

**Joint Meeting
Alaska Board of Fisheries
and
North Pacific Fishery Management Council
February 4, 1997**

TAB 3: PUBLIC COMMENT ON GROUND FISH ISSUES

- a. Points raised in previous testimony**
- b. Public testimony**

SUMMARY OF WRITTEN TESTIMONY ON STATE PACIFIC COD FISHERY**PRO**

- state fishery provides **expanded opportunity** for local fleets for year-round harvest and employment
- aids vessel owners displaced from **halibut IFQ fishery and pink salmon fishery**
- allows for small boat fishery during **good weather**
- will be a "clean" **non-bycatch fishery**
- **BOF within legal jurisdiction** to manage groundfish within state waters

CON

- Pacific cod should be managed as **one stock**; **spatial and temporal distribution** of Pacific cod was not considered in the reallocation
- cold water **regime shift** may cause stock to redistribute from traditional patterns (move to deeper waters)
- **ADFG budget** will not allow for adequate assessment, monitoring, and management of state fishery
- P. cod fishery is **fully utilized**
- 25% TAC in addition to average 21% state landings under federal TAC may lead to **localized depletion**
- **socioeconomic effects** were not considered for impacts on currently participating fishermen and processors, best time to harvest fish, effects on raw fish tax, overcapitalization
- **high halibut and crab bycatch** will occur with increased pot effort
- **coordination** between federal and state fishery management not considered
- **federal fishery requirements** do not apply to state fishery: (1) retention of P. cod in IFQ H&L fishery; (2) observer requirements; (3) moratorium and limited access; (4) improved retention/improved utilization; (5) quota overages
- **inadequate notice** of BOF action to industry
- **undesirable fishing late in season on post-spawned fish**
- **no observer coverage** for state fishery
- **no enforcement** of state fishery
- **Unilateral BOF action** best replaced by **cooperative state/federal management under Council process**

Groundfish Data Bank

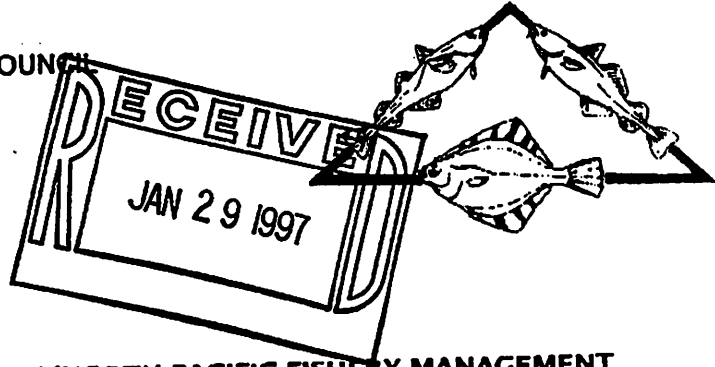
P.O. Box 2298 • Kodiak, Alaska 99615

TO: RICK LAUBER, CHAIRMAN
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

RE: COMMENTS ON BOARD OF FISH ACTION

DATE: JANUARY 29, 1997

SENT BY FAX: 7 PP



AGDB COMMENTS FOR THE BOARD OF FISH/NORTH PACIFIC FISHERY MANAGEMENT COUNCIL JOINT MEETING

A. DRAFT PROTOCOL

AGDB members want to compliment the Board of Fish and North Pacific Fishery Management Council members and staff who met as a committee to draft a joint protocol for the spirit of coordination and cooperation which prevailed during the meeting. The draft protocol seems to us to cover the issues which were of greatest concern.

Our difficulties with the Board of Fish had less to do with the Board's action than with what we felt was a lack of information available to the Board. The joint protocol appears to provide ample opportunity for both the Council and the Board to share information and make decisions based on the best available data.

B. COMMENTS ON THE BOARD OF FISH ACTION CREATING A STATE WATER FISHERY FOR PACIFIC COD

1. REQUEST FOR AN OCTOBER 1 ROLLOVER TO THE FEDERAL FISHERY OF ANY REMAINING STATE WATER PACIFIC COD QUOTA AT THE END OF 1997 AND IN FUTURE YEARS

The historic data indicates that there is a strong possibility that the State Water Pacific cod quota will not be taken. If this possibility becomes a reality, it seems only prudent to allow for the remaining quota to be taken rather than left on the grounds and the communities deprived of work and income.

We also want to clearly state that in Kodiak the processing plant workers are full time residents of Kodiak and form a dependable economic base. The health of Kodiak's economy is directly tied to the number of processing days.

The October 1 date is suggested because that is the date of the last halibut cap release for the trawl fleet. If the Pacific cod is not released on Oct. 1 there is a real potential for the halibut cap to be taken and the available cod left on the grounds because shorebased and at-sea fleets work under the same halibut cap.

We are aware that the Board of Fish members did consider this alternative and were informed that NMFS could not roll the quota over. It is now our understanding that NMFS feels it can roll any remaining State quota back to the Federal quota.

In 1995 Pacific cod was open from August 15 to September 1 in State waters only. Total catch was 32 MT by pots and 16 MT by longlines. The trawl and longline fisheries were both prohibited from targeting Pacific cod due to halibut bycatch..

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The Federal Fishery reopened September 1, again only pot and jig gear were able to fish September 1 thru September 30, as both longline and trawl gear were still closed due to halibut bycatch. The total pot catch for the month of September was 74 MT of Pacific cod.

The trawl fleet resumed fishing October 1 and the Pacific cod quota was reached October 11. During the 11 day October fishery pot gear took 290 MT of Pacific cod. The trawl fleet took 2,300 MT of Pacific cod.

Certainly the same weather problems that small vessels testified prevented them from fishing Pacific cod in the first three months of the year would also apply to the last three months of the year. An October 1 reversion of remaining State Water Pacific cod quota to the federal quota appears unlikely to remove any real opportunity from small vessels.

2. PECULIARITIES OF THE PACIFIC COD FISHERY

Pot and longline vessels start fishing Pacific cod Jan 1. The trawl fleet does not start until after the pollock fishery, sometime in late January or early February. The trawl share of the catch increases each week of the season during February and March. The effect of reducing the Federal quota to create a State water fishery is to reduce the trawl share of the quota and increase the pot share of the quota -- this in effect increases the tonnage taken in State Waters. In 1995, had there been a State water quota the total amount of Pacific cod catch taken in State waters, provided the fish could be caught, would have been 39%.

Tables showing catch and percent shares by week and calculations of the shift of catch from Federal to State waters are attached to these comments.

3. REQUEST TO CREATE SMALL BOAT OPPORTUNITIES TO FISH PACIFIC COD UNDER THE FEDERAL MANAGEMENT SYSTEM AS A REPLACEMENT FOR THE STATE MANAGED FISHERY

There is no question in our minds that the Board of Fish responded to a growing frustration expressed by small vessels who felt they were not able to equitably compete in the Pacific cod fishery. This frustration was also expressed to the Council, but was not taken up as a priority issue.

While there are many AGDB members who feel people make their choices whether to be small or large vessels and should live within the restraints of those choices, all members recognize that some opportunities need to be made for small vessels. Unfortunately, Pacific cod does not lend itself well to a spring or summer fishery. Flesh quality, fish availability and value is greatest in the first and last three months of the year. Spring is the worst time as the flesh quality is very poor.

We suggest that during 1997 the Council and Board jointly explore options for assisting small vessels such as a small boat quota which can be fished in federal or state waters, releasing a portion of the Pacific cod quota in August/September to allow a small boat fishery when the trawl fleet is closed due to halibut bycatch, creating a separate jig quota as was done in the Bering Sea, etc.

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Then, based on the 1997 State Water fishery performance, start work in late 1997 on a management system or systems which best meet the needs of small vessels in the Gulf communities.

We appreciate the opportunity to present these comments.

Sincerely,



Chris Blackburn, Director
Alaska Groundfish Data Bank

NOTE

State Water Catch Data in the following Tables is from "An Overview of the Groundfish Fishery in the Central and Western Gulf of Alaska. ADF&G Regional Information Report No. 4K9650.

Data on total catch by gear for the shorebased Pacific cod fishery is from the NMFS Bulletin Board. Catch by week was derived from the cumulative catch reports. Corrections to the cumulative catch may create minus numbers.

TABLE A: 1995 CENTRAL GULF CUMULATIVE CATCH BY WEEK

CENT GULF - PACIFIC COD - INSHORE					GEAR % SHARE - CUM - 1995		
CATCH BY GEAR - CUMULATIVE - 1995							
WED	TRAWL	LNGLINE	POT	TOTAL	TRAWL	LL	POT
01/14	0	419	1947	2366	0.00	17.71	82.29
01/21	15	677	2897	3589	0.42	18.86	80.72
01/28	132	983	3382	4497	2.94	21.86	75.21
02/04	623	1249	4047	5919	10.53	21.10	68.37
02/11	841	1429	4636	6906	12.18	20.69	67.13
02/18	1887	1576	5436	8899	21.20	17.71	61.09
02/25	4231	2123	6611	12965	32.63	16.37	50.99
03/04	6736	3063	7795	17594	38.29	17.41	44.30
03/11	11494	3932	9293	24719	46.50	15.91	37.59
03/18	14400	4197	9955	28552	50.43	14.70	34.87
03/25	16068	4202	10504	30774	52.21	13.65	34.13
04/01	17749	4415	12086	34250	51.82	12.89	35.29
04/08	17814	4417	12085	34316	51.91	12.87	35.22
04/15	17953	4364	11822	34139	52.59	12.78	34.63
04/22	18926	4386	12099	35411	53.45	12.39	34.17
04/29	19169	4427	12104	35700	53.69	12.40	33.90
05/06	19326	4519	12293	36138	53.48	12.50	34.02
05/13	19393	4525	12293	36211	53.56	12.50	33.95
05/20	19404	4532	12293	36229	53.56	12.51	33.93
05/27	19396	4543	12293	36232	53.53	12.54	33.93
06/03	19397	4551	12293	36241	53.52	12.56	33.92
06/10	19401	4564	12293	36258	53.51	12.59	33.90
06/17	19427	4570	12293	36290	53.53	12.59	33.87
06/24	19427	4570	12293	36290	53.53	12.59	33.87
07/01	19442	4585	12293	36320	53.53	12.62	33.85
07/08	19538	4593	12293	36424	53.64	12.61	33.75
07/15	19797	4679	12293	36769	53.84	12.73	33.43
07/29	19886	4591	12293	36770	54.08	12.49	33.43
08/05	19886	4593	12293	36772	54.08	12.49	33.43
08/12	19872	4598	12293	36763	54.05	12.51	33.44
08/19	19872	4602	12307	36781	54.05	12.51	33.46
08/26	19970	4614	12325	36909	54.11	12.50	33.39
09/02	20831	4620	12325	37776	55.1435	12.23	32.6265
09/09	20831	4628	12325	37784	55.1318	12.2486	32.6196
09/16	20734	4650	12338	37722	54.9653	12.327	32.7077
09/23	20734	4657	12344	37735	54.9463	12.3413	32.7123
09/30	20734	4672	12399	37805	54.8446	12.3582	32.7972
10/07	20944	4677	12481	38102	54.97	12.27	32.76
10/14	22749	4694	12689	40132	56.69	11.70	31.62
10/21	23054	4701	12689	40444	57.00	11.62	31.37
FEDERAL FISHERY - OPEN PERIODS BOXED					STATE WATER ONLY FISHERY		
POT & LONGLINE GEAR OPENED JANUARY 1					BOXED & SHADED		
TRAWL GEAR OPENED JANUARY 20					AUG. 15 - SEP. 1		
FISHERY CLOSED MARCH 18							
REOPEN SEPT. 1, CLOSED OCT 11							

TABLE B: 1995 CENTRAL GULF PACIFIC COD CATCH BY WEEK

CENT GULF - PACIFIC COD - INSHORE					GEAR % SHARE - WK - 1995		
CATCH BY GEAR - WEEKLY - 1995							
WED	TRAWL	LNGLN	POT	TOTAL	TRAWL	LL	POT
01/14	0	419	1947	2366	0.00	17.71	82.29
01/21	15	258	950	1223	1.23	21.10	77.68
01/28	117	306	485	908	12.89	33.70	53.41
02/04	491	266	665	1422	34.53	18.71	46.77
02/11	218	180	589	987	22.09	18.24	59.68
02/18	1046	147	800	1993	52.48	7.38	40.14
02/25	2344	547	1175	4066	57.65	13.45	28.90
03/04	2505	940	1184	4629	54.12	20.31	25.58
03/11	4758	869	1498	7125	66.78	12.20	21.02
03/18	2906	265	662	3833	75.82	6.91	17.27
03/25	1668	5	549	2222	75.07	0.23	24.71
04/01	1681	213	1582	3476	48.36	6.13	45.51
04/08	65	2	-1	66	98.48	3.03	-1.52
04/15	139	-53	-263	-177	-78.53	29.94	148.59
04/22	973	22	277	1272	76.49	1.73	21.78
04/29	243	41	5	289	84.08	14.19	1.73
05/06	157	92	189	438	35.84	21.00	43.15
05/13	67	6	0	73	91.78	8.22	0.00
05/20	11	7	0	18	61.11	38.89	0.00
05/27	-8	11	0	3	-266.67	366.67	0.00
06/03	1	8	0	9	11.11	88.89	0.00
06/10	4	13	0	17	23.53	76.47	0.00
06/17	26	6	0	32	81.25	18.75	0.00
06/24	0	0	0	0	#DIV/0!	#DIV/0!	#DIV/0!
07/01	15	15	0	30	50.00	50.00	0.00
07/08	96	8	0	104	92.31	7.69	0.00
07/15	259	86	0	345	75.07	24.93	0.00
07/29	89	-88	0	1	8900.00	-8800.00	0.00
08/05	0	2	0	2	0.00	100.00	0.00
08/12	14	5	0	19	155.56	-55.56	0.00
08/19	0	4	14	18	0.00	22.22	77.78
08/26	98	12	18	128	76.56	9.38	14.06
09/02	861	6	0	867	99.30796	0.692	0
09/09	0	8	0	8	0	100	0
09/16	-97	22	13	-62	156.4516	-35.484	-20.97
09/23	0	7	6	13	0	53.846	46.15
09/30	0	15	55	70	0	21.429	78.57
10/07	210	5	82	297	70.71	1.68	27.61
10/14	1805	17	208	2030	88.92	0.84	10.25
10/21	305	7	0	312	97.76	2.24	0.00

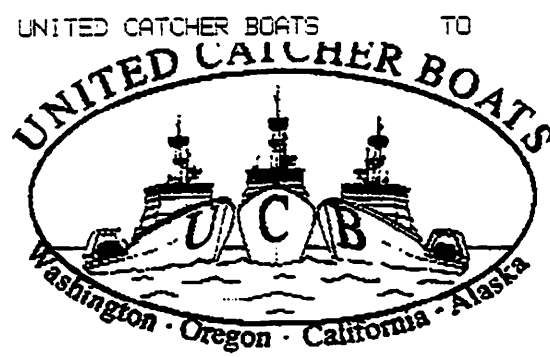
TABLE SET B: 1995 STATE WATER FISHERY PERCENTAGE ASSUMING 15% STATE WATER QUOTA

PROJECTED STATE WATER PACIFIC COD CATCH IN 1995 ASSUMING A STATE WATER FISHERY QUOTA = 15% OF TAC						
1995 STATE WATER CATCH CALCULATIONS						
TABLE B1			TABLE B2			
MT CATCH - PAC COD			GEAR SHARE - PAC COD			
STATE WATER CATCH			STATE WATER HARVEST			
CENTRAL GULF			CENTRAL GULF			
YEAR	MT CAT		YEAR	TRAWL	LNGLINE	POT
1995	10027		1995	0.21	0.06	0.73
1996	7486		1996	N/A	N/A	N/A
From ADF&G 4K96-50			From ADF&G 4K96-50			
TABLE B3						
CALCULATED MT CATCH BY GEAR - PACIFIC COD						
STATE WATER CATCH - CENTRAL GULF						
YEAR	TRAWL	LNGLINE	POT	TOTAL		
1995	2106	602	7320	10027		
1996	N/A	N/A	N/A	N/A		
Calculated from tables 1 and 2						
1995 STATE WATER CATCH CALCULATED AS SHARE OF TOTAL QUOTA						
TABLE B4						
1995 CENTRAL GULF - PACIFIC COD - QUOTA						
45650	MT	(NMFS)				
TABLE B5						
1995 STATE WATER CATCH AS SHARE OF TOTAL QUOTA						
PACIFIC COD - CENTRAL GULF						
YEAR	TRAWL	LNGLINE	POT	TOTAL		
1995	0.0461	0.0132	0.1603	0.2197		
1996	N/A	N/A	N/A	N/A		
From Tables 3 and 4						

TABLE SET B: 1995 STATE WATER FISHERY PERCENTAGE ASSUMING 15% STATE WATER QUOTA

ESTIMATED STATE WATER PACIFIC COD CATCH - 1995				
IF 15% OF TOTAL QUOTA ALLOCATED TO SEPARATE STATE WATER FISHERY				
TABLE B6				
QUOTA DISTRIBUTION WITH STATE WATER FISHERY - MT				
CENTRAL GULF - WITH 15% STATE WATER FISHERY				
95 QUOTA	STATE Q	FED Q		
45650	6848	38803		
Calculated - 15% State Water, 10% Offshore				
TABLE B7				
PROJECTED 1995 STATE WATER CATCH				
WITH 15% STATE WATER FISHERY				
PERIOD	TRAWL	LNGLINE	POT	TOTAL
FED FISH	1790	437	6116	8343
STATE FISH			6848	6848
TOTAL	1790	437	12963	15191
Pot & Longline Aug/Sept catch subtracted from State Water totals				
Calculated from Tables 5 and 6				
TABLE B8				
PERCENT INSHORE PACIFIC COD QUOTA - 1995				
WITH 15% STATE WATER FISHERY				
PERIOD	TRAWL	LNGLINE	POT	TOTAL
ALL	4.61	1.13	33.41	39.15
Calculated from Tables 6 and 7				

Brent C. Paine
Executive Director



Steve Hughes
Technical Director

January 17, 1997

Mr. Richard Lauber, Chairman
North Pacific Fishery Management Council
605 W. 4th Ave., Suite 306
Anchorage, AK 99501

Re: Alaska Board of Fisheries Groundfish Management

Dear Chairman Lauber,

I wanted to provide the Joint Committee of the Alaska Board of Fisheries (ABF) and the North Pacific Fisheries Management Council (NPFMC) with a few thoughts on the recent ABF action to establish a state managed groundfish fishery for P. cod in the Gulf of Alaska. My comments represent the view from the trawl catcher boat sector of the North Pacific fishing industry.

First, we are aware of the desire by owners of smaller vessels ported in Alaska coastal communities for greater access to the P. cod resource in the Gulf of Alaska. United Catcher Boats, comprised of generally larger catcher boats, supports this need. In our view, the current federal management structure of P. cod in the GOA creates a situation where the quotas are taken in a short period of time early in the season. This creates the problem the ABF is attempting to solve by their recent action: no access of fish to smaller vessels during times of the year when they can harvest the fish.

Secondly, UCB opposes the subjective manner in which the ABF arbitrarily removed up to 25 percent of the federal GOA P. cod TAC from the federal fishery. What criteria were used? What biological and economic information provided the basis for such a re-allocation? Rather than an arbitrary amount, we request that the Council base its reduction in the P. cod TAC on the temporal and spatial distribution of the stock. In other words, the amount of P. cod available to the 0 - 3 mile state managed fishery should be based on the percentage of the exploitable stock that resides within three miles multiplied by the exploitation rate approved by the GOA Plan Team and SSC.

Comparing the GOA P. cod management structure to the BSAI management structure provides insight into ways this problem can be solved efficiently at the federal level. Under the BSAI plan, the P. cod quota is apportioned among the different gear-type users: catcher/processor trawl, catcher boat trawl, fixed gear longline and pot, and jig. The PSCs for the fixed gear and trawl gear are also apportioned by gear type in addition to being seasonally apportioned. Under this structure, there is no problem of preemption by one gear type on the other, nor is the quota taken in a compressed fashion early in the season. Rather, each gear type can fish when it desires, throughout the entire season until their TAC is reached. The federal GOA P. cod management is in sharp contrast to the Bering Sea.

UCB believes the management tools are available at the federal level to achieve the same objectives that the ABF set out in October when it acted. The GOA P. cod TAC can be apportioned seasonally and among gear types as well as can the PSC. By doing so, the small boats that fish with jig and pot gear would be able to fish in the summer and fall when they are not fishing for other species. More important, they do not have to be concerned about other gear type vessels (namely, longline and trawl) taking the quota.

Therefore, we request that the Council consider tasking the staff with an analysis (EA/RIR) of a new GOA P. cod management regime. We suggest that the following options to be included in the analysis:

- 1) Allocation of the Eastern, Central and Western GOA TAC to the four gear types (trawl, longline, pot and jig);
- 2) Seasonal allocation of the specific gear type's TAC
- 3) Apportionment of the PSC between the gear types; and
- 4) Area registration between the three GOA management areas.

One of our concerns about the recent desire by the ABF to manage stocks that reside in both state and federal waters is the available resources to adequately manage. Some of our concerns include: the ability of the State of Alaska to survey and assess the resource; the current understanding of spatial and temporal distribution of P. cod biomass; the ADF&G's ability to accurately monitor catch and bycatch; the State of Alaska's understanding of what the displaced users will do; and lastly, the current understanding of market opportunity. We believe a complete EA/RIR combined with an open public hearing process via the NPFMC will provide information necessary for decision makers to make an informed decision.

Why re-invent the wheel? Over the past 20 years, the federal government has developed a fisheries service that efficiently and effectively manages our groundfish stocks. The Council process allows for almost equal representation of all users, state governments and the federal government. Do we need two government jurisdictions duplicating effort just so the State of Alaska can lay claim to groundfish management? Especially when the federal system can achieve the same results as the ABF? We believe the risks and the costs far outweigh the benefits. We hope the Council will consider alternative action from that which the ABF took in October of 1996.

Sincerely,



Brent Paine