

To: North Pacific Fisheries Management Council
From: Kurt Vedoy, owner/operator C/P Blue Fin
Date: October 14, 1999
Re: BSAI Pacific Cod Fixed Gear Split / Gear Endorsements

Background

- In 1992 my brother and I made a decision to fish Pacific cod with pots even though we had access to other options including trawling and longline.
- In 1993 we converted the vessel to catch and process – by splitting and salting.
- This year we invested in a value added processing facility.
- We have made a substantial investment in the Pacific cod fishery and endured a brutal learning curve in developing markets for our product.
- Over the past five years, approximately half our ex-vessel revenues have been from the pot gear fishery for Pacific cod and we are significantly dependent on the BSAI cod fishery.

Issues

- There is a significant difference in the financial investment between the pot gear catcher/processors and just catcher vessels. These investments include items such as processing equipment and vessel modification to comply with various governmental regulations for processing vessels.
- Based on data provided in Discussion Paper, tables 5,7,9, & 11, there are about six (6) vessels or less that have actively and continuously participated in the catcher / processor fixed gear cod fishery.
- There are fundamental differences between the catcher vessels and the catcher / processor vessels in terms of their fishing operations.
- As with freezer longliners, pot gear catcher/processors need time on the grounds to be successful.
- All other gear types targeting Pacific cod are allocated between catcher / processors and catcher vessels.
- As noted, about one half our revenue has been from the Pacific cod fishery. This is because we have fully fished the red king and opilio seasons before directing our efforts to cod fish.
- As others have provided testimony to the council, we too, are offended by the low qualifying limits proposed. Based on our catch history, a vessel would need only to have fished one month or less to qualify under even the most stringent proposed requirements.
- **Therefore, to protect the long term participants in the pot gear fishery, I recommend the council approve: 1) stringent catch requirements to protect those vessel owners that have made a long term commitment to the Pot gear fishery and 2) split the pot gear allocation, based on historical catch data, between the catcher / processors and catcher vessels.**

T. Smith

1.0 INTRODUCTION

The groundfish fisheries in the Exclusive Economic Zone (EEZ) (3 to 200 miles offshore) of the Bering Sea and Aleutian Islands off Alaska are managed under the Bering Sea/Aleutian Islands Groundfish Fishery Management Plan. This fishery management plan (FMP) was developed by the North Pacific Fishery Management Council (Council) under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The FMP was approved by the Secretary of Commerce and became effective in 1982.

Actions taken to amend the FMPs or implement other regulations governing the BSAI groundfish fisheries must meet the requirements of Federal laws and regulations. In addition to the Magnuson-Stevens Act, the most important of these are the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the Marine Mammal Protection Act (MMPA), Executive Order (E.O.) 12866, and the Regulatory Flexibility Act (RFA).

NEPA, E.O. 12866 and the RFA require a description of the purpose and need for the proposed action as well as a description of alternative actions which may address the problem. This information is included in Section 1 of this document. Section 2 contains information on the biological and environmental impacts of the alternatives as required by NEPA. Impacts on endangered species and marine mammals are also addressed in this section. Section 3 contains a Regulatory Impact Review (RIR) which addresses the requirements of both E.O. 12866 and the RFA that economic impacts of the alternatives be considered.

This Environmental Assessment/Regulatory Impact Review (EA/RIR) addresses alternatives for allocating Pacific cod total allowable catch (TAC) among fixed gear sectors.

1.1 Purpose of and Need for the Action

Beginning in 1997, Amendment 46 allocated the total allowable catch (TAC) for BSAI Pacific cod among jig gear, trawl gear, and fixed gear. Two percent of the TAC is reserved for jig gear, 51 percent for fixed gear, and 47 percent for trawl gear. The trawl apportionment was split between catcher vessels and catcher processors 50/50, but no split was adopted among the longline and pot vessels in the fixed gear sector.

At its April 1999 meeting, the Council initiated an analysis to examine allocation of Pacific cod in the BSAI among the various sectors of the fixed gear fleets. The proposed amendment responds to concerns that the stability of this fully utilized fishery is threatened by increased competition, driven in part by recent increases in the market value of cod products. (The complete Council problem statement is included in the box to the right.) While participants in the BSAI fixed gear Pacific cod fishery include longline and pot fishermen with extensive catch histories, there is no mechanism currently in place that would limit entry into the fishery by substantial numbers of participants with limited histories until comprehensive rationalization is implemented.

The analysis was scheduled to be brought back to the Council for initial review in June 1999, with a final

Problem Statement adopted by the Council for proposed Amendment 64 to the BSAI groundfish FMP.

The hook-and-line and pot fisheries for Pacific cod in the Bering Sea/Aleutian Islands are fully utilized. Competition for this resource has increased for a variety of reasons, including increased market value of cod products and a declining ABC/TAC.

Longline and pot fishermen who have made significant long-term investments, have long catch histories, and are significantly dependent on the BSAI cod fisheries need protection from others who have little or limited history and wish to increase their participation in the fishery.

This requires prompt action to promote stability in the BSAI fixed gear cod fishery until comprehensive rationalization is completed.

Motion 1

Bering Sea/Aleutian Islands Fixed Gear Pacific Cod Split

Request the staff to begin an analysis to split the fixed gear Pacific cod Total Allowable Catch (TAC) in the Bering Sea/Aleutian Islands between the following gear components:

Freezer Longline
Catcher Longline
Pot

Split of Fixed Gear Total Allowable Catch:

The split may be apportioned according to recent catch histories to be determined as a percentage of cumulative catches of the fixed gear TAC of BSAI Pacific cod by gear type for:

Option 1: 1996, 1997
Option 2: 1997, 1998
Option 3: 1996, 1997, 1998

Trawl or Jig TAC Roll-Overs:

Future trawl or jig roll-overs to be apportioned according to the same formula applied to the overall allocation of the BSAI Pacific cod TAC between fixed gear.

Interim Trimester apportionment of Fixed gear TAC:

During each year that an allocation of p. cod between the components of the fixed gear sector that is under Council consideration is not implemented, the Council is requested, at the time that it adopts final groundfish specifications in December of each year, to apportion 10% of the BSAI p. cod fixed gear TAC to the 2nd Trimester, and to apportion no halibut PSC bycatch to the 2nd Trimester.

Motion 2
License Reduction for Bering Sea/Aleutian Islands Fixed Gear

Request National Marine Fisheries Service to issue interim licenses in 2000 under the License Limitation Program.

Request NMFS to extend the 1999 control date on qualification for the License Limitation Program to 2000.

Request the staff to begin an analysis as soon as possible to provide for separate licenses with Pacific cod species endorsements for the fixed gear components of freezer longline, catcher longline and pot vessels in the Bering Sea/Aleutians Islands.

To further analyze minimum catch requirements to qualify for a BSAI Pacific cod license as follows:

Freezer Longline:

Minimum catches in 1996, 1997 or 1998 of:

- Option 1: 100 Metric Tons
- Option 2: 200 Metric Tons
- Option 3: 300 Metric Tons

Catcher Longline:

Minimum catches in 1996, 1997 or 1998 of:

- Option 1: 7.5 Metric Tons
- Option 2: 15 Metric Tons
- Option 3: 25 Metric Tons

Pot:

Qualification years:

- Option 1: any 3 years of 1995, 1996, 1997 and 1998
- Option 2: any 2 years of 1995, 1996, 1997 and 1998
- Option 3: any 2 years of 1995, 1996 and 1997
- Option 4: any 2 years of 1996, 1997 and 1998

AND

Qualification landings (minimum landing requirements):

Minimum pounds required for delivery during each qualifying year:

- Option 1 50,000 lbs. to 100,000 lbs.
- Option 2: > 100,000 lbs. to 300,000 lbs.
- Option 3: > 300,000 lbs

OR

Minimum pounds required for delivery during any of the qualifying years:

- Option 1: 50,000 lbs. to 100,000 lbs.
- Option 2: > 100,000 lbs. to 300,000 lbs.
- Option 3: > 300,000 lbs

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Table 3.5: Distribution of Pacific cod catch within the fixed gear sector, including roll-over catch (mt)

Options	Freezer Longliners			Longline Catcher Vessels			Pot		
	Vessels	Catch	%	Vessels	Catch	%	Vessels	Catch	%
#1: (96, 97)	44	211,181	79.9%	36	403	0.2%	135	52,586	19.9%
#2: (97, 98)	42	214,947	86.1%	27	609	0.2%	125	34,208	13.7%
#3: (96-98)	48	306,060	82.3%	43	797	0.2%	158	65,153	17.5%
#4: (95-98)	53	402,606	82.2%	62	1,596	0.3%	202	85,647	17.5%

Source: ADF&G Fishtickets and NMFS Blend data 1995-98.

3.2.4 Apportion 10 percent of TAC and no halibut PSC to the second trimester

The Council also requested that if the fixed gear allocation cannot be in place for the year 2000, that during the final groundfish specification process in December, 10 percent of the fixed gear Pacific cod allocation be apportioned to the second trimester. No halibut would be apportioned to second trimester (currently 40 mt of halibut are apportioned to the second trimester). These apportionments would continue each year until the fixed gear split was in place. This would effectively make the second trimester a pot cod only fishery. Longline vessels would not be able to participate because no halibut bycatch would be available. Pot vessels are exempt from halibut bycatch accounting, so they would be allowed to fish. Few other fishing opportunities exist for pot vessels during that time of the year, so they would likely be well situated to take advantage of this apportionment. Figures 3.1 through 3.4 show the pot fleet has fished during this time of the year in the past.

3.3 Other Sources of Pacific Cod Mortality

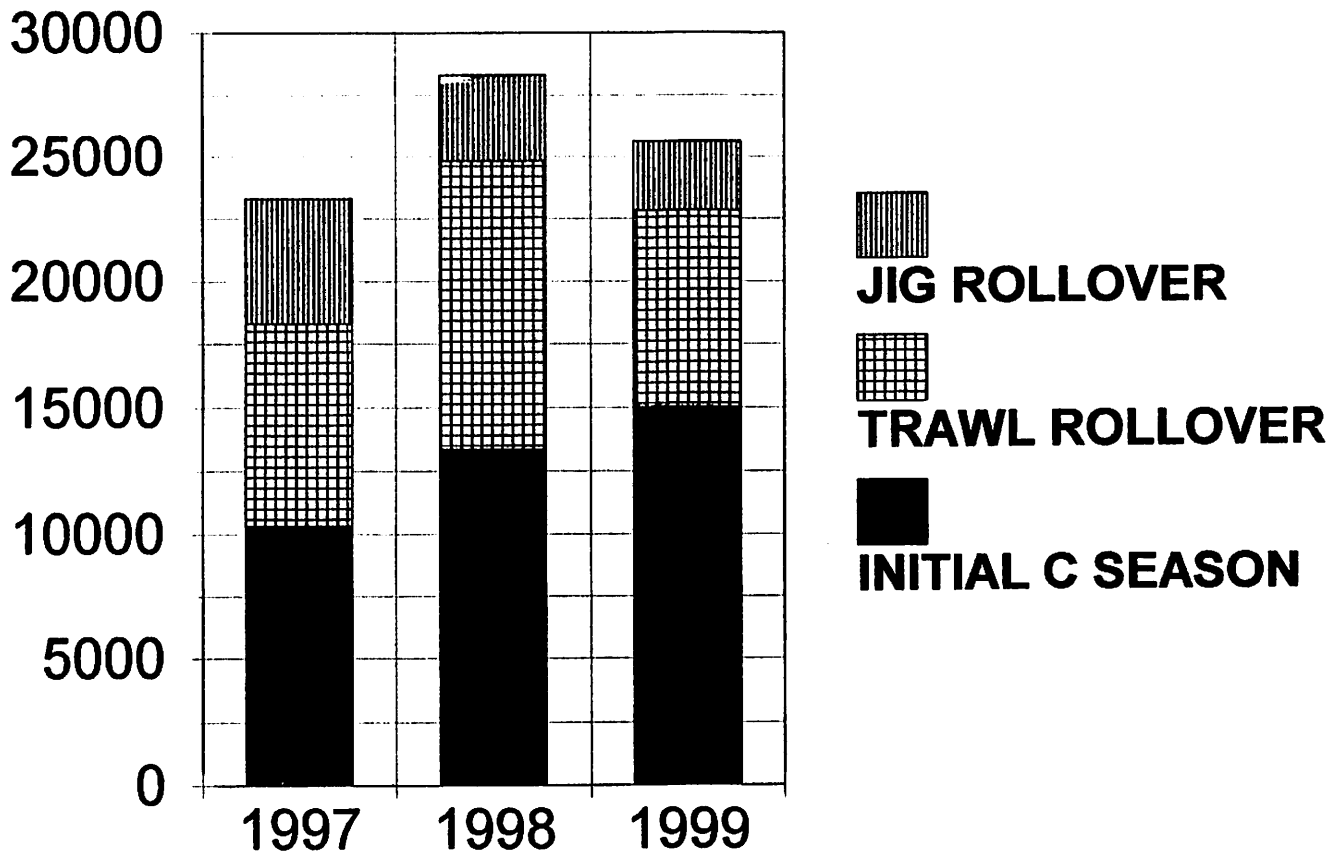
Another source of Pacific cod mortality is the bait fishery. Pacific cod is often used as bait by crab fishermen in the BSAI. To obtain bait, members of the crab fleet can either purchase the cod from other fishermen or harvest the cod themselves. Many vessel operators opt to harvest their own Pacific cod, however, not all of the cod caught for bait is reported to the State or NMFS. Over the 1995-98 time period a total of 507 mt of Pacific cod was reported as landed for bait by hook and line vessels. Pot vessels reported harvesting 822 mt over the same period. These amounts do not likely represent the entire amount of Pacific cod that was harvested for crab bait by the fixed gear sector.

Determining the actual amount of Pacific cod that was harvested for bait, but not reported is impossible. Amendment 46 to the BSAI FMP attempted to provide a rough estimate. Two different methodologies were used to make those estimates. The first looked at bycatch of cod in crab fisheries (NPFMC, 1996). It was assumed that those fish would be used as bait. Estimates indicated that 8,452 mt and 5,428 mt of Pacific cod were taken during the years 1994 and 1995, respectively. These estimates were made by assuming that the average cod taken as bycatch weighed 10 pounds, and the number of fish were multiplied by the assumed average weight.

The second method assumed that 10 pounds of bait cod were used for each pot pull that occurred in the BSAI (NPFMC, 1996). During 1995, 2.7 million pot pulls were reported in the BSAI crab fishery. That equates to about 12,000 mt of bait. Fewer pots were pulled during the 1996 and 1997 BSAI crab fisheries. During those years, 1.2 and 1.3 million pots were pulled. So, less than half the amount (5,500 to 6,000 mt) of bait was calculated to have been taken. Given these estimates of the amount of bait used, it appears that much of the bait harvested by fixed gear vessels is not reported.

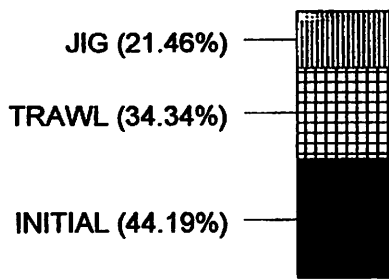
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C SEASON FIXED GEAR COD ALLOC. (mt)

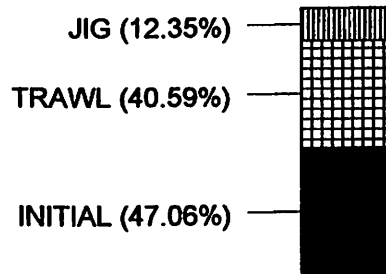


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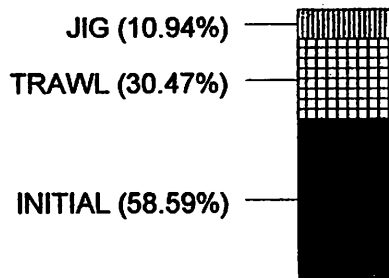
1997



1998



1999



C SEASON FIXED GEAR COD

FIXED GEAR COD ALLOCATIONS

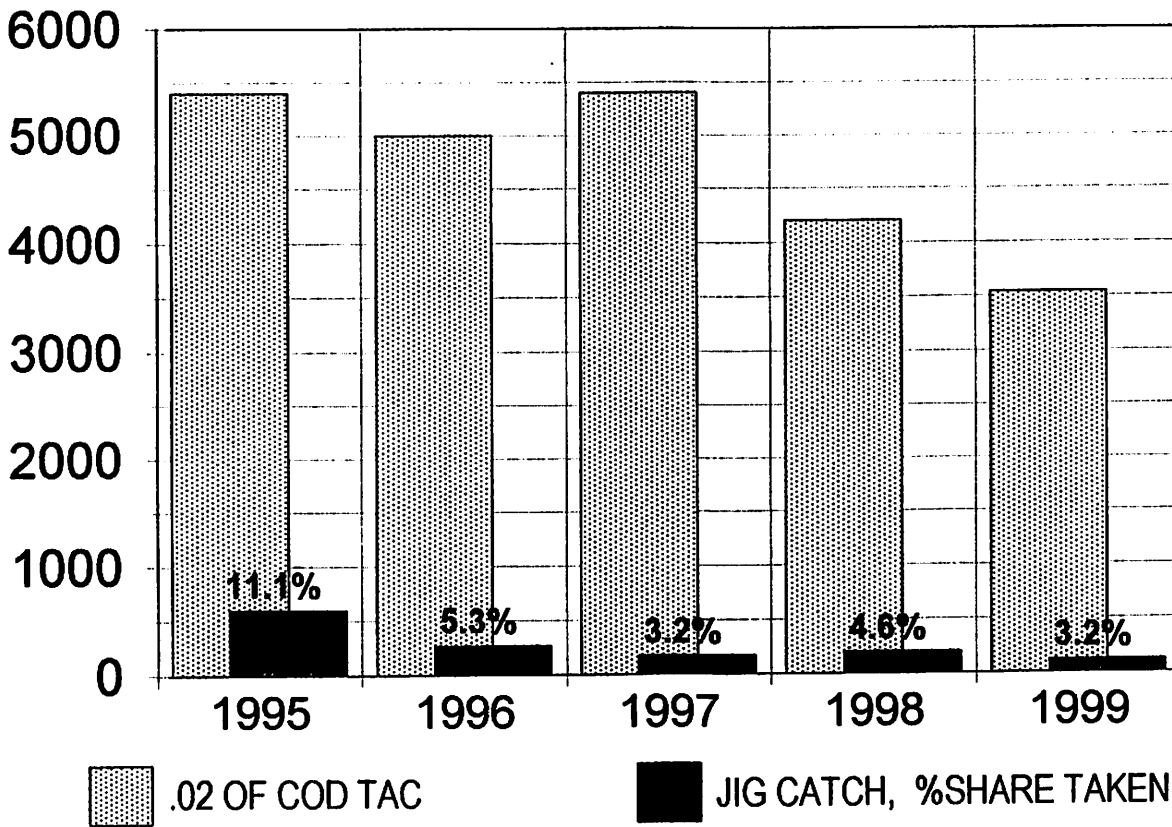
	1997	1998	1999
A SEASON	85000	70735	60000
REAPPORT	15521		
B SEASON	26500	15000	8500
REAPPORT	2470		
	1997	1998	1999
C SEASON INITIAL	10295	13332	15000
TRAWL ROLLOVER	8000	11500	7800
JIG ROLLOVER	5000	3500	2800
TOTAL C SEASON	23295	28332	25600
JIG PERCENT	21%	12%	11%
TRAWL PERCENT	34%	41%	30%

~~10000~~

Numbers used

FIS 9/99

RECENT HISTORY JIG CATCH & QUOTA SHARE



1999	113	3540	177000	3275	
	1995	1996	1997	1998	1999
	600	267	172	192	113
.02 OF TAC	5400	5000	5400	4200	3540
	5400	5000	5400	4200	3540
	4800	4733	5228	4008	3427
	1995	1996	1997	1998	1999
JIG	600	267	172	192	113
.02 OF TAC	4800	4733	5228	4008	3427
	0.111111	0.0534	0.03185185	0.045714	0.031921
	0.111111	0.0534	0.03185185	0.045714	0.031921

RELATIONSHIP BETWEEN LENGTH OF CRAB SEASONS
AND POT COD PARTICIPATION

Submitted by Leonard Herzog

Opilio Harvest

	Pounds (millions)	weeks	Bering Sea Red Crab
1999	180	11	YES
1998	230	11	YES
1997	140	11	YES
1996	66	8	YES
1995	75	6	CLOSED
1994	150	9	CLOSED

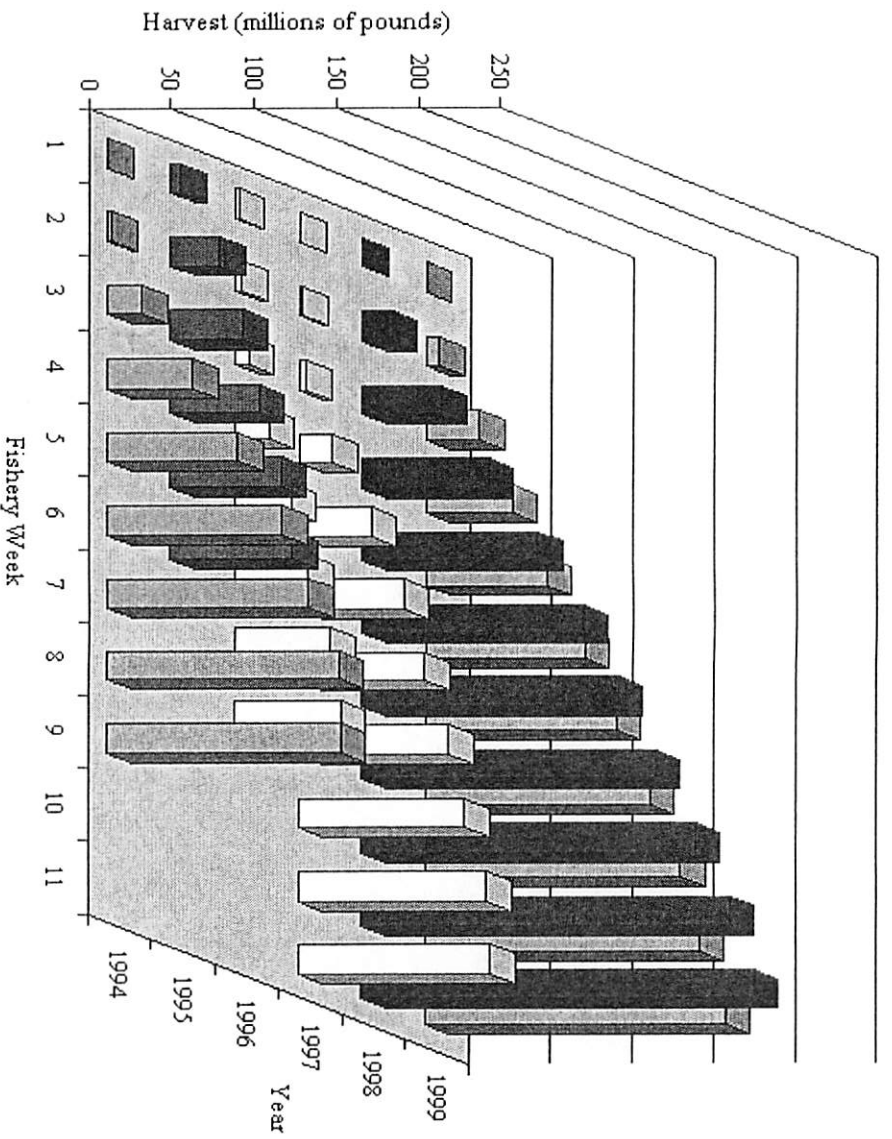
Homer Based Vessel F/V ANNA NARIE

1998	15-Jan	25-Mar	Opilio
	25-Apr		Herring Tendering
	13-Jun	20-Aug	Salmon Tendering
	5-Sep	1-Oct	St Mathews Blue Crab
	1-Nov	1-Dec	King Crab

ISSUES

1. During long opilio seasons there is no quota left in Bering Sea for Spring.
2. In 1996, 1997, and 1998 Vessels had red crab seasons in Bering sea as well as in St. Mathews and Pribilofs.
3. Need to look at 1994 and 1995 to better gauge participation by smaller Alaskan boats which tender salmon

Bering Sea snow crab harvest comparison, 1994-1999



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REQUEST FOR COUNCIL'S CONSIDERATION OF BSAI PACIFIC COD FIXED GEAR ALLOCATION FOR VESSELS UNDER SIXTY FEET

October 12, 1999

Agafon Krukoff, Jr.
The Aleut Corporation
(907) 561-4300

The Aleut Corporation, The Adak Fisherman's Association, Adak Community Council, and the Adak Reuse Corporation, strongly encourages the Council's support of the need for Vessels under 60 feet to be given an allocation of Cod. The Bering Sea/Aleutian Islands area should receive 2 % of the BSAI for Cod. The bulk of the fishermen will be expected to use pot and jig gear, with a small amount of Cod by-catch from IFQ Halibut boats. This allocation will enable Adak to promote many small boats to move to Adak to fish.

The development of Adak as an important economic center, when it was believed only three short years ago that it could not be done, is actually beginning to take place, and at a promising pace:

- The Port of Adak is today serving a small but growing fishing fleet;
- The airport is open, alive and well, serving not only local businesses, projects, and people, but also serving as a stopover for military and other interests;
- A local fuel business has started up over the past year serving the local fishing fleet and visiting ships – including other fishing vessels;
- A seafood company has opened a processing plant over the past year, doing cod, halibut and other ground fish, with plans to expand into the crab fishery;
- The Adak School has re-opened and into its second year with 48 students; and,
- The Community of Adak is in the process of incorporating as a Second Class City under State law – which should occur in the next few months.

The community is at a good start. While a majority of the activity in Adak is a Navy contract cleanup work population, a smaller but stable community will be in place and still remain when the Navy is completely gone by the end of the year 2000. However, the critical economic foundation for the new community, local fishing, is facing a serious threat.

Page Two
BSAI COD Under 60 FT - 101299

The Council is about to make enduring cod allocation decisions, based on formulas and plans that preclude a guaranteed local fishery for the residents and fish interests of Adak. What seriously needs to be considered in the decision-making process is – what happens when a new community peopled by relocated Alaskans unexpectedly falls into place? Should there not be consideration, in all fairness, to that new community, which sits in the midst of the rich resources that, will be openly taken by outside interests? In addition to an allocation that Adak will benefit from, what is needed is the implementation of a new qualifying period of LLP qualifying rights for fixed gear delivering to shoreside. We suggest 1999 and 2000 to count as LLP qualifying years for non trawl gear ~~with a 170 degree~~ ~~net~~ for these vessels. We may not have qualified under the terms and conditions of the Council (i.e., having fished the areas between 1995-98), - but, frankly, we have fished cod in these waters for 9,000 years. Will that not qualify for at least little bit?

We trust that the Council will act in good faith to all interests – including the new community of Adak. And for that reason, we request your support to keeping alive the promise of Adak as an economic force for the American fishery.

In supporting Adak's efforts towards becoming self-sufficient, Adak in turn can support the industry through the services it is now beginning to provide, such as in food, fuel, water, crew transfers, transportation and other support that comes with industry needs.

DAVID GENTRY
C-1

Vessels that fished Bering Sea/Aleutian Islands Pacific cod, 1995 - 1999
Pot and longline gear, catcher vessels and catcher/processors

	1995	1996	1997	1998	1999
<u>Pot gear</u>					
Catcher vessels	103	72	84	85	54
Catcher/processors	3	9	6	3	0
<u>Longline gear</u>					
Catcher vessels	52	36	46	30	9
Catcher/processors	19	21	19	20	17

Source: ADF&G fishticket database, as of 6/22/99

63
17
80

DRAFT EMLIN

W/out considering 88-75 requirements

PCDD - ALLOC. / FIXED //

DRAFT FORM - Do we need IMPACT

Groundfish License Endorsement Requirements

STUDIOS: *As* countable to make final decision at this meeting
YES

To qualify a person for a license under the LLP, a vessel must have been used to make the required number of documented harvest(s) of license limitation groundfish during both a "General" Qualifying Period and an "Endorsement" Qualifying Period. The groundfish qualifying periods vary somewhat by the size (LOA) of the vessel, and the crab qualifying periods are specific to each crab fishery endorsement. The requirements are set out on the tables that follow.

LLP Groundfish - General Qualifying Periods (by Vessel LOA)

For Vessel LOA (as of June 17, 1995)	General Qualifying Period - All Areas (at least one Documented Harvest)
LOA greater than, or equal to 125 feet	1/1/88 - 6/27/92, or 1/1/88 - 6/17/95 [but only if the vessel was used to harvest crab in the BSAI during the period January 1, 1988, and February 9, 1992, and was used to make groundfish harvests, using trawl or hook gear, during the period February 10, 1992, through December 11, 1994].
LOA greater than, or equal to 60 feet, and less than 125 feet	1/1/88 - 6/27/92, or 1/1/88 - 6/17/95 [but only if the vessel was used to harvest crab in the BSAI during the period January 1, 1988, and February 9, 1992, and was used to make groundfish harvests, using trawl or hook gear, during the period February 10, 1992, through December 11, 1994].
LOA less than 60 feet	1/1/88 - 6/27/92, or 1/1/88 - 6/17/95 [but only if the vessel was used to harvest crab in the BSAI during the period January 1, 1988, and February 9, 1992, and was used to make groundfish harvests, using trawl or hook gear, during the period February 10, 1992, through December 11, 1994], or 1/1/88 - 12/31/94 [but only if the harvest(s) were made with pot or jig gear]

1

LLP Groundfish - Area Endorsement Qualifying Periods (by Vessel LOA)

Area	LOA greater than, or equal to 125 ft.		LOA greater than, or equal to 60 ft., and less than 125 ft.		LOA less than 60 ft.	
	Qualifying Period	Minimum Harvest	Qualifying Period	Minimum Harvest	Qualifying Period	Minimum Harvest
Bering Sea	1/1/92 - 6/17/95	1	1/1/92 - 6/17/95	1	1/1/92 - 6/17/95	1
Aleutian Islands	1/1/92-6/17/95	1	1/1/92 - 6/17/95	1	1/1/92 - 6/17/95	1
Western Gulf	1/1/92-6/17/95	2 (1 in each of 2 years)	Catcher Vessel: 1/1/92 - 6/17/95 <i>or</i> Catcher/Processor: 1/1/92 - 6/17/95 <i>or</i> Catcher/Processor: 1/1/95 - 6/17/95	1 2 (1 in each of 2 years) 4 (minimum)	1/1/92 - 6/17/95	1
Central Gulf (includes West Yakutat)	1/1/92-6/17/95	2 (1 in each of 2 years)	1/1/92 - 6/17/95 <i>or</i> 1/1/95 - 6/17/95	2 (1 in each of 2 years) 4 (minimum)	1/1/92 - 6/17/95	1
Southeast Outside	1/1/92-6/17/95	2 (1 in each of 2 years)	1/1/92 - 6/17/95 <i>or</i> 1/1/95 - 6/17/95	2 (1 in each of 2 years) 4 (minimum)	1/1/92 - 6/17/95	1