Orion Kodiak
- D Gallagher DON GALLAGHER F/V NORMA RAY
- Luke Lechner Luke Lechner F/V KETA
- Kev Christensen KEV CHRISTENSEN MCKENNA C P.O. Box 1828 Kodiak 486-4323
- Raeigh Eager RAEIGH EAGER FV/ST. ANTHONY P.O. Box 8238 Kodiak - 4812864
- Cheryl Boehland Cheryl Boehland F/V Big Dipper - 6-3381
- Bob Martin F/V Argonaut P.O. 3544 Kodiak
- Steven Farnsworth F/V Torpedo 325 Columbia St Parkmet Wash 9861
- Edward L. Garr F/V Argonaut Deckhand mess 283-0676 P.O. Box 8154 Kodiak
- Pavus Kasprzak F/V Malka 1226 mission Kodiak AK 486-2014 Pager 481-2315
- Josep L. Yarbrough Josep Yarbrough F/V Jive mess 486-7049
- Bob Clote S/V Sherron W 486-5459
- Shawn Koson F/V LANA E 486-0050
- Shawn C. Dottermann F/V ISANOTSKI P.O. Box 3886 Kodiak 486-8777
- Chuck Thompson F/V STARGAZER Box 2193 Kodiak
- Harold Bruce Magnuson H. BRUCE MAGNUSON LAWYER 360-332-7324
- Dave Lindberg Box K.W.P. Kodiak 486-4257
- Peter McCarty 1722 Simeonoff st Kodiak 486 7651
- Seven P Mathieu BX 3586 Kodiak 486-3167
- Leonard Carpenter LEONARD CARPENTER P.O. Box 1970 Kodiak 486-5852
- Anita Carpenter ANITA CARPENTER P.O. Box 1970 Kodiak 486-5852

Added by permission
from previous list - J.L.F.

Neil Rickmas - Box 3541 - Homer, AK 99603
M/V Juanita H 907-235-8299

Lube Lindy F/V Lindy II

OCEAN BEAUTY SEAFOODS, INC.

May 28, 2004

Stephanie Madsen
North Pacific Fishery Management Council
605 West 4th, Suite 306
Anchorage, AK 99501

[Handwritten signature]
MAY 28 2004
[Handwritten initials]

Dear Ms. Madsen,

Ocean Beauty Seafoods (OBS) would like to take this opportunity to update the North Pacific Fishery Management Council (NPFMC) regarding the negotiations between our processing company and the City of Kodiak. There has been testimony before the Council suggesting that a negotiated agreement between the parties will be forthcoming regarding the award of processing privileges, either history or licenses or both. However, we do not believe that an agreement can be reached between the parties.

OBS purchased the processing history and processing assets from Cook Inlet Processing (CIP). CIP had a long processing history within the City of Kodiak, leasing the Gibson Cove building from 1988 to 2002. CIP leased the Gibson Cove building from the City of Kodiak, financing the entire Gibson Cove processing operation. The City received payment for the use of the facility shell and the associated lands surrounding the facility. CIP was responsible for the business that occurred within the structure, purchased all the processing equipment, upgrading the building and grounds, paying for the processing labor, raw fish costs, all taxes and marketing the finished fish products. In other words, took on all the financial risk as the processor. While the Gibson Cove processing plant no longer operates as a processing facility OBS continues to lease the building and grounds from the City of Kodiak.

OBS believes that processing privileges associated with any processing history should go to those that took the financial risk and made the investment or to those that entered into contracts to acquire those assets. OBS owns another processing facility in Kodiak. We plan to continue to operate the OBS Kodiak facility. Our intention is that any processing privileges associated with the CIP merger would remain within the community of Kodiak and be conveyed to the OBS Kodiak facility.

Thank you for considering this matter.

Sincerely,
[Handwritten signature: Timothy D. Blott]
Timothy D. Blott
Ocean Beauty Seafoods

KODIAK FACILITY

P.O. BOX 1457 • KODIAK, ALASKA 99615 • (907) 486-5791 • FAX (907) 486-8244
P.O. BOX 70739 • SEATTLE, WASHINGTON 98107 • (206) 285-6800 • FAX (206) 286-2581



Groundfish Forum

4241 21st Avenue West, Suite 200
Seattle, WA 98199
(206) 213-5270 Fax (206) 213-5272
www.groundfishforum.org

June 1, 2004

Ms. Stephanie Madsen, Chairman
North Pacific Fishery Management Council
605 West 4th Ave.
Anchorage, AK 99501
FAX: 907-271-2817

Re: Agenda Item C-5: CGOA Rockfish Pilot Program

Dear Madam Chair,

Groundfish Forum is a trade organization representing 19 'head-and-gut' trawl catcher-processors which target non-pollock species in the Bering Sea, Aleutian Islands and Gulf of Alaska. We worked closely with the Alaska Groundfish Databank to develop an implementation scheme for the Central Gulf of Alaska Rockfish Pilot Program which has been mandated by Congress. We would like to comment on some aspects of the program.

Trawl catcher-processors have a long history in the Gulf of Alaska. Many of the rockfish fisheries were pioneered by these vessels, before shoreside markets developed. Many head-and-gut vessels are heavily invested in Gulf fisheries and depend on them for a livelihood. We appreciate that both the Congress and the Council recognized this in the floor language and the problem statement.

The pilot program is an opportunity to pare down the seemingly unachievable Gulf of Alaska rationalization process and focus instead on only one area (the Central Gulf), two sectors (trawl catcher-vessels and trawl catcher-processors) and three species (Pacific Ocean perch, northern rockfish and pelagic shelf rockfish). It can provide timely relief for struggling catchers and harvesters, both onshore and offshore, while at the same time providing a 'test case' for Gulf rationalization on a small scale.

The proposal which we presented to the Advisory Panel and the Council in April of this year was the result of many hours of research, brainstorming, negotiation and compromise by both the catcher vessels and shoreplants (represented by Alaska Groundfish Databank) and the catcher processors (represented by Groundfish Forum). It contained all of the elements which we felt were necessary for a trial rationalization program while remaining simple enough for rapid implementation.

In areas where the onshore and offshore sectors could not agree, we included options for analysis. The stated intent during negotiations was that the document would go forward with all of the options, and a decision would be made once the analysis was completed.

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We are concerned that the Council may pre-empt this process by prematurely eliminating some options.

In particular, we request that you retain both of the options for determining sector history. The first option would credit each sector with the catch of all vessels operating in that sector during the qualifying period. This would include fish which were harvested by vessels which did not receive endorsements to continue fishing in the Central Gulf, but which nonetheless fished legally during the any of the years from 1996 to 2002. Vessels which did not ultimately receive CGOA endorsements would not receive an allocation of catch history; their history would, instead, be credited to the sector in which they fished. We believe this best meets the Congressional language, which reads:

“The Secretary of Commerce, in consultation with the North Pacific Fishery Management Council, shall establish a pilot program that recognizes the historic participation of fishing vessels (1996 to 2002, best 5 of 7 years) and historic participation of fish processors (1996 to 2000, best 4 of 5 years) for Pacific Ocean perch, northern rockfish, and pelagic shelf rockfish harvested in Central Gulf of Alaska.”

The second option for determining sector history would credit each sector with the catch of only those vessels which ultimately received CGOA endorsements (or, possibly, those which have valid interim endorsements). Analyzing both of these options will clearly illustrate the difference between the two approaches, and will provide the Council with justification for their ultimate selection.

At the last Council meeting there was some discussion of allocating history for fish which were made into fishmeal. Since the catcher processors which qualify for this program cannot legally (or practically) carry meal plants, they must discard fish which shoreside processors are able to send to meal. If fishmeal is credited toward catch history, catcher processors are disadvantaged while shoreside operations are rewarded for sending fish to meal. This issue has been analyzed and debated exhaustively in the Gulf of Alaska rationalization process, and both the Advisory Panel and the Council have repeatedly confirmed that fish which are processed into meal do not count toward catch history. This does not have to be debated again. Fishmeal should not count for history in either primary or secondary species allocations.

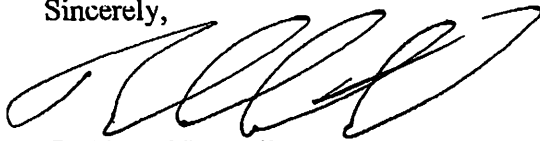
Finally, many people have expressed concern about how sideboards will be developed to protect participants in other fisheries from being negatively impacted by the pilot project. This is a very complex issue, particularly for the catcher-processor fleet. Most of the vessel in our fleet fish more than one area during the year, and may participate in different fisheries in different years. As a result, catcher-processors which qualify for the CGOA pilot program because they caught rockfish during the month of July may have also fished Aleutian Islands POP and Bering Sea flathead sole during July. This flexibility to adjust to changing market and stock conditions is necessary for our fleet.

The Council requested data from NMFS and Council staff to help clarify how sideboards could be implemented. We recognize that even after this data has been provided it may be impossible for the catcher-processor fleet to craft sideboards which allow vessels the flexibility necessary for our sector. Because of this, we ask that you maintain as part of the CGOA pilot plan proposal an option for the catcher-processor fleet to receive a sector allocation of primary, secondary and prohibited species which will be fished by our sector in an 'open access' manner within existing regulations. This will protect our sector from pre-emption by catcher vessel sector, and eliminate the need for sideboards for our vessels. Once the non-pollock BSAI fisheries are rationalized, our sector will be able to rationalize in the CGOA as well.

In summary, we request that the Council retain for analysis all of the options which were contained in the original CGOA Rockfish Pilot program proposal, and not add any alternatives which would include fish meal in the calculation of catch history. We will continue to work on developing sideboards as more information is made available, and ask that the Council retain an option for the CP sector allocation of primary, secondary and prohibited species which may be fished 'open access' by our sector if reasonable and effective sideboards cannot be developed.

Thank you for the opportunity to comment. We will continue to work with the Alaska Groundfish Databank and with the Council to refine the rockfish pilot program so that it may be implemented in a timely manner.

Sincerely,



T. Edward Luttrell
Executive Director

.....

Alaska Jig Association
Box 3586
Kodiak, Alaska
99615

May 27, 2004

Commissioner Kevin Duffy

Dear Mr. Duffy,

In regards to the council plan to design and implement the Pilot Program for Central Gulf, we feel it is important to consider the Alaska Jig Association in the overall planning process. We, the Alaska Jig Association would like to give notice of name change and amend a letter sent by the Kodiak Area Jig Association a week prior, to establish our position as follows.

The Alaska Jig Association would like 5% of the rockfish quota to be designated as Jig fisher's quota. As a start up fishery experiencing rapid user growth in many areas, we feel this percentage of the quota is justified for jig use, to allow us to establish the necessary markets and infrastructure, and to discover and maintain the high value of the resource. This percentage designated Jig quota would allow administrators a more controllable harvesting of the specific rockfish species. A jig quota would disperse the value of the resource to a greater number of users and to more coastal communities. This would allow jig boats to harvest Pacific Ocean Perch, a species which test fishing is already commencing in Sitka. Jigging is a fishery that is changing in number of boat and boat size and gear refinements as we learn how different techniques used in different parts of the world on different species here, affects efficiency and value.

We should enter the fishery at 5% of the federal ground fish quota. Increasing our quota every year that our quota is reached, by 2%, of the following years total ground fish quota, until a cap of 25% of the total quota is reached. Once a cap has been reached in any of the fisheries, the question of the cap and relative value of that fishery to its quota should be reconsidered. In regard to the PSC cap and the incidental catch, we would hope that the allocation for jig gear could mirror the other resource users.

Respectfully,
Steven Mathien, Pres.
Alaska Jig Association

.....

MEMBERS

Signature	Print Name	Boat or Permit #	Address & PH #
<i>Ronald Blouin</i>	RONALD BLOUIN	Legasea	Box 3703 Kodiak, AK
<i>John Nevin</i>	John Nevin	Aquarius	Box 2125 Kodiak
<i>James Schauf</i>	JAMES SCHAUFF	Karen Kay	Box 8150 Kodiak AK
<i>Norman Mullan</i>	NORMAN MULLAN	CINORIO WENZ	Box 92 Kodiak AK
<i>Allan Grauel</i>	ALLAN GRAUEL	LORI ANN	Box 2669 Kodiak
<i>Mark Thomas</i>	MARK THOMAS	WANGO	Box 3481 Kodiak
<i>Jim Reichert</i>	Jim Reichert	Shearwater	Box 4361 - 486-3579
<i>Dana Reid</i>	DANA REID	LYNX	Box 8935 Kodiak
<i>Burt Ginn</i>	Burt Ginn	ROYAL Salute	Box 913 Kodiak
<i>Bob Clork</i>	Bob Clork	Shannon W	Box 1432 Kodiak
<i>Leonard Carpenter</i>	LEONARD CARPENTER	FISH TALE	Box 1970 Kodiak
<i>Anita Carpenter</i>	Anita Carpenter	FISH TALE	Box 1970 Kodiak
<i>Ryan P. Johnson</i>	Ryan P. Johnson	Cyclone	1325 Mission Rd. Kodiak
<i>Bob Bouhary</i>	Bob Bouhary	Mo'N Dance	PO 187 Kodiak AK
<i>Jaya Sandler</i>	Jaya Sandler	Denise Marie	P.O. 4471 Kodiak 486-0205
<i>Linda Finley</i>	Linda Finley	-Linda II	Box 3849 Kodiak AK
<i>Karla Bouhary</i>	KARLA BOUHARY	FLORISSA FOX	3291 Balika Kodiak
<i>Michael Bouhary</i>	Michael Bouhary	BLUE FOX	3291 Balika 6-4054
<i>Frederick R Doreau</i>	FREDERICK R DOREAU	JE DESPERADO	Box 209 6-6813
<i>Raymond M May</i>	RAYMOND M MAY	Kiss Taylor	(907) 486-5710
<i>Shawn Kosa</i>	Shawn Kosa	Lana E	Chinook 486 0050
<i>Charles L Thompson</i>	CHARLES L THOMPSON		Box 3193 Kodiak AK
<i>David J. Otness</i>	DAVID J. OTNESS		P.O. Box 4107 KODIAK
<i>Brenna Holly</i>	BREANNA HOLLY		PO Box 531 BIRKBEWENNA
<i>Peter Allan</i>	Peter Allan		POB 2160 Kodiak
<i>Steven P Mathieu</i>	Steven P Mathieu	"Kahuna"	Box 3586 Kodiak AK

10-1-98

MEMBERS

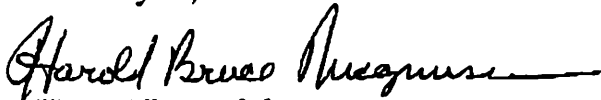
Signature	Print Name	Boat or Permit #	Address & PH #
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<i>[Signature]</i>	William Schaff	Jame Marie	Box 8774 Kodiak, AK
<i>[Signature]</i>	STAN VAN MATRE		3199 PENINSULAR RD KODIAK
<i>[Signature]</i>	Tim Houston	FV NAOMI	Box 8399
<i>[Signature]</i>	Pat Hogan		Box 3475 6-9725
<i>[Signature]</i>	Ira Christensen	- Mickenna C	- PO Box 1808 - Kodiak 6-422

HONORABLE MEMBERS OF NPFC AND ITS ADVISORY PANEL

I am writing to you today in regards to the pilot program for Central Gulf Rockfish, I believe that you should consider setting aside 5 % of initial Allocation to be designated to a jig fisher's quota. I started jigging 5 years ago and a big part of my gross income comes from rockfish. I know that I can catch these fish from past trips I've made. And also by today's 2004 deliveries that 144 boats here can to. The emerging jigging fisheries has come along way having harvested our 25% cod allocation quota, early both this year and last's more and more good thing can only come to our communities in the future by making jobs for every one involved. My last thing to say is that I believe in this industry so much I have just purchased a 42 ft fishing vessel to invest in my future.

Thank you,



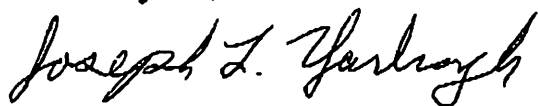
Harold Bruce Magnussen

6-01-2004

HONORABLE ADVISORY PANEL OF NPFC:

I write to you today to express my opinion about Central Gulf Rockfish Pilot Program, that is about to go into effect. I am an Alaskan resident who makes my living jigging, I would like to see you support our request of 5% of the rockfish quota with a cap of 25% to be reached just like the cod fish allocation quota program we have been following. I would like to point out that we have now reach that cod fish 25% quota early both in 2003 and 2004 we just need a chance to develop this program. I believe that it is in the best interest of our community's future. Thank you for your to listen.

Thank you,



Joseph L. Yarbrough

Honored members of WPFC and its advisory panel.

My letter today is in regards to the ^{Pilot} ~~polite~~ program for central gulf rockfish. I believe that the counsel should consider setting aside 5% of the initial allocation to be designated a jig fishers' quote.

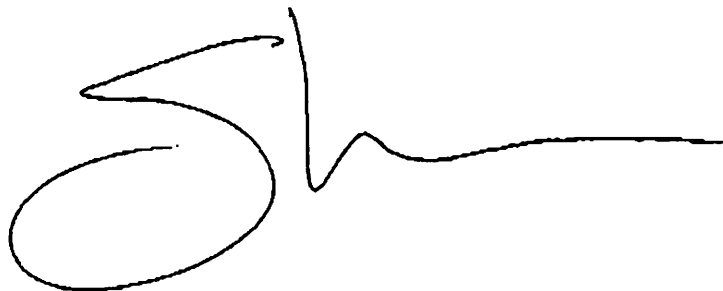
The emerging jig fishing fleet for the Kodiak states water cod fishery now has 148 vessels registered to deliver in 2004. Many of vessels also in participate in the jig fishery for black rockfish. Dusky rockfish are harvested by our user group during these fisheries. I believe we are capable of the harvesting part of the northern rockfish and pacific ocean perch (pop) quotas as well.

It is my understanding that the purpose of this program is to realize the most value for the fish. Currently 3 canraries in Kodiak are paying the jig fishermen 25 cents per pound for duskies and 1 of these is offering 30 cents/lb., on loads ^{over} after 10,000lbs. I would like you to compare these prices to the traditional 5 cents to 8 cents paid to the drag fleet. Even it the fishery is slowed down though the pilot programs implementation, I doubt that the drag fleets prices will be able to come even close to our current one. The superiority of quality that our fleet delivers in the hook and line rock fisheries would be impossible to match in the volume drag fishery. Further , I do not feel an initial location to the jig fleet would prove any hardship to the draggers NMFS records indicates that they have only harvested 100% of their quota 1 year between 1995 -2003 (1999) historically their take of the northern rockfish and pelagic shelf rockfish has been closer to 60%- 75% of these available quotas. Theirs has always been a by catch driven fishery with the value of their loads coming predominantly from the black cod and grey cod. Our's would be predominantly target species oriented because of our premium initial dock price.

Please do not limit entry into the bering sea jig cod fishery or make any changes there to. The allocation versus actual catch does not warrant any such action.

I am the owner/operator of the F/V LANA E. ihave seen many trips where duskies made up 50% of my deliveries. Our user group should be addressed in the pilot program. Thank you for your time.

Sincerely, shaun koson



From: "Terry Haines" <yohaines@alaska.com>
To: <Island1@ptialaska.net>
Sent: Sunday, May 30, 2004 9:07 PM
Subject: Fish Heads Council Testimony

North Pacific Fisheries Management Council:

RE: COMMUNITY PROTECTION PROGRAMS

907-

1. Community Fisheries Quota:

Quota should be sold or leased to members of the community only. "Member of the community" should be defined as a person maintaining a residence in the community with a history of participation in the fishing industry, not restricted to boat owners. Offshore leases to Catcher/Processors should not be allowed.

If a community buys harvest shares, there should be no processor linkage, since the possession of the quota itself addresses issues of community protection. Requiring the product be sold to any buyer in the community would keep the value in the community, while allowing for a competitive marketplace.

Likewise, allocated CFQs should not be linked to specific processors, but regionalized, allowing for a free market within the community for the product. This will not only maximize the value to the community, but allow for entrepreneurship within the community, thus fostering a healthy economy.

In all cases, CFQ quota share holders should be responsible for ensuring that all harvesters of CFQ product distribute the proceeds from their sale according to traditional pay scales presently at work in the industry. Quota harvesters would be required to report the percentage of proceeds paid to skippers and deckhands. If the amount does not comply to an agreed upon industry standard, the harvester would be faced with a reduced bycatch or loss of quota.

Thanking you in advance for your careful consideration,

Terry Haines, Fish Heads
yohaines@alaska.com

5/30/2004

**Public Testimony Sign-Up Sheet
and
Other Handouts Received**

PUBLIC TESTIMONY SIGN-UP SHEET FOR

AGENDA ITEM

C-5 GOA Rockfish Pilot Program

	NAME (PLEASE PRINT)	AFFILIATION				
1 ✓	Tim Blott	Ocean Beauty Seafoods	3			
2	Teff Stephens	UFMA	6			
3 ✓	Leslie Smith	Alaska Fish Assoc.	6			
4 ✓	Joe Sullivan	M. and Mac / Kodiak	3			
5 ✓	MATTHEW MOIR / MARK CHANDLER	ALASKA PACIFIC SEAFOOD / FV TOPAZ	3/6			
6 ✓	Susan Robinson / Mike Peterson	Fishermen's Front	3			
7 ✓	Heather McCarty	Island Seafoods, Kodiak	3			
8 ✓	LORI SWANSON / ED LUTRIZI	GROUNDWATER FORUM	3 (6)			
9	<div style="border: 2px solid black; width: 100%; height: 100%; position: relative;"> X </div>	<div style="border: 2px solid black; width: 100%; height: 100%; position: relative;"> X </div>	<div style="border: 2px solid black; width: 100%; height: 100%; position: relative;"> X </div>			
10				Julie Bonney	ADCF	6
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NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person "to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.

skipped

**Addendum to Report on Sideboards
Central Gulf of Alaska Rockfish Pilot Program
June 2004**

Retained Harvests of Other Species by Rockfish Eligible Participants

Tables 8 and 9 show retained harvest from possible sideboard fisheries by rockfish eligible catch processor participants and catcher vessel participants, respectively. To the extent possible, each table shows the percentage of the sector's retained catch and total retained catch taken by rockfish eligible participants. Transfer history is included in the tables by including both the harvests of the vaessel that is currently associated with the LLP license and the vessel that was originally associated with the LLP license, in the case of transferred LLP licenses. The tables include all retained catch by eligible participants regardless of whether the species was targeted. The numbers of participants shown in Tables 6 and 7, which show target fishery participation, differ from the numbers of participants shown in Tables 8 and 9 because these latter tables do not consider targeting.

Data from the following weekending dates were used for generation of sideboard tables. These dates were chosen to estimate July harvests that were specified in the Council motion.

Weekending Dates for Sideboarded Species Table of Retained Harvests

1996	1997	1998	1999	2000	2001	2002
6-Jul	5-Jul	4-Jul	3-Jul	8-Jul	7-Jul	6-Jul
13-Jul	12-Jul	11-Jul	10-Jul	15-Jul	14-Jul	13-Jul
20-Jul	19-Jul	18-Jul	17-Jul	22-Jul	21-Jul	20-Jul
27-Jul	26-Jul	25-Jul	24-Jul	29-Jul	28-Jul	27-Jul
3-Aug	2-Aug	1-Aug	31-Jul		4-Aug	3-Aug

Table 8. Retained harvests of other species by rockfish eligible catcher processor participants

		Eligible catcher processors				Other catcher processors		All catcher processors		All vessels	
		Participants	Retained catch (MT)	Percentage of catcher processor retained catch	Percentage of all retained catch	Participants	Retained catch (MT)	Participants	Retained catch (MT)	Participants	Retained catch (MT)
Aleutian Islands Pacific Ocean perch	1996	5	106	100	100	0	0	5	106	5	106
	1997	0	0	0	0	0	0	0	0	0	0
	1998	3	*	*	*	2	*	5	6,851	5	6,851
	1999	5	*	*	*	1	*	6	10,258	6	10,258
	2000	3	3,873	50	50	3	3,830	6	7,702	6	7,702
	2001	3	2,068	32	32	3	4,413	6	6,481	6	6,481
	2002	0	0	0	0	0	0	0	0	0	0
	Total	5	18,514	59	59	4	12,884	9	31,398	9	31,398
Bering Sea/Aleutian Islands other flatfish (rocksole, flathead sole arrowtooth flounder, Alaska plaice, other flatfish)	1996	6	478	11	11	9	3,877	15	4,355	15	4,355
	1997	9	3,490	33	33	12	7,041	21	10,530	21	10,530
	1998	8	1,244	19	19	10	5,139	18	6,383	18	6,383
	1999	12	2,616	27	27	25	7,005	37	9,621	37	9,621
	2000	6	880	19	19	19	3,835	25	4,716	25	4,716
	2001	11	1,747	25	25	24	5,303	35	7,050	35	7,050
	2002	12	2,485	50	50	25	2,491	37	4,976	37	4,976
	Total	13	12,940	27	27	30	34,691	43	47,631	43	47,631
Bering Sea/Aleutian Islands Pacific cod	1996	6	1,135	54	54	8	974	14	2,109	14	2,109
	1997	9	595	45	45	12	722	21	1,317	21	1,317
	1998	8	434	34	*	10	845	18	1,278	21	*
	1999	12	534	31	31	25	1,162	37	1,696	37	1,696
	2000	6	324	26	25	20	914	26	1,238	51	1,275
	2001	11	1,439	48	37	24	1,550	35	2,989	92	3,899
	2002	12	1,168	43	33	25	1,571	37	2,739	91	3,586
	Total	13	5,628	42	36	29	7,738	42	13,365	116	15,654
Bering Sea/Aleutian Islands yellowfin sole	1996	0	0	0	0	4	213	4	213	4	213
	1997	8	897	54	54	11	751	19	1,648	19	1,648
	1998	5	1,322	78	78	8	379	13	1,701	13	1,701
	1999	10	1,672	66	66	11	850	21	2,522	21	2,522
	2000	2	*	*	*	4	*	6	340	6	340
	2001	10	2,077	73	73	8	764	18	2,842	18	2,842
	2002	11	7,796	51	51	22	7,482	33	15,279	33	15,279
	Total	12	13,911	57	57	24	10,632	36	24,543	36	24,543

* Withheld for confidentiality

Table 8. Retained harvests of other species by rockfish eligible catcher processor participants (continued)

	Eligible catcher processors				Other catcher processors		All catcher processors		All vessels		
	Participants	Retained catch (MT)	Percentage of catcher processor retained catch	Percentage of all retained catch	Participants	Retained catch (MT)	Participants	Retained catch (MT)	Participants	Retained catch (MT)	
Gulf of Alaska flatfish (rex sole, deep water flatfish, arrowtooth flounder, shallow water flatfish, flathead sole)	1996	16	1,567	*	24	7	*	23	*	58	6,451
	1997	14	325	60	10	4	216	18	540	46	3,275
	1998	11	1,110	66	39	5	560	16	1,669	42	2,815
	1999	10	1,138	81	77	5	262	15	1,400	38	1,481
	2000	10	1,754	58	48	5	1,290	15	3,044	33	3,633
	2001	10	861	*	35	3	*	13	*	34	2,441
	2002	5	*	*	*	2	*	7	1,453	30	2,468
	Total	16	7,817	61	35	11	4,900	27	12,717	75	22,564
Western Gulf of Alaska rockfish	1996	7	421	50	50	4	414	11	835	11	835
	1997	4	991	56	*	3	764	7	1,755	9	*
	1998	5	773	86	86	3	126	8	899	8	899
	1999	6	*	*	*	2	*	8	2,468	8	2,468
	2000	5	1,390	76	76	4	444	9	1,835	9	1,835
	2001	5	793	65	65	3	432	8	1,225	8	1,225
	2002	3	*	*	*	2	*	5	48	5	48
	Total	10	6,720	74	*	8	*	18	9,064	20	*
Western Yakutat rockfish	1996	4	*	*	*	1	*	5	2,094	9	2,098
	1997	3	1,293	100	88	0	0	3	1,293	8	1,471
	1998	1	*	*	*	1	*	2	*	5	*
	1999	3	*	*	*	1	*	4	1,297	6	1,374
	2000	1	*	*	*	0	0	1	*	2	*
	2001	1	*	*	*	1	*	2	*	3	*
	2002	0	0	0	0	0	0	0	0	0	0
	Total	5	*	*	*	2	*	7	8,357	21	8,638

* Withheld for confidentiality

Table 8. Retained harvests of other species by rockfish eligible catcher vessel participants

		Eligible catcher vessels				Other catcher vessels		All catcher vessels		All vessels	
		Participants	Retained catch (MT)	Percentage of catcher vessel retained catch	Percentage of all retained catch	Participants	Retained catch (MT)	Participants	Retained catch (MT)	Participants	Retained catch (MT)
Aleutian Islands Pacific Ocean perch	1996	0	0	0	0	0	0	0	5	106	
	1997	0	0	0	0	0	0	0	0	0	
	1998	0	0	0	0	0	0	0	5	6,851	
	1999	0	0	0	0	0	0	0	6	10,258	
	2000	0	0	0	0	0	0	0	6	7,702	
	2001	0	0	0	0	0	0	0	6	6,481	
	2002	0	0	0	0	0	0	0	0	0	
	Total	0	0	0	0	0	0	0	9	31,398	
Bering Sea/Aleutian Islands other flatfish (rocksole, flathead sole arrowtooth flounder, Alaska plaice, other flatfish)	1996	0	0	0	0	0	0	0	15	4,355	
	1997	0	0	0	0	0	0	0	21	10,530	
	1998	0	0	0	0	0	0	0	18	6,383	
	1999	0	0	0	0	0	0	0	37	9,621	
	2000	0	0	0	0	0	0	0	25	4,716	
	2001	0	0	0	0	0	0	0	35	7,050	
	2002	0	0	0	0	0	0	0	37	4,976	
	Total	0	0	0	0	0	0	0	43	47,631	
Bering Sea/Aleutian Islands Pacific cod	1996	0	0	0	0	0	0	0	14	2,109	
	1997	0	0	0	0	0	0	0	21	1,317	
	1998	1	*	*	*	2	*	3	21	*	
	1999	0	0	0	0	0	0	0	37	1,696	
	2000	5	10	26	1	20	27	25	51	1,275	
	2001	10	15	2	0	47	896	57	92	3,899	
	2002	8	156	18	4	46	691	54	91	3,586	
	Total	13	290	13	2	61	1,998	74	116	15,654	
Bering Sea/Aleutian Islands yellowfin sole	1996	0	0	0	0	0	0	0	4	213	
	1997	0	0	0	0	0	0	0	19	1,648	
	1998	0	0	0	0	0	0	0	13	1,701	
	1999	0	0	0	0	0	0	0	21	2,522	
	2000	0	0	0	0	0	0	0	6	340	
	2001	0	0	0	0	0	0	0	18	2,842	
	2002	0	0	0	0	0	0	0	33	15,279	
	Total	0	0	0	0	0	0	0	36	24,543	

* Withheld for confidentiality

Table 8. Retained harvests of other species by rockfish eligible catcher vessel participants (continued)

		Eligible catcher vessels				Other catcher vessels		All catcher vessels		All vessels	
		Participants	Retained catch (MT)	Percentage of catcher vessel retained catch	Percentage of all retained catch	Participants	Retained catch (MT)	Participants	Retained catch (MT)	Participants	Retained catch (MT)
Gulf of Alaska flatfish (rex sole, deep water flatfish, arrowtooth flounder, shallow water flatfish, flathead sole)	1996	33	2,769	*	43	2	*	35	*	58	6,451
	1997	27	2,722	*	83	1	*	28	*	46	3,275
	1998	26	1,145	100	41	0	0	26	1,145	42	2,815
	1999	23	81	100	5	0	0	23	81	38	1,481
	2000	18	589	100	16	0	0	18	589	33	3,633
	2001	19	1,357	*	56	2	*	21	*	34	2,441
	2002	23	1,015	100	41	0	0	23	1,015	30	2,468
	Total	44	9,678	98	43	4	169	48	9,847	75	22,564
Western Gulf of Alaska rockfish	1996	0	0	0	0	0	0	0	0	11	835
	1997	1	*	*	*	1	*	2	*	9	*
	1998	0	0	0	0	0	0	0	0	8	899
	1999	0	0	0	0	0	0	0	0	8	2,468
	2000	0	0	0	0	0	0	0	0	9	1,835
	2001	0	0	0	0	0	0	0	0	8	1,225
	2002	0	0	0	0	0	0	0	0	5	48
Total	1	*	*	*	1	*	2	*	20	*	
Western Yakutat rockfish	1996	4	4	100	0	0	4	4	9	2,098	
	1997	5	178	100	12	0	5	178	8	1,471	
	1998	3	*	*	*	0	0	3	*	5	*
	1999	2	*	*	*	0	0	2	77	6	1,374
	2000	1	*	*	*	0	0	1	*	2	*
	2001	1	*	*	*	0	0	1	*	3	*
	2002	0	0	0	0	0	0	0	0	0	0
Total	14	282	100	3	0	0	14	282	21	8,638	

* Withheld for confidentiality

Alaska Jig Association

PO Box 2193
Kodiak, Alaska 99615

Leslie Smith
AK Jigger's Assn.
Pub. Test. C-5
6/11/04 130p

June 10, 2004

To: Members of the NPFMC
Re: Central Gulf Rockfish pilot program

The Alaska Jig association is a newly formed organization representing the jig fishery, based in Kodiak. We have a membership of 30+ out of an active and fairly constant jig fleet of 60 boats. The jig association is the primary non-trawl gear type for the rockfish resource. Jigging is a small-volume, slow fishery where fish can be handled for quality and delivered for top value. Our members are anxious for the opportunity to further explore and develop high-end markets for local rockfish species.

Regarding the April 04 council motion on the rockfish pilot program, the Alaska Jig Association would like to go on record with the following comments:

Number 1, set-asides:

We support the 5% set-aside option for all species, and we support option one, a 50/50 apportionment. Regarding the apportionment terminology, we would like the language to specify jig as a gear-type, (as trawl is an identified gear-type), rather than the existing language. Thus we're asking for a 50% apportionment (2.5%) of the set-aside specifically for jig gear. The justification for this is that jig fishers are the only other gear-type with the landing history, capability, and active interest in these rockfish species.

1.2 (third bullet) We support the added language specifying the incidental catch and PSC allocations.

2.4 We think further clarification is needed for the statement in this section (paragraph following the bullets).

“Sub-option: Equal shares distributions to the vessel applicants”, and “Council clarification if individual share allocations are the only option”-

We support the “second option”, described as a “limited access competitive fishery”, where access would only be limited by the requirements described. We support this option to be continued beyond the pilot program term, as a long-term management strategy.

Lastly, the jig association would like to acknowledge the council's wisdom in recognizing the value and importance of entry level fisheries to the coastal communities. Kodiak has always had a significant fleet of small vessels whose economic viability is utterly dependent on their ability to diversify. Entry level access to this portion of the gulf rockfish public resource will help assure that stability.

Respectfully,
Alaska Jig Association

C-5 handout
Susan Robinson/Mike
Peterson Pub. Test.
6/11/04 2:00pm

"A"

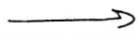
Jan - March

March - Apr

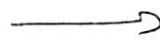
April

"B"

Pollock



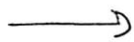
Cod



YFS

Pollock

Pollock



YFS



Pollock

July 1 - 7 (10)

— Remainder of July —

CGOA POP



CGOA Northern + Dusky

→ GOA FLAT

→ BS FLAT

→ BS YFS

→ WYAK ^{DUS} ~~POP~~

→ AT POP



BS YFS

→ BS FLAT + D



BS YFS

→ BS YFS

→ BS COD



BS YFS

→ GOA DW FLATS



BS YFS

→ GOA SW FLATS

→ WYAK POP or Dusky

→ BS YF

→ WGOA POP or Northern / Dusky → BS

6/11/04 10am
AP Rpt.
C-5

DRAFT

DRAFT

C-5 GOA Rockfish Pilot Program

The AP recommends the Council accept staff's changes as noted with the following exceptions:

1.2 Allocations shall be apportioned between trawl and non-trawl gear (instead of fixed and mobile)
Motion passed 16/0.

1.2 Prosecution of the entry level general allocations of PSC to the gear type not allocated not allocated under 3.3.1.2
And the general allocations of secondary species not allocated under 3.3.1.2 *Motion passed 16/0.*

1.2 Add a suboption rollover from non-trawl to trawl will occur at the end of the third quarter. *Motion passed 16/0.*

2.4 Entry level fishery management
Add a Suboption: Limited access competitive fishery *Motion passed 13/0*

3.3.1.1 Add new language: History will be allocated to each sector for POP, Northern rockfish and PSR caught in CGOA based on retained catch during the open season. *Motion passed 16/0*

5.4 Alternative 2 and Alternative 3. Add an option: When owner and operator are not affiliated, the license will be issued to the owner and operator, but the operator will receive the right to vessel coop linkages. (Add options similar to GOA Groundfish rationalization) *Motion passed 9/6.*

5.4 Alternative 3

A harvester is eligible to join a cooperative in association with the processing facility to which the harvester delivered the most pounds of the three rockfish species combined during the year's
Option 1. 1996 – 2000 drop 1 year (processor chooses the year to drop, same year for all LLPs)
Option 2. 1996 – 2001 drop 1 year (processor chooses the year to drop, same year for all LLPs)
Motion passed 14/0

Harvesters may elect not to join a co-op, and continue to fish in an LLP/Open Access fishery. Those LLPs that opt out of the cooperative portion of the pilot program will be penalized 0 to 20% of their historical share (**annual allocation**). The penalty share will be left with the LLP's associated cooperative. The LLP's remaining share will be fished in a competitive fishery open to rockfish qualified vessels who are not members of a coop and must be delivered to one of the qualified processors. *Motion passed 15/0.*

5.6 Change word "right" to "privilege" *Motion passed 15/0.*

The eligibility for entry into the program is one targeted landing and X retained catch during the open season. *Motion passed 15/0.*

The CP catch history will be based on WPR data. *Motion passed 14/0.*

The AP requests the Council encourage the CP fleet to work with NMFS and NPFMC staff to develop a data format using confidentiality waivers to analyze sideboards. Additionally, include participation data broken out by the three rockfish species based on WPR. *Motion passed 15/0.*

A motion to allocate p.cod as a secondary species at the following rates of secondary species harvest history failed 4-12. 100%, 90%, 80%, 70%

Minority Reports:

Rockfish trawlers who qualify for the CGOA Pilot Rockfish Program need an incidental catch allocation of p.cod as a secondary species sufficient enough to reasonably prosecute this fishery. Nevertheless, an allocation of 100% of the entire historical p.cod bycatch history is not necessary. Top – off targeting of CGOA p.cod in conjunction with the CGOA trawl rockfish fishery resulted in historical rates of p.cod bycatch that exceeded the natural bycatch rate that otherwise could have been realized in this fishery, that otherwise would reasonably permit this fishery to proceed in the future and that maximized the economic benefit provided by MRAs extant for the CGOA trawl rockfish fishery.

The CGOA Pilot Rockfish Program should not be used to rationalize only a segment of the CGOA p.cod users absent the many other diverse considerations that should otherwise be considered when rationalizing the entire CGOA p.cod fishery for all other CGOA p.cod users. Rationalization of the CGOA trawl rockfish fleet should permit this fleet to prosecute this fishery, at a reasonable rate of p.cod bycatch, but not at 100% of historical performance that reflects top-off targeting of CGOA p.cod bycatch. Other decision points should be provided for analysis. Signed, Jeff Stephan, Jim Preston, Dan Falvey, and Bob Jacobson.

We, the minority, oppose the inclusion of multiple issuance of processing licenses to facilities. Within the pilot program, awarding facility based processing licenses accomplishes community and processor protection. Proliferation of processing licenses will diminish that protection. When reviewing the problem statement, the goals of both stabilization of the processing workforce and jeopardizing historical groundfish community stability may be compromised. The Council has gone to great lengths to award only one history for vessels; this approach is totally contrary to that policy choice for processing history. The entity that took the financial risk of the business should be the one recognized, not the landlord of a building. The congressional rider language recognized historical fish processors, owning a facility does not equate to fish processing. Signed: Teresa Kandianis, John Moller, Al Burch, Tom Enlow, Kent Leslie, and Mitch Kilborn.