

Subject: (no subject)
From: CRFBC@aol.com
Date: 3/10/2015 11:22 AM
To: npfmc.comments@noaa.gov
CC: crfbc@aol.com

Dan Hull, Chairman

North Pacific Fishery Management Council

605 west 4th Ave. Ste.306

Anchorage AK. 99501

My name is Bill Connor. I have longlined since 1975 in Southeast Alaska both the inside waters and the outside waters, west Yakutat and Central Gulf out to Western Gulf Of Alaska.

I have seen the era of no whales to the era of whale infestation. I know the whales are removing a large part of the sablefish biomass as we haul our longline gear; which is not accounted for. Because of this unaccounted removal we are seeing depressed quotas and little if any stock rebuilding.

I believe that the fisherman is ahead of the science on this one and we need to have an alternative to longline fishing for sablefish if we wish to have a future fishery. This is why we need pots as alternative gear. I do not think we need to eliminate longline if others wish to feed the whales.

By allowing pots as an alternative gear type we could accomplish 3 major problems; whale interaction, bird takes and most bycatch (skates, immature halibut, shortracker, sharks etc.)

I therefore support the allowing of pot gear throughout Alaska to catch sablefish.

This gear type does not need experimental status; it has been proven to work well up and down the Pacific coast.

As for small vessels not having the ability to pack enough gear if they switch to pots to be competitive, one would have to ask the question do they now pack as much longline gear as the larger longline vessel to be competitive?

There are no proven whale deterrents and the ones talked about have been in the experimental stage for several years and have yet to work.

Thanks for your time. *Bill Connor*

C6 GOA Sablefish Longline Pots
PO Box 232, Petersburg AK 99833

Petersburg Vessel Owner's Association
email:pvoa@gci.net 907-772-9323

March 17, 2015

North Pacific Fisheries Management Council
Dan Hull, Chair
605 W Ave. Suite 306
Anchorage, AK 99501

RE: C6 GOA Sablefish Longline Pots -- Final Action

Dear Chairman Hull and Council Members,

Petersburg Vessel Owner's Association is composed of almost 100 members participating in a wide variety of species and gear type fisheries. An additional thirty businesses supportive to our industry are members. Our members fish throughout Alaska from Southeast to the Bering Sea. Targeted species include crab, herring, salmon, shrimp, halibut, sablefish, and cod.

PVOA's mission statement is to:

"Promote the economic viability of the commercial fishing fleet in Petersburg, promote the conservation and rational management of North Pacific resources, and advocate the need for protection of fisheries habitat."

Petersburg Vessel Owner's Association is in support of legalizing pots to fish for sablefish throughout the Gulf of Alaska. We had a long meeting to discuss the pros and cons of this regulation and ultimately decided that sablefish pots would be in the best interest of the stocks. Many of our members weighed in on this issue and one of them had sablefish pot experience from the west coast to draw from. We discussed not only the impacts of this gear type but also what would be the best ways to define this gear type.

Our fishermen feel that this is a necessary step to deal with the predation issues affecting the hook-and-line sablefish fishery. Whales have been an increasing concern. They feed off the long line sets as they are being hauled taking an unmeasurable amount of fish from the stocks. Undefined wastage from the whales creates an issue for management and the viability of the fishery.

Sablefish pots would also reduce bycatch. Our member with experience from the west coast said there is almost no bycatch with pots. Very small fish will be released through the mesh used on pots. Escape rings would allow non-directed species to swim out while the pot is on the bottom, avoiding the trauma of being hauled to the surface before being released. Small recruit stock sablefish would also escape this way with fewer traumas. Non-directed species that are too large to swim out of an escape ring would be spared the injury from biting a hook.

Our organization realizes that grounds pre-emption is a major concern in legalizing sablefish pots. We want both gear types to be able to work together. In order to aid this we want to see

C6 GOA Sablefish Longline Pots
PO Box 232, Petersburg AK 99833

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a limit on the number of pots a boat can fish. A limit would prevent a large vessel from setting down an edge with as many pots as they can pack and forcing the small boats out of an area. Our members feel that 150 pots would be an appropriate limit. We wanted a limit low enough that the whole string could be packed on a limit seiner sized vessel. We are comfortable with tagging each pot to ensure no more than the limit are fished. We also appreciate that the sale of these tags provides income to the Alaska Department of Fish and Game.

Removing gear from the water when a vessel leaves the grounds to unload is another way to help prevent grounds pre-emption. Furthermore, our members felt that pots should not be left unattended longer than four days. These regulations would help space out the times fishermen are on the grounds. Finally, wet storage of pots should be prohibited to ensure hook and line fishermen are not troubled by them.

In order to aid in potential gear conflicts we support requiring the reporting of lost pots. This has been a useful tool in Southeast for the King crab fishery that shares grounds with hook-and-line fishermen. Another step we support is marking each end of a pot long line set with a buoy and reflector.

When a hook and line set is lost the hooked fish suffer predation. Fish in a lost pot can potentially survive. Escape rings would allow small fish to leave the pot and survive. Our organization would like to see all sablefish pots have a biodegradable panel. This would ensure fish in lost pots would not be wasted.

The leasing of quota is another major issue. We propose that the regulations remain status quo for this. In Southeast the quota holder must be aboard the boat and PVOA wants them to be aboard a pot boat. In the Gulf of Alaska where the regulations are different we still prefer the status quo. Boats that choose to fish pots over hook-and-line need to be observed and held to the same standards as the hook-and-line boats.

Petersburg Vessel Owner's Association does not want to define the parameters of a sablefish pot. We feel that these regulations should be left to the industry. All fishermen have different preferences and styles of fishing. We feel they will develop the requirements through trial and error. This is also not a new fishery. There are many gear making companies that offer versions of pots as a stepping stone design to fine tune.

This was not an easy issue for our organization to decide on. As with most fisheries policy, it is not black and white. There are some concerns like the consolidation of quota and loss of crew jobs that really bother our members. At the end of the day, our organization felt that implementing pots for sablefish is the utilitarian thing to do.

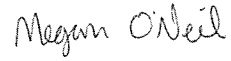
In closing, our organization has put a lot of time and thought into this major decision. There are pros and cons and it is not an easy one to make. We feel that sablefish pots are a necessary

C6 GOA Sablefish Longline Pots
PO Box 232, Petersburg AK 99833

Petersburg Vessel Owner's Association
email: pvoa@gci.net 907-772-9323

transition to conserve the sablefish stocks for our future. With a little effort, both gear types will be able to work around each other.

Respectfully,



Megan O'Neil
Executive Director

Subject: Black cod pots April meeting
From: Dick <seaward99835@yahoo.com>
Date: 3/29/2015 1:04 PM
To: "npfmc.comments@noaa.gov" <npfmc.comments@noaa.gov>
CC: Linda Benhken <alfafish@acsalaska.net>

My name is Richard Curran. I fish Black cod in Southeast and the West Yakutat areas. I oppose Pot fishing in these areas at this time. Pot and longline gear cannot coexist. When pots are lost that area becomes unfishable for longline without a high risk of losing gear. Many of the boats in Southeast are small and cannot fish pots safely. Also, many of the small Qoata holders in The Southeast area cannot afford the \$150,000.-\$200,000 needed to convert from longline to pot fishing. If fishermen in the Central or western gulf are interested in pots I would suggest an experimental opening in those areas before allowing pots in the entire Gulf.

Sent from my iPad. Thank You, Richard Curran. F/V Cherokee

Subject: Sablefish pots in SE

From: Lucas Skordahl <skordahl@live.com>

Date: 3/29/2015 6:20 PM

To: "npfmc.comments@noaa.gov" <npfmc.comments@noaa.gov>

To the Council:

My name is Lucas Skordahl, I am 31 and have been fishing for Sablefish out of Sitka my whole life. I am a second generation longliner. My father, cousin and I all have longline vessels. Our vessels are what I would consider small boats, under 50 ft. Mine being the smallest at 32 ft. I work on all three boats during the longline season, two of which reached the vessel cap for area SE Sablefish last year.

A simple fact, my vessel is too small to use pots. It just wouldn't work. I don't have room to put an effective number of pots on my boat, and if I tried it my vessel would be top heavy, dangerously top heavy.

I am a young man, just married a year ago, and am starting a family. Most of the long lining that I do is for a cardholder, where I bring the quota holder on my boat and catch his fish. I am trying to buy more quota so I wouldn't have to do that anymore. What I am getting at is this: the cost of buying sablefish pot gear is outstanding. If I were to invest in pots it would create a severe debt that would be putting a stop to the financial security I am working toward. Possibly leaving me bankrupt.

My greatest concern is the gear conflicts which would undoubtedly occur. Southeast Alaska is known for its steep edge where the cod like to live, the 200 to 600 fathom ridge fisherman affectionately call the cod edge. This steep terrain makes for a relatively small zone where sable fisherman congregate. Losing gear in this zone happens on occasion, usually due to old Japanese gear that was lost here decades ago. My family and I consider ourselves good stewards and bring home the old gear and dispose of it whenever we win the tug of war and bring some to the surface. I won't get into line size and hydraulic motor specifics, but I will say that if and when I got my longline tangled with a string of pots, I will lose every time. The cost of losing gear and time spent building new gear could easily run me out of business.

Another great concern I have is with the learning curve that will go with a new type of fishery. The currents here in Southeast are very strong. As a longliner it takes patience and knowledge to get your gear to land where you want it too in these depths. Strong currents and lack of experience with these pots will almost certainly produce lots of lost sablefish pots in the trial years. How many years will these ghost pots be wreaking havoc on other fisherman's gear? When were the Japanese here last? I still get tangled with that gear all the time.

Would using pots stop whale predation of sablefish? It is possible. However the negatives that come with fishing pots strongly outweighs the negatives that come with whales. Pots are not the answer to solving whale predation.

SE Alaska is unique in its diversity of fisheries, and the size of the boats that participate. I think it is extremely important to keep these small boats and allowing sablefish pots in the area would be a leap

in the wrong direction.

Thank you for reading,
Lucas Skordahl
F/V Tyee

Subject: Sable fish pot gear proposals
From: James Hughes <carterhughes@hotmail.com>
Date: 3/30/2015 9:00 AM
To: npfmc.comments@noaa.gov

March 29, 2015

Mr. Chairman and Members of the North Pacific Fisheries Management Council:

My name is Carter Hughes and I am a small boat fisherman from Sitka Alaska. I have been in the Alaska since 1984 and fishing out of Sitka since 1997. I have worked in the Alaska long line fisheries since 1988 and currently own 9300 pounds of S.E. Ak sablefish IFQs which I fish with a friend on his 42 foot vessel, the F.V. Minke. I am writing to you to express my concerns over the implementation of pot fishing in the sablefish IFQ fishery.

I caution the NPFMC to use caution if pots are to be implemented as a method for harvesting sablefish. Go slow with this change; it will have a negative impact on the small boat contingent of the fleet because they will not be able to carry pot gear. Pot gear is large and heavy. This will cause the small longline vessels to be displaced from their fishing grounds when fishing around the larger vessels that use pots because longline gear that is set down by pot gear or tangled with lost pot gear will be lost. I would suggest that the SE Gulf of Ak area be left out of inclusion in the areas where pots are permitted as legal gear for sablefish. If the Western Gulf of Ak region wishes to have pots, allow it there and observe how the interaction between longliners and pot boats works.

The one legitimate argument I have heard for allowing the use of pots is to reduce Whale depredation. There are currently methods being developed to help reduce sperm whale depredation on longline gear. In SE Ak the Alaska Longline Fishermen's Association (ALFA) has started a sperm whale conservation network that utilizes fishermen's call in reports from the grounds along with radio transmitters on some whales to allow fisherman to figure out the location of sperm whales so that the fishermen can opt to fish in locations away from the whales' location. I would like to give this method a chance before allowing pots in this region. Pot fishing will definitely change the dynamics of the fishery and ultimately displace the smaller vessels that still constitute a large section of the longline fishery in SE Ak.

Thanks for your consideration.

Sincerely,

James Carter Hughes

F.V. Astrolabe

Sitka

North Pacific Fisheries Council
Anchorage, Alaska

March 30, 2015

Dear Sirs

I am an owner of several fishing business's operating out of Petersburg, Alaska. Two of my vessels are referenced as Super 58's, one trawling, pot fishing, and seining, the other auto-lining, pot fishing and seining. Currently the auto-liner is fishing sablefish in the GOA, and if the use of pots for Sablefish passes the first vessel will also participate in the sablefish GOA .

I am also a longstanding member of PVOA the Petersburg Vessel Owners Association. I have been a proponent of the use of pots in the GOA, but only, only if the gear looks and acts as does that currently used for long lining by most of us participants. This means to me that the amount of ground covered by a pot set can be no more than that of a longline set. This should mean, in practice, pots limited by numbers able to be fished in a string, and by total, and that the pot fisher must remove the gear when making a delivery. I believe further that discussion as to pot dimensions, weight, webbing and escape mechanisms should be part of the conversation. The type and durability of the ground line used should as well be discussed.

I have heard recently some discussion as to the possibility of pots allowed without limits, and without the caveat of bring gear in when delivering. I personally can not support the process if that is a given.

I see mention in council readings that some have said the introduction of pots will not make a difference in the social or economic wellbeing of coastal communities. As an owner, thinking of sending a vessel into that fishery, I can tell you that will not be the case. The disruption may not be as great as the initial IFQ event, but disruption there will be, dependent on how much quota ends up in pots.

I see sensible regulation that keeps our longline fleet competitive, helping to stabilize coastal employment. Free rein for the pots will be a dramatic change, with a much larger revenue stream headed towards those whom own quota. I see this as destabilizing.

Sincerely

Eric Rosvold
Box 1144
Petersburg, Alaska 99833
olefish@gci.net

F/V Intangible
F/V Adamant
F/V Defiant

March 29 2015

To: N.P.F.M.C.

Dear Council Chair,

I am writing to oppose the amendment to allow the use of Pots in the Gulf of Alaska for sablefish.

I live and fish out of Sitka. I work on a 45' boat as a deckhand for black cod in the Eastern Gulf. Sitka has a large number of fishing boats in the fleet that target salmon, groundfish, crab, shellfish, and the Dive fisheries. The makeup of vessels are mostly family operations that are many in numbers but "small" in size. Most of the boats that fish blackcod are not of the size that could accommodate pots feasibly to fish offshore for sablefish. Mixing boats that can (larger) with the hook and line fleet would lead to incongruous gear types. I feel a pot fleet would eventually displace the smaller longline boats. That would not be good for the boats nor the communities these boats base from. This makes the fact that there is some whale predation seem not that bad. I guess I'd rather see a whale on the horizon than a Pot boat. Please consider, at least not in the Eastern Gulf, not allowing Pots for sablefishing. Thank you for your consideration.

Terry Perenich

Terry Perensovich, Sitka, Ak.

Subject: Letter Opposing Longlining with Pots
From: ALFA Staff <alfa.staff@gmail.com>
Date: 3/30/2015 10:34 AM
To: "npfmc.comments@noaa.gov" <npfmc.comments@noaa.gov>

Dear Council Chair,

One of our members, Lucas Skordahl, requested that we submit his letter in opposition to the use of sablefish pots. It is below.

Thank you for giving your attention to this matter.

Sincerely,

Brandie Cheatham

Office Manager

Alaska Longline Fishermen's Association

P.O. Box 1229

Sitka, AK 99835

Phone: 907-747-3400

Email: alfa.staff@gmail.com

----- Forwarded message -----

From: Lucas Skordahl
Subject: sablefish pots
To: Alaska Longline Fishermen's Association <alfa.staff@gmail.com>

Dear Council:

My name is Lucas Skordahl, I am 31 and have been fishing for Sablefish out of Sitka my whole life. I am a second generation longliner. My father, cousin and I all have longline vessels. Our vessels are what I would consider small boats, under 50 ft. Mine being the smallest at 32 ft. I work on all three boats during the longline season, two of which reached the vessel cap for area SE Sablefish last year.

A simple fact, my vessel is too small to use pots. It just wouldn't work. I don't have room to put an effective number of pots on my boat, and if I tried it my vessel would be top heavy, dangerously top heavy.

I am a young man, just married a year ago, and am starting a family. Most of the long lining that I do is for a cardholder, where I bring the quota holder on my boat and catch his fish. I am trying to buy more quota so I wouldn't have to do that anymore. What I am getting at is this: the cost of buying sablefish pot gear is outstanding. If I were to invest in pots it would create a severe debt that would be putting a stop to the financial security I am working toward. Possibly leaving me bankrupt.

My greatest concern is the gear conflicts which would undoubtedly occur. Southeast Alaska is known for its steep edge where the cod like to live, the 200 to 600 fathom ridge fisherman affectionately call the cod edge. This steep terrain makes for a relatively small zone where sable fisherman congregate. Losing gear in this zone happens on occasion, usually due to old Japanese gear that was lost here decades ago. My family and I consider ourselves good stewards and bring home the old gear and dispose of it whenever we win the tug of war and bring some to the surface. I won't get into line size and hydraulic motor specifics, but I will say that if and when I got my longline tangled with a string of pots, I will lose every time. The cost of losing gear and time spent building new gear could easily run me out of business.

Another great concern I have is with the learning curve that will go with a new type of fishery. The currents here in Southeast are very strong. As a longliner it takes patience and knowledge to get your gear to land where you want it too in these depths. Strong currents and lack of experience with these pots will almost certainly produce lots of lost sablefish pots in the trial years. How many years will these ghost pots be wreaking havoc on other fisherman's gear? When were the Japanese here last? I still get tangled with that gear all the time.

Would using pots stop whale predation of sablefish? It is possible. However the negatives that come with fishing pots strongly outweighs the negatives that come with whales. Pots are not the answer to solving whale predation.

SE Alaska is unique in its diversity of fisheries, and the size of the boats that participate. I think it is extremely important to keep these small boats and allowing sablefish pots in the area would be a leap in the wrong direction.

Thank you for reading,
Lucas Skordahl
F/V Tyee

Subject: Support for Sablefish Pots in Southeast Alaska
From: <ronnbuschmann@aol.com>
Date: 3/30/2015 6:11 PM
To: "npfmc.comments@noaa.gov" <npfmc.comments@noaa.gov>

Ronn Buschmann
Box 1367, Petersburg, Alaska
buschmann@gci.net

Members of the North Pacific Fisheries Management Council,

I am writing to support the adoption of language that would allow Sable fish pots to be legal commercial fishing gear in the Southeast area of the Gulf of Alaska.

I have longlined sablefish off of Southeast Alaska for the last 25 years. The longline fishery has changed due to Sperm Whale predation. This has made longlining unsafe because longliners are fishing earlier to try and catch their quota before the whales show up in greater numbers. I also believe that longlining has become an irresponsible method of harvest given the unquantifiable loss of sablefish to whale predation.

I am surprised that ALFA, with it's past support of responsible stewardship of marine resources and sustainable fisheries, would ignore the realities of sperm whale predation in favor of one user group. I have also read ALFA's threats that the fishery would become dominated by 10' pots and huge boats.

First of all, the standard pot in use on the west coast of the U. S., Canada, and Clarence Straits, Alaska is either the 80 pound, 6' Dungeness Gear Works pot or the Ladner 54" 50 lb. pot. These pots are fished in strings of 15 to 30 pots (more in Canada) similar to longlines.

The vessel cap of 1% would presumably remain in place in Southeast. Other simple regulatory devices could easily be adopted to minimize the potential for gear conflict. First would be a cap on the number of pots per boat and maximum pot size. Another would be to allow pots after May 1, not before. This would give longliners a month and a half to fish with longlines without potential for conflict with pots. Generally whale interactions become worse as the year progresses and it seems logical that fishermen harvesting their quota later in the year when there are more whales around would prefer pots.

I have fished for many years in Frederick Sound and Chatham Straits at the same time as an active Brown Crab fishery. Problems are rare because we communicate. The pot fisherman doesn't want longline gear tangled in his pot buoy line any more than the longline fisherman wants to become tangled in pot gear. I believe the probability of gear loss to longlines becoming tangled in longline gear is overstated.

Pots have minimal bycatch of rockfish; fish caught in excess of a boat's quota can be easily released alive without the hooking mortality associated with longline fishing.

Whale predation is going to force us fishermen to change the way we fish or we are going to see reduced quotas and maybe a collapse of this fishery. Sablefish pots simply are a more responsible gear type, whether we like it or not.

Respectfully,

Ronn Buschmann

Sent from Windows Mail

Subject: (no subject)
From: CRFBC@aol.com
Date: 3/30/2015 6:13 PM
To: npfmc.comments@noaa.gov

Chairman Hull,
NPFMC.

Pots for sablefish is a needed option for our IFQ fishery. However we need to take gradual steps in its implementation. The plan can change over time as issues are recognized and need to be addressed. The option for pots should not be such that they change the landscape of the fishery,

I fill we need to have a pot limit, and we need to remove the gear from the grounds when we deliver, as well as pot tags for each pot.

As the pot fishery develops and we find that it is ok to leave gear in the water when we are unloading and does not create ground preemption then change the law to allow gear to be left. If it is found that pot gear limits need to be changed do so at a latter date.

Lets make pot gear an option, but be gradual with the way we allow this change.

Bill Connor



North Pacific Fishery Management Council
605 West 4th Street, Ste. 306
Anchorage AK 99501

March 30, 2015

Dear Chairman Hull and members of the Council,

I am submitting these comments on **Agenda Item C-6, GOA sablefish pots**, on behalf of the Alaska Longline Fishermen's Association (ALFA).

Based on the purpose and need statement, the analysis, the alternatives and elements, and our Association's knowledge of, dependence on and experience with the sablefish fishery, ALFA does not at this time support allowing pots in the GOA sablefish fishery. More specifically, ALFA opposes allowing pots in the Southeast/West Yakutat areas, and we do not support allowing pots in the Central and Western Gulf until effective gear conflict and grounds preemption mitigation measures are identified.

Before explaining the specifics of our concerns and recommendations, I would like to commend the analyst for producing an excellent document. The analysis is readable, comprehensive and, with the exception of the longline CPUE data, factually correct to our knowledge. The information clearly presents the characteristics of the sablefish fishery and fleet by area, the challenges fishermen face relative to whale predation, the ability of vessels to convert from hook and line to pot fishing, and the gear conflict/preemption issues associated with introducing pots in each of the Gulf areas.

Of equal importance, the analysis discloses that the mitigation elements identified by the Council are at this time either not enforceable, not technically feasible, or outside the purview of the Council, and goes on to identify issues the Council has not yet anticipated, analyzed or addressed that have significant bearing on the impacts of this decision (pp 131-165). In ALFA's evaluation, the fact that the purpose and need for this amendment cannot at this time be met by the alternatives, at least not in all areas, is a function of the alternatives and elements, not the adequacy of the analysis.

Purpose and Need

The purpose and need statement for this action identifies increased harvesting costs, reduced CPUE, and increased uncertainty in sablefish harvest associated with whale predation as causes for concern; the statement goes on to identify Council goals as 1) reducing problems associated with whale predation

and 2) minimizing gear conflicts and grounds preemption that could result from allowing pots into the sablefish fishery. The analysis concludes that Alternative 1 will **not** meet goal 1. It cannot, however, conclude that any of the elements under Alternative 2 effectively meet goal 2.

As stated above, the measures included to minimize gear conflicts are reported in the analysis to be unenforceable or not technically feasible. These are each reviewed below:

Element 1: Pot limits—pot limits currently in place in other fisheries rely on marking buoys at the surface. This system works in single pot fisheries, but cannot be expected to work in a longline pot fishery since enforcement has no way of knowing how many pots are between buoys (p. 146). Tags could be attached to the pots, but then the only way to discern a pot limit violation would be for enforcement to observe a pot on the deck of a boat that is not tagged. As the analysis states:

“OLE does not have the vessel or fiscal resources to provide personnel to conduct at-sea inspections. OLE may make random spot check of the gear, but this would be done dockside and not while the vessel is actively fishing.” (P. 134) The analysis goes on to report: *“OLE does not have sufficient enforcement personnel or resources to conduct dockside inspections in all GOA ports prior to each vessel’s departure, and cannot commit to performing dockside inspections in any particular port. Additionally, the Observer Program does not have the expertise to conduct inspections on fishing gear.” (p. 148)*

Alternatively, pot limits could be enforced through logbooks, although logbooks are currently voluntary on vessels under 60 feet, or by the Coast Guard, which currently conducts mostly at-sea IFQ boardings (totaling approximately 150 per year). Again, vessels fishing will mostly have their pots in the water, which makes enforcement difficult. Also, any pot limit would require a new pot tag program to register, issue, monitor and enforce the pot limit, a system that it not cost evaluated in this analysis and is not currently in place. In short, although ALFA considers a pot limit to be necessary to mitigate the impacts of allowing pots in the GOA sablefish fishery, current alternatives are not implementable.

Elements 2 and 3--Gear retrieval and gear specifications- As the analysis identifies, Element 2 option 1 and Element 3 are both technically and legally unfeasible:

*“NMFS did **not** develop regulations to require the locations of pots deployed in a longline pot fishery to be entered in an electronic database (Element 2 Option 1) because NMFS cannot release confidential gear location data and the location of gear left or lost on the grounds cannot be verified. (p. 16). Similarly, “NMFS did not develop regulations to require both ends of a sablefish pot longline set be marked with flagpoles and transponders that work with AIS or an equivalent system (Element 3) because NMFS is not able to support the infrastructure to implement or actively maintain, monitor and enforce a system” (p.16)*

Element 2 Option 2 raises even greater concerns for our membership. The Council identified that “tending” or running gear every 4-7 days met the intent of “moving” pot gear. Vessels would, then, be in compliance with this requirement if they set strings of pot gear opening day and continued to run the gear every 4-7 days throughout the season (p. 145). As the Council may be aware, existing IFQ

regulations do not require QS holders to be on board a vessel when gear is set even for second generation and Southeast QS holders who are required to be on the vessel when gear is hauled (p.155 footnote). As a result and especially in Southeast where the shelf/slope is a short run from the coast, vessels could repeatedly run to town, unload, pick up new QS holders and return to tend pots until the vessel limit is reached. Additionally, since the Council did not preclude sharing of pots, the vessel could then turn running the pots over to a different vessel—all without removing the pots from the grounds. As the analysis notes: “it is possible that pot longline gear set on the grounds at the season’s opening could remain in essentially the same spot throughout the year (p. 155). This all but ensures grounds preemption. Finally, the elements do not include any provision requiring gear be removed from the grounds at the end of the season, nor do they address disposal of fish contained in pots that are retrieved outside the seven day legal period for tending gear (see p. 159). In short, there are significant aspects of this action that have not been fully considered or are not addressed by the existing alternatives and elements.

Element 4 Retention of incidentally caught halibut- Pots are **not** currently a legal gear for harvesting halibut, hence this element relies on complementary action by the IPHC. Also the analysis notes that identifying “incidental” levels “would be difficult,” and currently is not part of the existing Council alternatives in this amendment (p. 50). While both actions could occur following Council action, “no decision can be presumed” (p. 163).

In short, the analysis currently does not include alternatives to mitigate impacts should pots be introduced to GOA areas. A strong argument could be made that the analysis does not currently include a reasonable range of alternatives, a fact suggested by the lengthy section entitled “alternative considered by not analyzed further” (p. 26-27). Because the impacts of introducing pots will be significant, at least in some parts of the Gulf, and has the potential to permanently preempt the small boat fleet from this fishery, we believe the Council cannot, at this time, select alternative 2 for most, if not all Gulf areas. Our concerns relative to gear conflicts and preemption are further explained below.

Gear conflicts

There is wide-spread evidence of past and present gear conflicts between longline pot and hook and line gear. Amendment 14 was adopted by the NPFMC in 1985 to address grounds preemption and gear conflicts between the two gear groups (page 130). Although these conflicts occurred pre-IFQs, they also occurred pre-derby—the sablefish season was open throughout the spring and summer in the early 1980s. In fact, gear lost during this time continues to preempt grounds off of Sitka, as previous letters to the Council by Gary Edgerton and Walter Pasternak have documented—longline gear set near these lost pots still on occasion drift to tangle with the lost pots. Attempts to retrieve gear tangled with these pots are dangerous, with tremendous strain on the boat trying to haul the gear, and the end result is, inevitably, more lost gear and lost fish. Letters submitted to the PSMFC and provided to the NPFMC by Jeff Farvour from fishermen participating in the Northern California limited entry sablefish fishery document the current gear conflicts, safety issues and grounds preemption driven by entrance to the fishery of three boats longlining pots in what has historically been hook and line grounds (referenced p

155 footnote). Finally, the GOA sablefish gear committee spent most of its time talking about gear conflicts and how to minimize them when they met two years ago.

The following information should help the Council understand these concerns. Boats longlining pots are generally running $\frac{3}{4}$ to 1 inch floating poly line as buoyline and between pots. The breaking strength on this line is approximately 18,000 pounds. Hook and line longline boats are generally using $\frac{1}{4}$ to $\frac{3}{8}$ th buoy line and groundline; the breaking strength of this line is 3,600 pounds (information provided by Neptune Marine Products). Not only is the line used by hook and line boats not strong enough to haul groundline tangled with pots to the surface, but the hydraulics on most small hook and line boats are not sufficient to haul longline pots to the surface. In these conflicts, the risk of injury to the crew or damage to the vessel is high and the hook and line longliner always loses, which is why the specter of pots set throughout the season along the sablefish edge promises grounds preemption. Small boat operators know setting anywhere near a string of pots, especially in Southeast where strong currents will move sets over a mile before the gear hits the bottom, is too great a risk.

ALFA anticipates gear conflicts to be far more severe in the Southeast/West Yakutat area, which is characterized by a narrow shelf and steep slope (see slope bathymetry screen capture below). Sablefish is also harvested in both areas by a relatively large fleet of small boats targeting a relatively small area. Analysts capture this concentration of effort and catch in the sablefish “hot spot” analysis on pages 103-104: 85-95% of all sablefish fishing activity for the Southeast and West Yakutat, respectively, occurs in these “hot spot” areas, as opposed to 24-27% in the Central and Western Gulf. As this section of the document notes, gear conflicts and grounds preemption are most likely to occur where vessels operate in close proximity and have few alternative grounds to fish, and, as the section concludes:

*“Moreover, the areas on the map that have been most commonly indentified through testimony as having a high risk of ground preemption—Southeast and West Yakutat—would only appear more concentrated if the underlying data were pared back to fishing during the peak sablefish season.”
(Page 103)*

In the absence of effective mitigation measures, the introduction of pots to the GOA sablefish fishery can be expected to create gear conflicts and grounds preemption for those vessels unable to convert to pots. The next section reviews the ability of the existing sablefish fleet to convert to pots.

Converting to pots

In discussions with ALFA’s membership, we have found that some owners of vessels over 60 feet believe their boats could be converted to safely and effectively fish sablefish with pots, a few owners of boats 50-60 feet believe the conversion could be made, and almost no owners of vessels under 50 feet consider the conversion a possibility. Studies quoted in the analysis generally reflect these perspectives and identify that:

*“In the Canadian sablefish pot fishery, vessels range between 55’ and 95’ LOA; all vessel that fish sablefish pots in the BSAI areas are greater than 50’ LOA (all but two are greater than 60’ LOA)
(p. 167).*

A footnote on this same page notes that:

“Small vessel that might be able to run shrimp pots or even pacific cod pots might still not be able to accommodate sablefish pot gear, since the deeper fishing depth would require significantly more line” (p. 167)

This is consistent with ALFA’s research, which concluded that a vessel loaded with 200 pots and sufficient 1 inch line to run the pots would have on deck 27,000 pounds, with over a third of the weight—and approximately half of the volume—in the line. Even if a small boat operation could afford and justify the \$100,000 - \$200,000 expense of converting to pots, small boats simply cannot safely carry the weight and volume of gear identified by pot fishermen on the gear committee as necessary to effectively fish sablefish pots. Since 70% of the sablefish QS units in Southeast are allocated to vessels under 60’, a characteristic unique to this area, and more QS is harvested by vessels under 40 feet in Southeast than in any other area, it is safe to conclude that most of this fleet cannot convert to pots (p. 109). Taking a lesson from Northern California, it is also safe to conclude that even a few pot vessels can cause severe safety issues, gear loss and grounds preemption in an area fished by small boat hook and line boats.

The analysis documents that significantly more vessels that fish sablefish in only one area fish that sablefish in the Southeast area; also that 56% of the sablefish harvested in Southeast is delivered to Sitka (p. 109; 92). Clearly the Southeast grounds are important to Southeast communities in general and Sitka in particular. The analysis also identifies that 95% of the vessels targeting sablefish that are less than 50 feet LOA are homeported in Alaska, as are eighty-five percent of vessels in the 51’ to 60’ LOA group (p. 80). As a result, an action that disadvantages this small boat fleet, such as the introduction of pots to the Eastern Gulf sablefish fishery, will have a negative effect on Alaska’s fishery dependent communities. In the absence of effective gear conflict mitigation measures, ALFA would expect the introduction of pots to have a negative effect on the small boat community-based fleet in the Central and Western Gulf as well.

Whale Predation

In section 3.4.1.1, the analysis discusses the significant and increasing problem of killer whale predation on longline gear in the Western Alaska. As the analysis identifies, regions in Western Alaska support “some of the greatest densities of “fish-eating” or resident killer whales in the world” (p. 60). The analysis reports that when killer whales were present during sablefish survey gear retrieval, whales removed an estimated 54-72% of sablefish (p.60) and that CPUE in commercial sets dropped 55-69% as a result of depredating killer whales (although incidents of depredation in the WG was low in this study at less than 2%) (p. 61). Depredation in Western Alaska areas is assessed at \$980 per day and that depredation is thought to be increasing (p.62). These impacts argue for further development of an amendment to legalize pots in this area, albeit with effective measures to mitigate impacts to longline vessels.

In contrast, fishermen in the Central and Eastern Gulf experience depredation by sperm whales. Although a “dirty dozen” are recognized as serious or “serial depredators” by the Southeast Sperm

Whale Avoidance Project (SEASWAP) team, the presence of sperm whales by the survey boat and around commercial fishing boats exhibits less of a trend and a lower magnitude depredation impact in comparison to killer whale depredation. Studies identify a 2-5% reduction in survey catch rates with whales depredating (p. 62). The number of commercial sets impacted by whale depredation has varied widely overtime and shows no clear trend: "A preliminary review of NMFS observer data suggests that the proportion of observed longline sets impacted by sperm whales was variable in the GOA between 2002 and 2012" (p. 64). Our members likewise report highly variable sperm whale depredation interactions, with a higher association between time of year (summer) and increased depredation than a linear temporal progression.

As the analysis summarizes on pages 124-126, ALFA is one of the founding partners of SEASWAP and has worked proactively to understand whale depredation behavior and to develop deterrent/avoidance strategies. Although SEASWAP has not found the "silver bullet" to end whale depredation, the research has yielded strategies to reduce depredation and facilitate avoidance. After 100% success at assisting Chatham Strait fishermen in avoiding sperm whales last fall by tagging and reporting whale location, the SEASWAP team is looking to expand this approach to offshore waters in 2015 and 2016. With support from the Central Bering Sea Fishermen's Association, SEASWAP is also in the early phases of researching and testing deterrents for killer whales, although we recognize this effort poses a more daunting challenge. Losing sablefish to whales can be frustrating and costly to fishermen; nevertheless ALFA members consider the risk of losing fish through gear conflicts with pots to be a greater cost, both to the resource and their catch rates. ALFA members are also committed to ongoing deterrent/avoidance efforts to minimize the risk to whales and the sablefish resource.

Given that most small boats will not be able to convert to pots, any sperm whales present while gear is being hauled will concentrate effort on those vessels that continue to use hook and line gear, with no overall reduction in depredation. The potential for this shift is noted in the document on page 15. Since this reduction in depredation is the primary goal of this action and least likely to be achieved in Southeast where the majority of the boats are small, the Council must weigh this low chance of success against the high likelihood of gear conflicts and grounds preemption associated with allowing pots. To our membership, the balance clearly comes down on the side of preserving the historic hook and line, small boat, nature of the GOA sablefish fleet in general and Southeast in particular.

Sablefish stocks

Much has been said in public testimony about the impact of whale depredation on the sablefish survey and on catch accounting in the sablefish fishery. It is important for the Council to remember that sablefish stock assessment authors attribute low sablefish abundance to low recruitment, not whale depredation (p. 35). The sablefish stock is neither overfished nor subject to overfishing (p. 35). As the analysis explains, survey sets depredated by killer whales are dropped from the assessment process. Sets depredated by sperm whales are not dropped, because it is not known when depredation on the survey began and because "studies of depredation on the survey show no effect" (p. 62). Although taking sablefish from longlines is not natural whale behavior, sablefish is known to be a natural prey for sperm whales (p. 65). Studies on loss to sperm whale depredation in the commercial fishery is estimated at 2.2% of total groundfish catch based on visual evidence of torn or partial fish (p. 64), which

is no doubt low but still the best available information. Since whales depredate on both the sablefish survey and the commercial fishery, the effects are to some degree offsetting. Some of SEASWAPs work has been focused on efforts to quantify depredation both in the survey and the commercial fishery, and ALFA remains committed to this effort. That said, there are a number of unknowns relative to the impact of pots on both the sablefish survey (conflicts between the survey and pots have occurred in the past) and the impacts on the sablefish stock of increased harvest with pots, as is identified in the analysis: "In summary, length and possibly age composition would be needed from the new gear type before the stock assessment authors could evaluate the potential effects on the sablefish stock and stock assessment" (p.41). To our membership, these unknowns argue for a cautious, phased in and experimental approach to allowing this new gear type even without taking into consideration the impacts of gear conflicts and grounds preemption.

Catch per Unit Effort

Reduced catch per unit effort (CPUE), as a result of whale depredation, is cited as a problem to be addressed by this action. ALFA would point out that CPUE currently is more than twice as high in Southeast as it is in the Western Gulf (p. 98), which raises interesting alternatives to this action if increasing fishery CPUE overall is really a goal of the Council. That said, there seems to be an error in the analysis relative to hook and line sablefish CPUE, at least as informed by the catch rates of ALFA's membership. A quick census of our members indicate fishermen are setting between 1000 and 4000 hooks per set (snap on and stuck gear respectively) and averaging 3,000 to 10,000 round pounds per set, depending on the time of year, hooks set, etc. Even acknowledging that the 720 pounds per set included on page 142 is reported as an average, this number has little applicability to catch rates in Southeast/West Yakutat, and should not in any way be compared to potential pot catch rates.

Groundfish Bycatch and Seabirds

Groundfish bycatch and seabird takes are two other problems the Council seeks to solve with this action. As we have reported to the Council in the past, ALFA's membership has collaborated for years to reduce rockfish bycatch, which is the most vulnerable groundfish species in the halibut/sablefish IFQ fisheries. We intend to expand this bycatch avoidance work to include other species, but would note that the fish primarily taken as bycatch (grenadiers and dogfish) are currently not the target of any fishery and are harvested as bycatch well below ABC. I would note that while the bycatch of octopus in pots is mentioned in the analysis it is not estimated. Given that the current ABC for octopus is 1500 mt and the 2011 octopus catch was 900 mt, some assessment should be made of future catch should the use of pots be expanded.

Seabird incidental take is also a concern to our membership. ALFA participated in testing and developing the performance standards for seabird deterrent devices on small boats and we regularly remind members of their responsibility to properly deploy deterrents. Although pots are likely to reduce seabird takes, we note that the GOA typically accounts for only 10-20% of overall incidental seabird catch (p. 70) and that the incidental take of seabirds has been reduced significantly by streamer lines (p. 73). As the analysis notes: "research efforts, which were largely prompted by voluntary action

on the part of the longline sector of the industry, indicated that paired streamer lines were nearly 100 percent effective at eliminating the catch of albatrosses and other surface-feeding birds.” The hook and line industry has been proactive in developing and implementing bird deterrents, which are highly effective when properly deployed. Finally, we recently became aware that lasers are used in other areas with high success to discourage seabird predation on longlines during the setting process in all but calm conditions and intend to further pursue this potential deterrent.

Conclusion

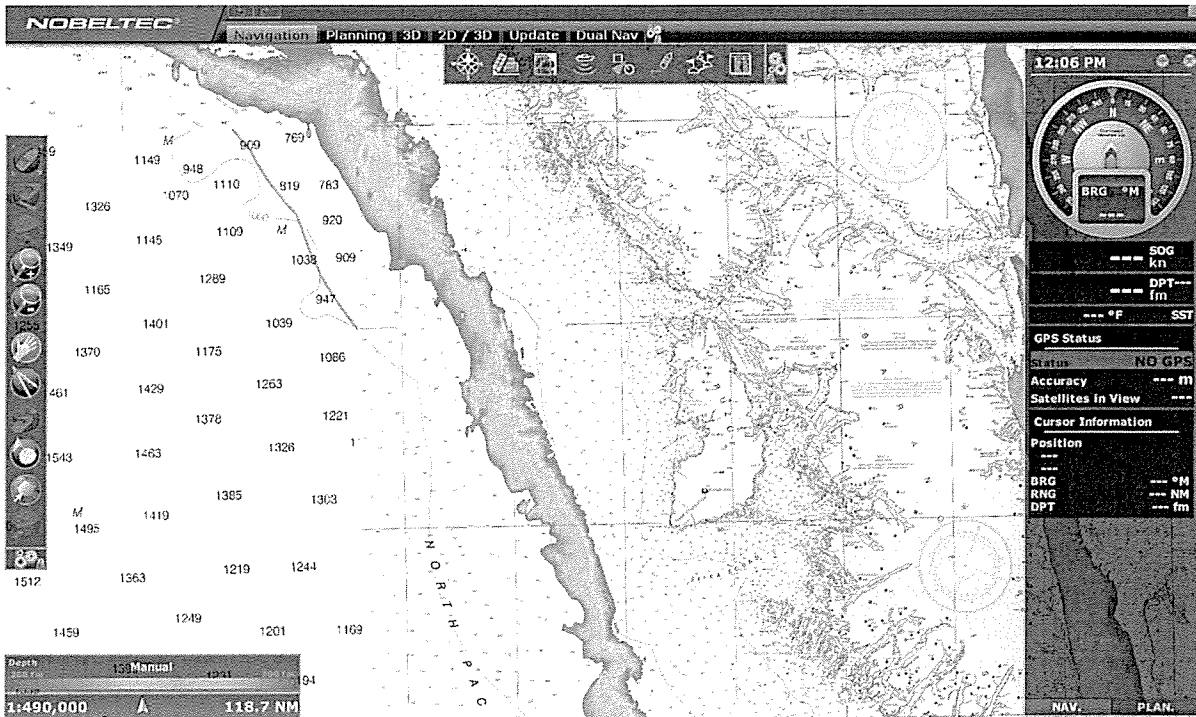
In conclusion, the introduction of pots to the GOA sablefish fishery has the potential to create significant gear conflicts and grounds preemption with vessels that continue to target sablefish with hook and line gear. Given that most small boats cannot convert to pots for safety, logistic, or economic reasons, the impacts will be borne by the small boat fleet. Although small boats participate in the sablefish fishery in all areas, small boats are highly dependent on and hold a greater proportion of the sablefish quota in Southeast, where the shelf is relatively narrow and the slope therefore more accessible. It is clear that the introduction of pots to the Southeast sablefish fishery will drive QS consolidation and likely eliminate small boats from this historically important fishery. Because the amendment before the Council does not contain effective measures to mitigate impacts in any Gulf area, ALFA does not believe the Council can adopt Alternative 2. If the Council determines that killer whale predation in the Western Gulf is significantly urgent to demand action even in the absence of the gear conflict and grounds preemption mitigation measures identified in the purpose and need statement for this action, the Council should consider a cautious, experimental and phased in approach to introducing pots. We call the Council’s attention to the statement on page 135 of the analysis: *The Council could consider a precautionary approach in which it initially authorizes pot longline gear only in the Central and Western GOA areas where the fishing grounds are less spatially confined*” (p. 135). ALFA recommends the Council go one step further and instead cautiously introduce pot longline gear ONLY in the Western Gulf and there only if it is widely supported by the vessel owners operating in the area while it develops effective measures to gear conflict and preemption issues before allowing pots in the Central Gulf. Given the geographic, social and economic characteristics of the Southeast sablefish fishery, we urge the Council to adopt Alternative 1 for this area.

Thank you for the opportunity to comment.

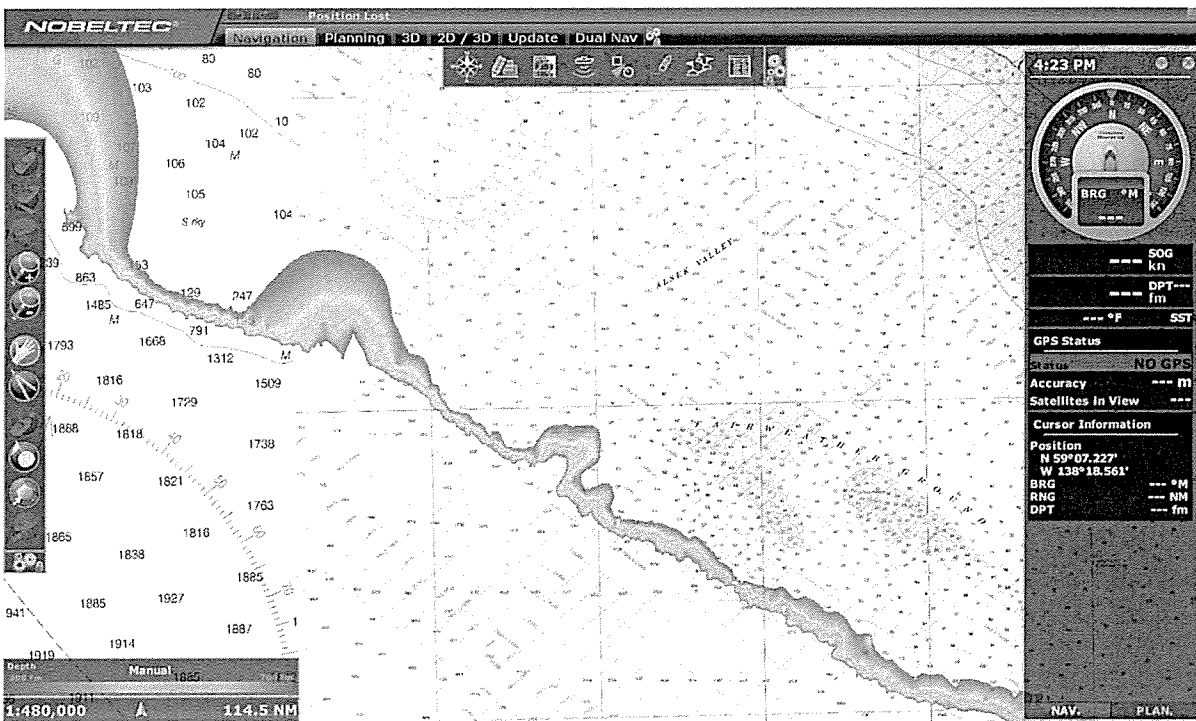
Sincerely,



Linda Behnken
(Executive Director, ALFA)



Southeast slope bathymetry screen capture



West Yakutat slope bathymetry screen capture

Subject: Sablefish pots

From: Care <carenichols@hotmail.com>

Date: 3/30/2015 7:37 PM

To: "npfmc.comments@noaa.gov" <npfmc.comments@noaa.gov>

I am against allowing pots to fish for sablefish in the GOA.

I cannot see how the Council could pass this with all the unanswered questions involved!

Like...

There are no effective alternatives put forth to mitigate conflict between pot and longline gear. And it will be a mess with much lost gear by the longline fleet as their gear is lighter weight . This will result in dead loss of fish on this lost gear which is a total waste as well as financial losses to the longline fleet in lost gear replacements. Who should pay for this? The pot boats as it is their gear causing the problem.

NMFS has determined that systems proposed to mark locations of active gear or lost pots violates confidentiality restrictions SO how in the heck will there not be conflicts ?

Answer. There will be lots of conflicts .

And there are no enforceable rules in how often pots will have to be run. This will result in dead loss. It will also allow grounds preemption to happen by the pot boats. We all know weather windows in the spring and fall are usually short. Often there is unsettled weather lasting for a week or more. So if those pots are left out there fishing that whole time there will be dead loss. Not good.

There are a lot of boats that could never fish pots as they are too small to carry them. And a lot of fishermen cannot afford to buy them either.

In SE Alaska the impact on the small boat fleet would be huge as there are a lot of small boats fishing and the area in the ocean fished is a relatively narrow band so conflicts would be impossible to avoid.

I feel fish loss to whale predation is preferable to the waste of loss of fish AND gear to conflicts with pot gear

So please shelve this idea for now. It has some potential but is a long way from ready for final action and needs to be looked at as an idea for some areas and not others as well as firm enforceable rules with teeth in place on how often pots must be run.

There must be some solid system in place with easy access for all involved to show where these pots are so as to avoid gear conflicts which just will cause dead loss of fish and gear loss for longliners

So please either shelve this idea or set it aside to make a lot of changes to it.

As it stands now it is a total mess waiting to happen.

Thank you

Carolyn Nichols

Sitka, Ak

Subject: Sablefish Pot issue in the GOA (coming from a committee member) Testimony!

From: Harley Ethelbah <geoduck1@comcast.net>

Date: 3/30/2015 8:56 PM

To: npfmc.comments@noaa.gov

To: North Pacific Fisheries Council, Anchorage, Alaska
March 30, 2015

Dear Committee Members:

I would like to re-introduce myself: I am Harley Ethelbah and I testified on the issue of Blackcod Pots in the Gulf of Alaska in Juneau two years ago. I have since been on the committee working with the council, discussing Blackcod pots, and I currently longline with the F/V Jean C. out of Petersburg.

I have been fishing pots off the coast of WA., OR, and CA., for 6 years. I come from a experienced longline background as I grew up in the "derby era" of the 80s. I've seen the changes, and I've seen whales enter the picture. If it were not for the whales we would not be having this discussion, or would we because of by-catch issues? After fishing pots now for awhile, I'm impressed as to how little by-catch there is! I've had trips now where we have caught 12 Thorneyheads out of 56,000 lbs. of Blackcod. Thats nice when you look at it from that standpoint. The Gulf of Alaska is not the only area affected by sperm whales on the west coast, the fleet is seeing more and more whales off of WA. and OR.

The Pacific council has it on their agenda to potentially allow longline endorsed boats to have the option to use pot gear is they so desired. If you do communicate with them you might want to discuss the issue, as I am sure the Pacific council and NMFS has every statistic you would ever need when it comes to Bycatch and whale interaction here on the coast with Blackcod pots. Every Pot boat in the Trawl program, North and South has an observer on them, so the data is there.

I've been asked lots of Questions, let me throw a few out there that I've been asked:

1. Do you only catch small fish in the pots? We hear you only catch small fish in the pots!

My response: We have 3 1/2 inch escape rings with approximately 3in mesh. Our fish size 4 lbs and above. The small fish get out!

2. We hear you only catch females as the males won't go in the pot!

My response: We catch males and females in the pots, the fish go in the pot regardless of species. Thats an observed fact!

3. My boat is too small it will never work.

My response, Pot gear would just be an option, it's not an ultimatum! But to counter, I've seen skiff's (28ft Boston Whaler) fishing pots. And I've seen a 100 year old wood double ender fishing 150 pots, 10 pots strings.

Other "topics" related to pots were discussed in Committee.

1. Gear Conflict

2. Pot limits
3. Taking gear off the grounds.
4. Pot storage
5. Gear types

My comment to all the above: Correct me if I am wrong but did we not say or talk about as a committee, that no more than 300 pots would be the optimal, and we would definitely need to see the gear come off the grounds at the end of each trip, and that there would be no pot storage, and the gear types would be left up to the fisherman?

I know it was just a round table discussion but there was a lot of thought that went into that discussion!

The bottom line is the whale problem is not going away. From a biological standpoint we need to do what we can to eliminate whale predation. Pots are the proven answer!

Thank you for efforts in this process.

Sincerely,
Harley Ethelbah

Subject: sablefish pots
From: Joseph D'Arienzo <delsenzo@live.com>
Date: 3/30/2015 10:34 PM
To: "npfmc.comments@noaa.gov" <npfmc.comments@noaa.gov>

Dear NPCFMC

My name is Joe D'Arienzo and am a resident of Sitka, Alaska. I do not have any sablefish quota, but do have halibut quota. I have friends that

depend on their blackcod quota for their livelihood.

I'm writing concerning the upcoming issue of allowing the use of sablefish pots in the fishery. Sitka is very dependent on its small boat longline fishery.

I consider small boats, in this case, those that would not be able to handle the 200 or so pots needed to make pot fishing viable.

My main concern is that the conflict with hook and line gear is not adequately addressed. I do agree that predation on hook and line gear is a problem

for blackcod fisherman. However, pot gear loss and allowing a questionably enforceable rule of allowing pots to remain in the water as long as they

were checked every 4-7 days could be devastating to small boat, blackcod, hook and line fisherman. I urge the Council to table their decision and

explore ways to address this issue that can accommodate all gear types.

Thank You

March 31, 2015

Dear Mr. Chairman and Council Members of the NPFMC:

Sablefish (hereinafter referred to as black cod) pots and hook-and-line black cod longlining DO NOT MIX WELL when fished on the same grounds.

I've hook-and-line longlined for black cod off Sitka since 1981, first on my 40-foot, and now on my 45-foot vessel. We set roughly 1,300 hooks a day and catch between 3,000 and 5,000 round pounds a day.

There is an area just south of Cape Edgecumbe just west of Sitka where, back in 1982 or 1983, the black cod pot boat Billy Dawn lost a string of pots. Hook-and-line black cod longliners' gear has been hanging up on these pots or having to avoid this narrow edge area of prime fishing for over 30 years. The extremely heavy, steel-framed pots do not degrade and go away, they just keep pre-empting the grounds and cause gear losses and dangerous situations on smaller hook-and-line black cod vessels. When hook-and-line gear hangs up on a pot, the line becomes extremely taut and can injure a fisherman severely in the process of trying to extract it.

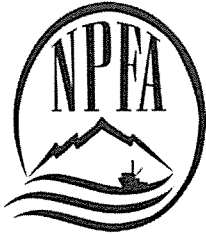
If pots are to be used in the Gulf of Alaska, then I suggest opening an area west of Kodiak as a test site and monitoring it for three to five years before opening any areas east of Kodiak.

My vessel is not large enough to convert to using black cod pots. They are too big, too heavy and the line required to set them takes up too much room. It would put me and my crew in grave danger if we were to attempt to use pots.

The proposed action of allowing black cod pots gulf-wide will drive smaller boat owners to sell out or to ride on larger vessels because of gear conflicts. Fewer boats fishing in the Gulf of Alaska would eliminate crew jobs and hurt the well-being of coastal communities. Is the socioeconomic health of coastal communities still important to the North Pacific Fisheries Management Council and the Magnuson Act ???

Sincerely,

Walter C. Pasternak
F/V Christi-Rob
Box 830
Sitka, Alaska 99835
907-747-5943



North Pacific Fisheries Association
P.O. Box 796 · Homer, AK · 99603

To: Mr. Dan Hull, Chairman
North Pacific Fishery Management Council
605 West 4th Avenue Suite 306
Anchorage, AK 99510
March 31, 2015
Re: Agenda Item C6 GOA Sablefish Longline Pots

Dear Chairman Hull and members of the Council,

The North Pacific Fisheries Association is a multi gear, multi species commercial fishing organization based in Homer, Alaska. We have members who have historically participated and continue to work in both longline and pot fisheries.

Whale interaction with fishing gear affects the ability of sablefish quota share holders to harvest their sablefish IFQs by reducing catch per unit of effort and increasing fishing costs. Research into whale deterrence strategies and changes in fishing practices has not resolved the problem. Additional sablefish mortality associated with whale depredation is difficult to quantify, but increases total mortality and uncertainty in sablefish abundance indices. The use of pot gear for sablefish would reduce sperm whale and killer whale interactions with fishing gear in the Gulf of Alaska. Our members believe that they are losing as much as 30% of their sablefish to whale depredations when whales are present. The problem is growing every year. The Council seeks to reduce the problems associated with whale depredation while minimizing gear conflicts and excessive grounds preemption that could result from allowing pot and longline gear to fish in the same regulatory areas. We think the following options strike the right balance:

NPFPA Supports: Alternative 2. Allow the use of pot longline gear in the GOA Sablefish IFQ fishery.

Element 1. Limit of 60 to 400 pots (different pot limits can be selected for each area). NPFA supports a limit of 300 pots or the amount of gear that keeps the “foot print” of one sablefish vessel about the same as it is now. 300 pots for WY, CG and WG perhaps less for SE

Option 1. Require identification tags for each pot. NPFA supports this.

Element 2. Gear retrieval

Option 1. Require the location of pots set, left, or lost on the grounds to be submitted to an electronic database when in the water. NPFA supports a voluntary agreement to use best practices and the best available, cost effective electronic (GPS/AIS) technology to mark ends. NPFA also supports using an email service to report gear location. We are submitting a draft agreement of how this might work. See attached.

NPFA supports requiring in regulation a vessel using long line pots in the GOA sablefish fishery to carry a transmitting AIS.

Option 2. Gear cannot be left more than four or seven days without being moved.

NPFA supports 7-10 days because we feel four days would be too difficult for small boats to get back to their gear after a storm and remove gear. Our intent is to have a safe and practical regulation while preventing grounds preemption, and we think 7-10 days would accomplish this.

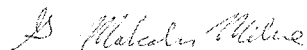
Element 3. Gear specifications.

Require both ends of the sablefish pot longline set to be marked with a 4 buoy cluster including a hard ball with “PL” (pot longline) marking on one buoy, a flagpole and radar reflector.

Element 4. Retention of incidentally caught halibut.

Allow the retention of halibut caught incidentally in sablefish pots, provided the sablefish IFQ holder also holds sufficient halibut IFQ.

Thank you for your consideration,



Malcolm Milne

President, North Pacific Fisheries Association

Alaska Longline Pot Agreement

This ALASKA LONGLINE POT AGREEMENT (the “Agreement”) is entered into as of the beginning of the 20__ sablefish individual fishing quota (“IFQ”) season by and among the fishing vessel owners listed below regarding the following facts:

Recitals

A. Regulations currently allow the use of longline pot gear while fishing for sablefish IFQ in the Bering Sea and Aleutian Islands, but prohibit use of that gear in the sablefish IFQ fishery in the Gulf of Alaska (“GOA”). Harvesters of sablefish IFQ in the GOA are limited to using hook-and-line (“HAL”) longline gear.

B. One challenge associated with HAL longline gear is whale depredation, which decreases participants’ catch per unit effort while increasing their fishing costs and the total mortality of sablefish, presenting a threat to the long-term health of the sablefish stock.

C. The North Pacific Fishery Management Council (the “Council”) has recognized that the use of longline pot gear may be an effective way to reduce whale depredation and to mitigate the associated costs to the fleet and harm to the stock. Consequently, the Council and the National Marine Fisheries Service (“NMFS”) are analyzing alternatives under which the optional use of longline pot gear to harvest sablefish IFQ in the GOA would be allowed.

D. The parties to this Agreement are interested in using longline pot gear to harvest sablefish IFQ in the GOA if that option is allowed. However, the parties also recognize there are concerns about interactions between longline pot gear and HAL longline gear and other gear types.

E. To address those concerns, this Agreement establishes “rules of the road” that the parties will abide by while harvesting sablefish IFQ in the GOA using longline pot gear. These rules are intended to facilitate distribution of information about the location of longline pot gear, which the various gear groups in the GOA may use to minimize interactions between longline pot gear and other gear types.

Agreement

1. Use of Longline Pot Gear. The parties to this Agreement own fishing vessels that harvest sablefish IFQ in the GOA. Each party agrees to take the following steps while its vessel or vessels are harvesting sablefish IFQ in the GOA using longline pot gear:

a. Marker buoys. Label marker buoys at every gear end with the vessel’s Federal fisheries permit number or Alaska Department of Fish & Game registration number, and attach a satellite tracking device or radar reflector. This is required when gear is fishing and when it is left on the grounds.

b. Latitude/longitude. Report latitude and longitude of gear ends left on the grounds to a map-based service or to an email list available to interested parties within _____ of leaving gear on the grounds. Request that processors who subscribe to the map-based service or email list provide the reported lat/long information to harvesters in the GOA who deliver to them. [Questions: 1) Is it feasible to report lat/long info when gear is fishing, instead of only when it's left on the grounds? 2) Should we have only one option – map-based service or email list – so interested parties need only look in one place for all pot gear in use?]

c. AIS transponder. Carry a transmitting AIS transponder aboard vessels setting and hauling back gear.

d. Lost pots and gear interactions. Report the approximate latitude and longitude of lost pots and interactions with other gear types on a form provided by _____ at least once a _____ during sablefish IFQ seasons. [Potential alternative – report to the map-based service or email list?]

2. Annual Report. By December 31 of each calendar year, the parties will provide a written report to the Council and NMFS covering, at a minimum, the following topics for the most recently completed sablefish IFQ season: (a) estimates of the bycatch of vessels operating under this Agreement in the sablefish IFQ fishery in the GOA; (b) any interactions between longline pot gear and other gear types; (c) approximate locations of any lost pots; and (d) _____.

3. Monitoring and Enforcement. The parties will retain _____ to monitor compliance with this Agreement. [Potential other terms: fine amounts for failure to comply; process for assessing and collecting fines; payment of fines collected to non-profit; potential third-party right to enforce compliance if monitoring agent does not.]

AGREED:

Vessel Owner Name	Signature and Date Signed	Vessel Name/USCG No.

Subject: Agenda C6 Comments
From: Jeremie Pikus <jpikus@msn.com>
Date: 3/31/2015 12:35 PM
To: npfmc.comments@noaa.gov

March 31, 2015

North Pacific Fishery Management Council
Dan Hull, Chair
605 W. 4th Ave., Suite 306
Anchorage, AK 99501

Re: Agenda Item C6, GOA Sablefish Longline Pots

Dear Chair Hull:

I own and operate the F/V Polar Star, a 58-ft vessel, based in Kodiak, that fishes for IFQ sablefish and halibut, as well as Pacific cod in the Gulf of Alaska. I have longlined for sablefish since before the transition into an IFQ fishery. I see that the council is now considering implementing the option to use longline pots in the IFQ sablefish fishery, and I would like to comment on the final action proposal now before the council.

I fully support the selection of alternative 2, which would permit the option to use pot longline gear in the IFQ sablefish fishery in the Gulf of Alaska. Whale predation is an increasing problem, especially in the Western GOA, and I see longline pot gear as an effective way to prosecute the fishery while minimizing harmful whale interactions.

I have personally noticed an increase in problems with whale predation in recent years, sometimes to the point of hair-pulling frustration. There have been times when, with whales nearby, I have picked sets with literally no fish, when there should have been some. The only explanation is that the whales were getting them - *all* of them. I have also spent a considerable amount of time traveling away from set gear solely to lose a pod of whales. It would be comical, if not for all of the wasted time, effort, and money involved, especially the hours and hours of baiting hooks, with no return because the whales are eating all of the fish on the line. Also, whale predation must be having a large impact on the health of the sablefish stocks; I believe there is a lot of loss to whale predation that is not being accounted for. These are serious problems, and they are getting worse as more whales become accustomed to preying on HAL sets. I believe that the option to use longline pot gear will alleviate the whale problem, and I outline what I believe the benefits will be below.

Health of the sablefish stocks. I believe whale predation to be a significant contributing factor in

the recent declines of the sablefish stocks. As the analysis makes clear, whale predation is difficult to account for, but I can certainly testify that it is serious, and I believe that most other sablefish fishermen would agree. There would be zero whale predation on sablefish caught with longline pot gear. This will obviously be a great benefit to the stocks, and lead to greater certainty in the stock assessment. Also, it would be good to get an idea of how much of the recent sablefish stock declines are due to whale predation, versus other factors.

Fishing efficiency. As described above, problems with whale predation can have a huge detrimental impact to the fishermen in terms of time, effort, and money spent prosecuting the fishery. I can attest that there have been cases where I have been forced to make more fishing trips than I should have, because of time spent avoiding whales and a smaller CPUE when whales were present while hauling gear. Given the issues with whales, a longline pot operation should lead to greater efficiencies and CPUE.

Environmental benefits. The analysis makes it clear that converting to longline pot gear would have several beneficial environmental impacts. First, conversion from HAL to longline pots would reduce the number of incidental seabird fatalities associated with the sablefish fishery. Second, with good tunnel design, bycatch of other groundfish species would be reduced. And lastly, the whales themselves would benefit. Fish on hooked lines are not a natural food source for the whales. A decrease in whale predation as a result of conversion to longline pots would result in fewer fishing gear entanglements and vessel strikes. Also, the whales have learned to associate the sound of a vessel hauling gear with easy prey present on groundlines. Perhaps, with vessels converting to longline pot gear, they will begin to disassociate that sound with easy prey, to some extent, since they wouldn't find any food when arriving at a vessel hauling a longline pot set.

Finally, in support of alternative 2, I would like to point out the success of longline pots in the BSAI. As the analysis points out, for the most recent data that they can report, longline pot gear accounts for more than half of the BSAI sablefish catch, and has been on the increase since 1999. This must be because longline pots are an efficient method of targeting sablefish in an environment where whale predation is an issue. Why wouldn't this also be true in the GOA, especially given that whale predation is on the rise here?

In conclusion, I strongly urge the council to select alternative 2, and permit the optional use of longline pot gear in the GOA IFQ sablefish fishery. The benefits are clear, and I believe that issues of gear conflict can be mitigated within the elements and options present in the alternative.

Thank you for your consideration.

Patrick J. Pikus
F/V Polar Star
P.O. Box 2843
Kodiak, AK 99615
(907) 486-5258

pikus@acsalaska.net

Subject: Gear Leaving the grounds

From: Harley Ethelbah <geoduck1@comcast.net>

Date: 3/31/2015 12:59 PM

To: npfmc.comments@noaa.gov, Eric Rosvold <olefish@gci.net>, Jeremy Brown <fvoneandall@hotmail.com>, Paul Clampitt <pfishcl@gmail.com>, Clyde Curry <ccurry@alaska.com>

CC: jared Bright <jaredbright@hotmail.com>, alfastaff@gmail.com

Dear Council Members,

Below is a letter I sent in regards to Blackcod pots in the Gulf of Alaska. I am a big supporter when it comes to fishing pots in the Gulf.

I just heard that the motion was pulled that stated "pots would need to be removed from the grounds when the trip was over".

This is unacceptable. We have discussed this in Committee. The longlining of Blackcod pots will not work in the Gulf if the gear is not removed after each trip or when going into town. The gear needs to come off the grounds. It will create too much confusion and it will lead to gear conflict.

You might think your doing the small boats a favor but your not! It will lead to guys owning the edge so to speak and the edge is really not all the big when it comes to good bottom to fish.

As a council you have all the data from the committee stating the negatives of leaving the gear on the grounds. Please read and digest this.

The gear needs to leave the grounds!

Sincerely,
Harley Ethelbah

North Pacific Fisheries Council Anchorage, Alaska

March 30, 2015

Dear Sirs and Madams,

I would like to re-introduce myself; I am

Harley Ethelbah,

I testified on the issue of Blackcod Pots in the Gulf of Alaska, in Juneau two years ago. I have since been on the committee working with the council, discussing Blackcod pots!

I currently longline with the F/V Jean C. out of Petersburg. I now have been fishing pots off the coast of WA., OR, and CA., for 6 years. I come from a experienced longline background as I grew up in the "derby era". I've seen the changes, and I've seen whales enter the picture! If it were not for the Whales we would not be having this discussion, or would we? After fishing pots now for awhile, I'm impressed as to how little by-catch there is! I've had trips now where we have caught 12 Thorneyheads out of 56,000 lbs. of Blackcod. Thats nice when you look at it from that standpoint!

The Gulf of Alaska is not the only area affected by Sperm Whales on the west coast, the fleet is seeing more and more whales off of WA. and OR.

Did you know the Pacific council has it on their agenda to potentially allow

longline endorsed boats to have the option to use pot gear is they so desired! If you do communicate with them you might want to discuss the issue, as I am sure the Pacific council and NMFS has every statistic you would ever need when it comes to Bycatch and whale interaction here on the coast with Blackcod pots. Every Pot boat in the Trawl program, North and South has an observer on them, so the data is there!

I've been asked lots of Questions, let me throw a few out there that I've been asked:

1. Do you only catch small fish in the pots? We hear you only catch small fish in the pots!

My response: We have 3 1/2 inch escape rings with approximately 3in mesh. Our fish size does not drop below 4 lbs. The small fish get out!

2. We hear you only catch females as the males won't go in the pot!

My response: We catch males and females in the pots, the fish go in the pot regardless of species. That's an observed fact!

3. My boat is too small it will never work.

My response, Pot gear would just be an option, it's not an ultimatum! But to counter, I've seen skiff's (28ft Boston Whaler) fishing pots. And I've seen a 100 year old wood double ender fishing 150 pots, 10 pots strings.

Other "topics" related to pots were discussed in Committee.

1. Gear Conflict
2. Pot limits
3. Taking gear off the grounds.
4. Pot storage
5. Gear types

My comment to all the above: Correct me if I am wrong but did we not say or talk about as a committee, that no more than 300 pots would be the optimal,

and we would definitely need to see the gear come off the grounds at the end of each trip, and that where would be no pot storage, and the gear types would be left up to the fisherman?

I know it was just a round table discussion but there was a lot of thought that went into that discussion!

The bottom line is the Whale problem is not going away! From a biological standpoint we need to do what we can to eliminate whale predation. Pots are the proven answer!

Thank you for efforts in this process.

Sincerely,
Harley Ethelbah

Buck and Ann Fisheries, LLC
679 E. Harbor Dr., Warrenton, OR 97146

March 31, 2015

Mr. Dan Hull, Chairman
North Pacific Fisheries Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Re: GOA Sablefish Longline Pots

Dear Mr. Chairman:

Please let this letter serve as support for GOA sablefish longline pots. With the growing problem of whale predation on traditional longline gear, particularly in the sablefish and halibut fisheries, longline pot fishing offers specific opportunities to reduce wastage in both of these fisheries. Change in any traditional fishery is met with skepticism, and I understand there are those fishermen, particularly in the Southeast Alaska region, with concerns over how certain changes may affect their fisheries.

On the Pacific West Coast, trawl, longline pot, and hook-and-line longline gear all exist together in the same areas and many times all prosecuting the same target species. The fishermen have learned to work together and gear conflicts have proven to be manageable and not a significant problem. I do not believe gear conflicts will be an issue in Alaska. Small boats and large boats all coexist and operate well together. Grounds are not preempted by one gear type at the expense of another.

My company and two of its vessels are now entering their fifth year as primarily longline pot fishing vessels in the West Coast Groundfish Trawl Catch Share Program. My personal experience is that pot fishing is one of the cleanest fisheries with one of the lowest levels of incidental catch on non-targeted species. In the four years of fishing, we have caught 1,886,595 pounds of fish. Out of this total catch number, all but 2,766 pounds (0.15 percent) were targeted species. Only 320 pounds of halibut (0.02 percent) were caught, and most of these fish were in good condition when returned to the sea. This data is confirmed by 100 percent NMFS observer coverage.

With experience in gear modifications, both size grading and exclusion or elimination of non-target species can be done on the seabed with minimal or no adverse effects to the resource. Small fish can escape pots by fishermen simply inserting escape rings and modifying mesh size. Halibut exclusion and escape bars are also effective and a challenged resource does not have to be brought to the surface, handled, and then returned to the sea to try and make its way back to the bottom. In addition, whale predation on fish traveling from the seabed to the surface does not occur.

Vessels choosing to fish longline pots should belong to a cooperative or fishing group with a formal fishing agreement that minimally requires its vessels to; a.) Use AIS at all times, b.) Clearly mark the location of gear string ends at all times with traditional buoy clusters marked with the vessel's ADF&G number, radar reflectors, c.) When the gear is left unattended, mark the gear ends with either proven electronic technology or an accessible database showing the latitude and longitude of those gear ends,

d.) Track pot numbers of vessels engaged in active fishing, and e.) Identify number and location of lost gear. (See attachment 1)

While some vessels will not be suited well to longline pot fishing, most vessels in a wide range of sizes will be able to participate effectively with longline pots. It will be important to the viability of longline pot fishing for all vessels, but even more important to small vessels, not to be required to remove their pots from the fishing grounds when delivering product to shore-based processors or running from weather. While I understand there are some fishermen who are worried about grounds being preempted by longline pots. I wish to point out this has not been a problem on the Pacific West Coast. The actual fishing gear footprint of the F/V Northern Endurance would be reduced by moving to 400 pots from traditional longline gear. I would request the NPFMC to set a reasonable limit on pots of 300 pots for C Class and 400 pots for A and B Class vessels.. If vessels are required to remove their pots from the grounds while vessels deliver product, it will significantly reduce the economic viability of this fishery and effectively eliminate the smaller vessels' ability to effectively participate. I would urge the NPFMC to permit longline pot gear to be left unattended for periods of up to ten days so smaller vessels could deploy, deliver, effectively deal with breakdowns, and retrieve gear at the end of the season.

In closing, I would request the NPFMC to permit longline pot fishing in the GOA and to minimize overregulation and gear restrictions whenever possible. The concern of certain Southeast Alaska fishermen should be given due consideration, and if the NPFMC determines that regions in Southeast Alaska should be exempted from a Gulf of Alaska wide rule, then so be that determination, but let the other area move forward in an expedited manner. Longline pot fishing will eliminate whale predation and drastically reduce incidental catch of non-target species. The sablefish and the halibut resource will both benefit by allowing longline pot fishing.

Thank you for your consideration.

Sincerely,



Bernie Burkholder
Buck and Ann Fisheries, LLC

Alaska Longline Pot Agreement

EXHIBIT ONE

This ALASKA LONGLINE POT AGREEMENT (the “Agreement”) is entered into as of the beginning of the 20__ sablefish individual fishing quota (“IFQ”) season by and among the fishing vessel owners listed below regarding the following facts:

Recitals

A. Regulations currently allow the use of longline pot gear while fishing for sablefish IFQ in the Bering Sea and Aleutian Islands, but prohibit use of that gear in the sablefish IFQ fishery in the Gulf of Alaska (“GOA”). Harvesters of sablefish IFQ in the GOA are limited to using hook-and-line (“HAL”) longline gear.

B. One challenge associated with HAL longline gear is whale depredation, which decreases participants’ catch per unit effort while increasing their fishing costs and the total mortality of sablefish, presenting a threat to the long-term health of the sablefish stock.

C. The North Pacific Fishery Management Council (the “Council”) has recognized that the use of longline pot gear may be an effective way to reduce whale depredation and to mitigate the associated costs to the fleet and harm to the stock. Consequently, the Council and the National Marine Fisheries Service (“NMFS”) are analyzing alternatives under which the optional use of longline pot gear to harvest sablefish IFQ in the GOA would be allowed.

D. The parties to this Agreement are interested in using longline pot gear to harvest sablefish IFQ in the GOA if that option is allowed. However, the parties also recognize there are concerns about interactions between longline pot gear and HAL longline gear and other gear types.

E. To address those concerns, this Agreement establishes “rules of the road” that the parties will abide by while harvesting sablefish IFQ in the GOA using longline pot gear. These rules are intended to facilitate distribution of information about the location of longline pot gear, which the various gear groups in the GOA may use to minimize interactions between longline pot gear and other gear types.

Agreement

1. Use of Longline Pot Gear. The parties to this Agreement own fishing vessels that harvest sablefish IFQ in the GOA. Each party agrees to take the following steps while its vessel or vessels are harvesting sablefish IFQ in the GOA using longline pot gear:

a. Marker buoys. Label marker buoys at every gear end with the vessel’s Federal fisheries permit number or Alaska Department of Fish & Game registration number, and attach a satellite tracking device or radar reflector. This is required when gear is fishing and when it is left on the grounds.

b. Latitude/longitude. Report latitude and longitude of gear ends left on the grounds to a map-based service or to an email list available to interested parties within _____ of leaving gear on the grounds. Request that processors who subscribe to the map-based service or email list provide the reported lat/long information to harvesters in the GOA who deliver to them. [Questions: 1) Is it feasible to report lat/long info when gear is fishing, instead of only when it's left on the grounds? 2) Should we have only one option – map-based service or email list – so interested parties need only look in one place for all pot gear in use?]

c. AIS transponder. Carry a transmitting AIS transponder aboard vessels setting and hauling back gear.

d. Lost pots and gear interactions. Report the approximate latitude and longitude of lost pots and interactions with other gear types on a form provided by _____ at least once a _____ during sablefish IFQ seasons. [Potential alternative – report to the map-based service or email list?]

2. Annual Report. By December 31 of each calendar year, the parties will provide a written report to the Council and NMFS covering, at a minimum, the following topics for the most recently completed sablefish IFQ season: (a) estimates of the bycatch of vessels operating under this Agreement in the sablefish IFQ fishery in the GOA; (b) any interactions between longline pot gear and other gear types; (c) approximate locations of any lost pots; and (d) _____.

3. Monitoring and Enforcement. The parties will retain _____ to monitor compliance with this Agreement. [Potential other terms: fine amounts for failure to comply; process for assessing and collecting fines; payment of fines collected to non-profit; potential third-party right to enforce compliance if monitoring agent does not.]

AGREED:

Vessel Owner Name	Signature and Date Signed	Vessel Name/USCG No.

Todd Hoppe

P.O. Box 2589, Homer, Alaska 99603

March 31, 2015

Mr. Dan Hull, Chairman
North Pacific Fisheries Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Re: GOA Sablefish Longline Pots

Dear Mr. Chairman:

Please let this letter serve as my record of support for GOA sablefish longline pots. Whale predation is a serious and growing problem in the Gulf of Alaska for vessels using traditional longline gear. Longline pot fishing offers specific opportunities to reduce wastage in both the sablefish and halibut fisheries. It is understood that some fishermen are reluctant to support changing from traditional hook-and-line gear to longline pots, but it is what is best for the sablefish resource, and we have a resource that is challenged at this time. However, it is my opinion that leaving the option for IFQ fishermen to use longline pots or traditional hook-and-line longline gear should be left to the choice of the individual fishermen as all fisherman and all vessels will not be well suited to fish longline pots.

In Alaska, Canada, and the Pacific West Coast, longline pot and hook-and-line longline gear have all worked together and many times all fishing the same target species at the same time. The fishermen work together and gear conflicts have not been a problem or major concern. Fishermen will learn to work together, and I do not believe gear conflicts or grounds preemption will be an issue in Alaska.

In my personal experience, pot fishing has many advantages over other gear types, including the traditional hook-and-line longline fishery. Pot fishing has significant advantage as far as reducing bycatch. Both size grading and exclusion or elimination of non-target species can be done on the seabed with minimal or no adverse effects to the resource. Small fish can escape pots by modification of mesh size and insertion of escape rings. Halibut exclusion and escape bars are also effective, and a challenged resource does not have to be brought to the surface, handled, and then returned to the sea to try and make their way back to the bottom. In addition, whale predation on fish returned from the deck after sorting and then trying to make their way to back to the bottom from the surface is eliminated.

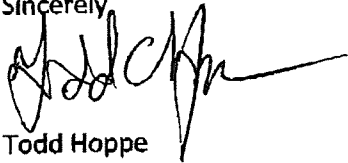
Furthermore, I would support groups of longline pot fishermen forming cooperatives or groups with a formal fishing agreement that minimally requires its vessels to use AIS at all times, mark the location of gear string ends with traditional buoy clusters marked with the vessel's name/ADF&G number and radar reflectors, track individual vessels' pot numbers and location of lost gear. In addition, when the vessel is delivering and the gear is left unattended, these groups should mark the gear ends and call in and identify the latitude and longitude of those gear ends so other vessels will be able to locate the pot strings and their respective ends.

With regard to pot limits, I support a pot limit of 300 pots for C Class and 400 pots for A and B Class vessels. If vessels are required to remove their pots from the grounds when they deliver product, it will significantly reduce the economic viability of this fishery and effectively eliminate the smaller vessels' ability to effectively participate. I would urge the NPFMC to permit longline pot gear to be left unattended for periods of up to ten days so smaller vessels could deploy, deliver, effectively deal with breakdowns, and retrieve gear at the end of the season.

In summary, I would request the Council to permit longline pot fishing in the GOA in a timely manner and to minimize overregulation and gear restrictions. I understand that some Southeast Alaska fishermen have concerns and even oppose longline pot fishing in the Gulf of Alaska. Once again, I would urge the Council to give consideration to what is best for the resource and not what is traditional or most convenient for the fishermen. Longline pot fishing effectively eliminates whale predation for the vessels using this gear type and will reduce incidental catch of non-target species. The sablefish and the halibut resource will both benefit by allowing longline pot fishing in the entire Gulf of Alaska.

Thank you for your time and consideration.

Sincerely,



Todd Hoppe

Subject: Sablefish pots

From: Marsh Skeelee <marsh@sitkasalmonshares.com>

Date: 3/31/2015 4:16 PM

To: "npfmc.comments@noaa.gov" <npfmc.comments@noaa.gov>

Thank you for hearing my concerns regarding how this action will have significant impacts on my fishing operation. I am a second generation longliner out of Sitka, Alaska. We fish SE blackcod, 2C and 3A halibut, troll for salmon, and pot fish for Spot Prawns. My family and the families of my two crewman are based out of Sitka as well.

I believe that if pots were allowed back into the Federal sablefish fishery, it could be devastation for us. Over the years, we have lost a considerable amount of longline gear, and the fish on that gear, when we get tangled with the blackcod pots that were lost out here in the 80'. Those pots are lost in several areas in SE, and gets moved around every time another fisherman inadvertently gets tangled with that mess which unfortunately becomes an even bigger mess. Its fair to say it literally terrorizes us. Pots were banned in the GOA 30 years ago, yet again I am investing in new gear as the season begins to replace what we lost due to pots. My vessel is relatively small compared to the fleet out west and still it is in the larger half of the Sitka longliners. Like I said, I commercial fish shrimp off my vessel, and can do so efficiently and safely since its inside waters and the pots are very light. I believe that if, pots were reintroduced here we would be forced to run more pots and spend more time on the water jeopardizing the viability of my business. Its a fairly narrow area here is Southeast so the grounds can often get fairly crowded at certain times of the year. Bottom line, we couldn't run enough pots to compete with the larger vessel's that could carry more pots. The heavier pot gear will preempt the grounds in several ways which will ultimately drive the the hook and line fleet out of business. Please consider my comments seriously, as I have invested much of my livelihood in the sablefish IFQ fishery.

Thank you,

Stuart Weathers

F/V El Tiburon

Sent from my iPhone

Subject: C6 comments
From: jeff farvour <jefarv@gmail.com>
Date: 3/31/2015 4:17 PM
To: npfmc.comments@noaa.gov

Please find the the comments below with 7 attachments

C6 GOA Sablefish Pots

Dear Chairman Hull and Council Members,

Thank you for this opportunity to comment. I fish halibut and troll for salmon on my 40' wood vessel, fish halibut from my skiff and have been deck handing for IFQ sablefish on a 46' HAL/salmon troll vessel out of Sitka for many years. I am certain that neither my vessel nor the vessel I crew on could efficiently or safely fish sablefish pots or fish HAL in the same area as pots. In fact, derelict pots that were lost here in SE in the 80's still present unsafe and expensive gear conflicts by claiming our gear and the fish that was on that gear. This gets to be especially dicey because SE has a fairly narrow edge which compresses the area that is fishable.

After lengthy discussions with fisherman who have the ability to fish pots, HAL fisherman being impacted by pots and a few fisherman who currently fish pots, I cannot at this time support overturning Amendment 14 to allow pots back into the GOA IFQ sablefish fishery. Conflicts between these two gear types is well documented as was pointed out in Amendment 14, is presently occurring in the Bering Sea, is increasing on the West Coast in the Northern California area and was the point of much of the discussion by the Councils GOA Sablefish Pot Gear Committee. The attached recent letters to the PFMC from HAL fisherman in the N. California area explain their situation of being impacted by the new sablefish pot fishery in that area. I also recently attended a PFMC meeting in which I was able to learn from PFMC staff, AP members and fisherman that there are approximately 40 HAL sablefish permits in that sablefish HAL fleet and many vessels are being preempted from their traditional fishing grounds by only three pot vessels.

Currently there are no gear conflicts between HAL and pots fishing for sablefish in the GOA but allowing pots into the historical sablefish HAL would clearly introduce gear conflicts. The analysis lays out that NMFS is not able to enforce and/or does have have regulations to address gear conflict mitigation measures that are identified in the analysis. Many of the other mitigation measures that were identified by the Councils Gear Committee were not analyzed. Because of this, gear conflicts would be substantial and the Councils problem statement regarding minimizing gear conflicts cannot be met.

Additionally, pots without escape rings select for smaller fish than HAL, but pots with oversized escape rings, like the ones cited in the PFMC letters as being used on the West Coast, could present its own set of biological selectivity issues by focusing more pressure on large, mature female fish. My conversations with the ABL regarding how the sablefish stocks might be affected by pot fishing in the GOA suggested that "switching to pot gear in the GOA will have zero affect on the quota right away. After that it will take some time to see what pot gear is catching, and if depredation is significantly reduced or it pushes more depredation onto HAL gear. There are a number of possibilities that could either balance the switch in gear type or make things better/worse."

In sum, the biological impacts of switching to pots are far from certain and will likely have no immediate conservation effects, but we will have immediate socioeconomic effects and my crew job and future as a HAL sablefish fisherman would be in serious jeopardy. Thank you for considering my concerns.

Sincerely, Jeff Farvour Sitka

Agenda Item B.1.c
Supplemental Public Comment 1
November 2014

From: **Tony Vultaggio** <avctony@gmail.com>
Date: Mon, Nov 3, 2014 at 10:48 AM
Subject: Agenda Item B.1.C general open comment
To: pmmc.comments@noaa.gov

Pacific Fishery Management Council
7700 NE Ambassador Place Suite 101
Portland OR 97220-1384

RE: Gear conflict between IFQ trap boats and Southern CA LE community.

Chair and Council Members:

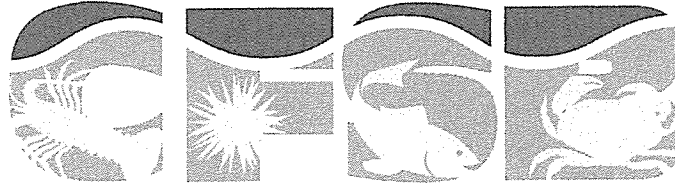
My name is Tony Vultaggio and I would like to express my concern regarding the situation and fishing methods by our visiting IFQ trap boats.

I am a small boat owner/operator that currently fishes fixed gear for Sable fish out of my home port of Santa Barbara California. Over the past few years we have been able to cooperate with IFQ trap boats. In the last two months these boats have become very aggressive in their fishing methods. I have been forced out of my traditional fishing grounds due to unattended fishing gear. While these boats are off loading their catch they leave gear at sea. If I were to set my gear over theirs it would be very dangerous for me and my crew if we were to get tangled. I would also like to touch on the fact that in the pass they gave us room to work. This year they would see us working an area and move in on us as soon as we would leave to off load. When we return the following week there would be multiple sets of gear in that area.

I would also like to express concern regarding "Use of an area". Please look at the impact these boats have on a small area. Focusing on a Meta population during spawning season could leave a negative footprint on this fishery. I am grateful to be able to fish in this fishery and make an honest living. I look forward to many years of a well managed and balanced fishery.

Sincerely,

Captain Tony Vultaggio
F/V Rock Steady
avctony@gmail.com
(805) 637-3425



Commercial Fishermen of Santa Barbara

Commercial Fishermen of Santa Barbara, Inc. 6 Harbor Way, #155 Santa Barbara, CA 93109 www.cfsb.info

November 4, 2014

RE: Gear conflict between IFQ trap boats and Southern CA. LE
longline community

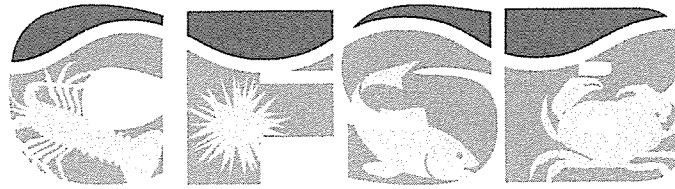
Madam Chair and Pacific Fisheries Management Council Members:

My name is John Colgate. I am speaking to you as Vice President of CFSB and am representing the LE longline fleet of the Pt Conception management area. I have been a full time commercial fisherman for the last 42 years.

The purpose of this letter is to bring you up to date on the escalating gear conflict between the visiting IFQ trap boats and our LE longline community.

Over the last 2 months these visiting trap boats have started targeting the areas the longline community fish, the 400f to 600f depth range. The major conflict arises when these trap boats leave these areas, they also leave their miles long strings of gear in the area. The location of this unattended gear is unknown. It is often right in the middle of our fishing grounds.

This situation happened to me last month. I had been fishing an area and was seen there by one of the trap boat. After I left to unload, the next day the trap boat moved into the area and worked that area for several days. When I came back to fish my area, just before I was about to set, another longline boat from my home port called to say he just found a string of unattended gear ½ mile from me. What we figured out was when the trap boat left they left approximately 3 strings of gear, over 6 miles of gear, right through the middle of this area effectively blocking me from setting my area. If I hadn't inadvertently found this out I would have set over their gear creating an



Commercial Fishermen of Santa Barbara

Commercial Fishermen of Santa Barbara, Inc. 6 Harbor Way, #155 Santa Barbara, CA 93109 www.cfsb.info

extremely dangerous situation for myself and my crew if we had gotten entangled with it. This unacceptable risk is what I am here to talk to you about.

This was not an isolated incident. This has also happened to several of my fellow fishermen. Fortunately no one has gotten tangled with this gearyet.

Our LE fishing community feels this dangerous situation is something that must be delt with immediately. With the slightest amount of wind this unattended gear is invisible on our radars.

I would like to formally ask you to put this matter on the council's agenda to be discussed in closer detail as soon as possible. We request that these trap boats be required to return with all their gear to port when they unload.

Thank you for this opportunity to express our community's views. We have a desire to work out a compromise on this issue. If you have any further questions you may contact me at the above address.

Sincerely,

John Colgate
Vise President CFSB

Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384

November 5, 2014

Madam Chair and members of the Council:

My name is Forrest Braden, owner operator of the F/V Pisces participating in the limited entry (LE)fixed gear sablefish fishery in the Pt. Conception management area.

Although this is my first time addressing the Pacific Fishery Management Council, I've had exposure to the North Pacific Council and it's processes and appreciate the complexity of managing our nations fisheries.

I'd like to touch on an issue related to trap boats fishing shore-based sablefish IFQ in the Conception (South of 36 degrees) management area.

I'm concerned about the concentration of fixed trap gear this year on the primary grounds the sablefish limited entry (LE) fleet out of Santa Barbara has traditionally fished. I understand that fishing grounds are not proprietary. However, I'm worried that the attributes of the IFQ sablefish fishery allow for a version of a monopoly over other gear groups.

By illustration, during September and October most Santa Barbara LE boats were blocked by trap gear from fishing areas they had previously labored to prospect and develop. Either trap gear was present, or the area had been recently worked over hard by trap lines. (I've included screen shots of AIS vessel tracklines to give a sense for what's happening.) Because IFQ vessels can fish off of tens of thousands of pounds of quota each, with no weekly or bi-monthly restrictions, they can set up shop in an area and rotate through their gear until the quota is filled or there are no more fish left. They may also legally leave gear in the water up to a week which allows them to travel to port and offload while blocking anyone else from setting the area.

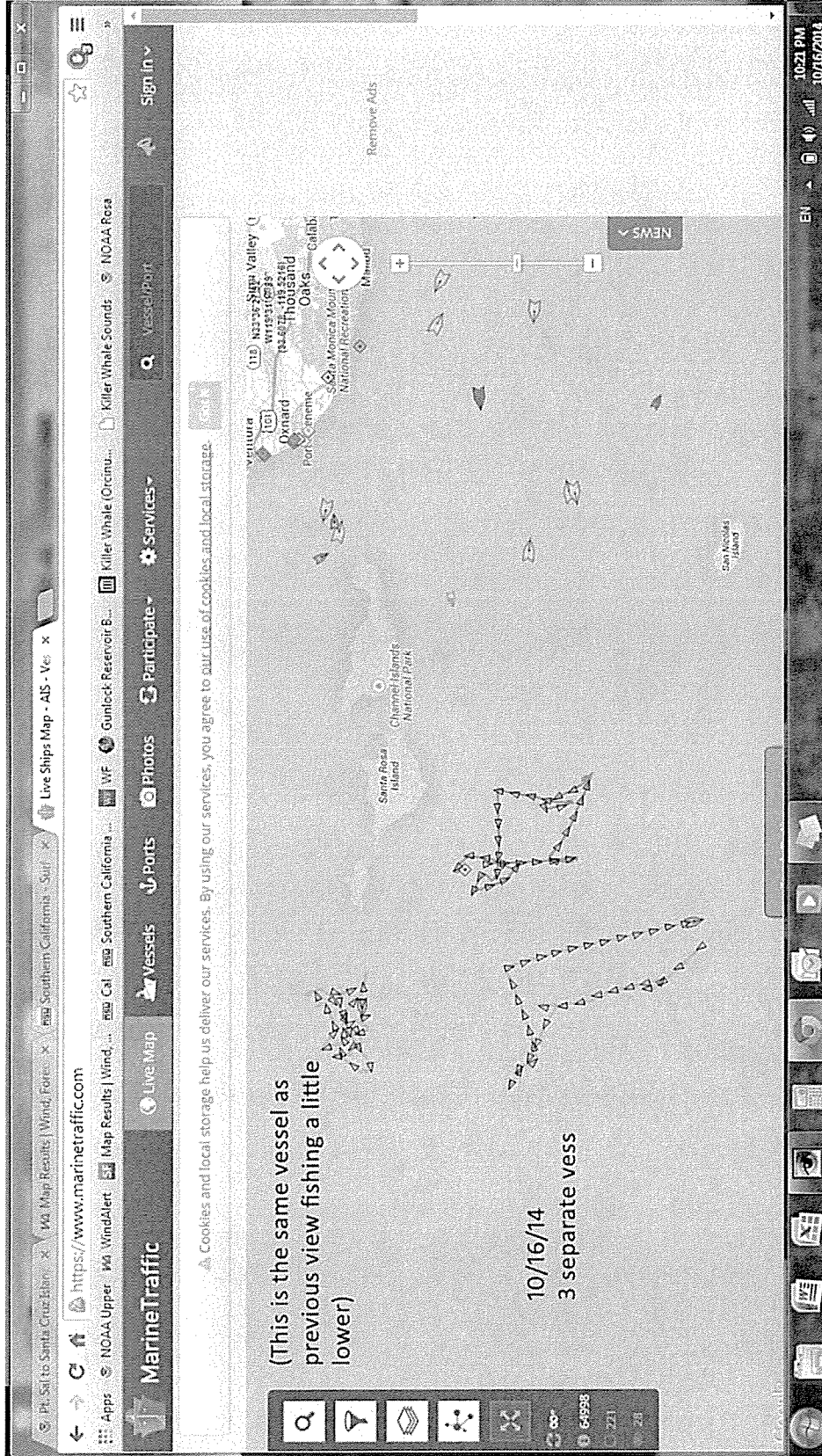
Unattended gear adds an additional concern. Because flags marking gear are not always easy to see it's very possible for us to lay over gear without knowing it. We typically hail for other commercial fishing vessels in the vicinity on channel 16 before we set, but if the vessel isn't within VHF radio range, there is no sure way for us to know about their gear. Trap gear is much heavier than longline gear and tangling in it isn't safe. If we tangle we are likely to lose some of our gear which not only costs to replace it, but costs the value of the fish that that gear would have harvested.

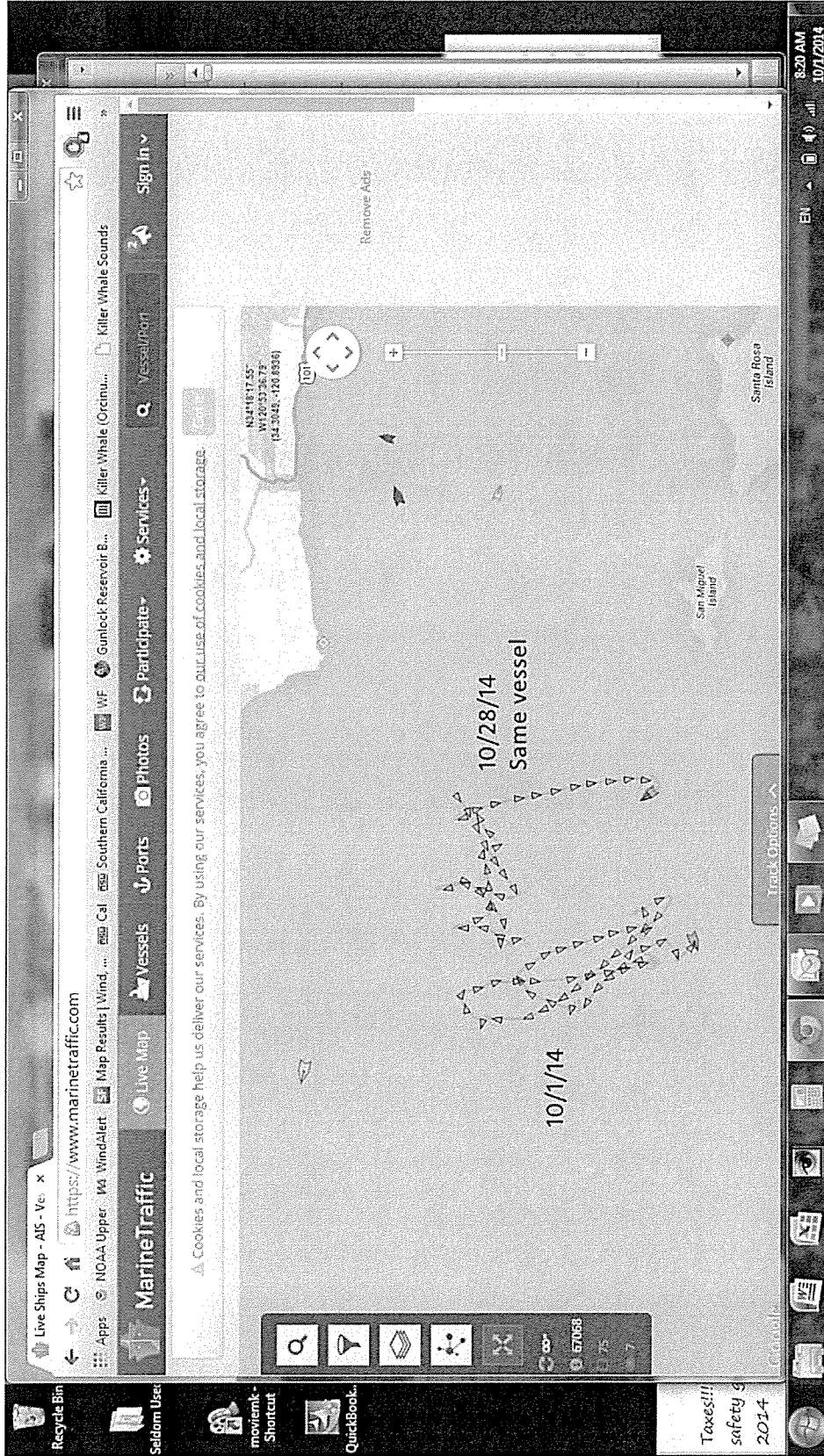
I'm also concerned that large, concentrated removals in a short time over a very small geographic area are going to leave local areas of depletion, at least in the short term, but possibly long term. Even if IFQ boats move on, it could be difficult for our grounds to rebound. The pots are fitted with escapement rings that juvenile fish can pass through, but fish big enough to spawn cannot which I fear may be having long term effects on the spawning biomass.

I would like to ask that the shore-based IFQ program be amended so that vessels must remain within radio contact of their gear and/or retrieve their gear before leaving an area. I'll be looking forward to the opportunity to elaborate on the potential for negative impact the IFQ fleet has on limited entry and other sectors.

Respectfully,

Forrest Braden
F/V Pisces





October 25, 2014

Pacific Fisheries Management Council
7700 NE Ambassador Pl., Suite 101
Portland Oregon 97220-1384

Madame Chair and Council,

I would like to express my concerns about the ITQ fishery in the Point Conception area, primarily the sablefish fishery. I have been fishing fixed gear for sablefish in the Point Conception area since 2009. In the past two years we have seen an influx of ITQ boats in our area. These large, company owned boats come down from the Pacific Northwest and take large quantities of fish out of a relatively small area in a short amount of time. These boats generally show up in our area in the fall when the fish are schooled together to spawn. The use of grading rings on their pots assures they catch the larger, more valuable, fish. Unfortunately these larger fish are the breeding population that produces the most spawn. I do not believe this practice is sustainable for the fishery and fear that if it continues the stock will not be healthy enough to be harvested.

Another problem we are having is a conflict with their gear. In the past the boats have stayed a good distance from our traditional fishing areas, this year these boats have been fishing very aggressively following local boats around and setting miles of pot gear on our traditional areas, rendering these areas unfishable or blocked to the local fleet. This gear is often left for days at a time unattended. Left unattended, there is virtually no way for us to know how much or exactly where there gear is. This poses a potentially dangerous situation for our vessels and crew. Entanglement with opposing gear could result in injury to crew, mechanical breakdown of the hauler or, at the least, loss of gear. I am asking the Coast Guard representative to take this complaint regarding our safety seriously and explore possible solutions to alleviate this issue that the ITQ fishery has imposed on us.

Thank You,
Jason Robinson
F/V Miss Conception

From: **S Hackleman** <stevenwh1@yahoo.com>
Date: Fri, May 23, 2014 at 9:20 PM
Subject: PFMC June 2014 meeting comments
To: "pfmc.comments@noaa.gov" <pfmc.comments@noaa.gov>

Dear Madam Chair and Council members,

It has been brought to our attention that there has been concern about the status of Conception area sablefish. We are part of about 40 longline permit holders who call this area home, and southern sablefish are a very important component of our livelihoods as groundfish fishermen in California. We are concerned about the new concentrations of intense single species fishing effort by large, out of town, trap vessels, fishing trawl IFQ close to our home ports that now threatens an existing stable LEP sector. Most of us fish in boats less than 40 feet in length with hand baited artisanal longline gear. We are proud, providing fresh sablefish and other groundfish to California residents for over three decades. Large vessels are now targeting Conception area sablefish in traditional fishing areas of our small longline operations. We are concerned about the extremely high rate of harvest, significant amounts of abandoned trap gear, and nearly exclusive targeting of the spawning female biomass by these large vessels fishing under the trawl IFQ program. We feel that these new operations are in stark contrast to the historic nature of the trawl fishery of Conception area sablefish, and changes should be considered to protect the livelihoods of our small town fishing fleets and the associated fishing infrastructure in our homeport communities.

Beginning in 2011, large trap vessels from as far as Alaska began flocking to central and southern California to take advantage of the gear switching provision of the new trawl IFQ program and excellent markets for frozen sablefish exported to Asia emerging in 2011. These vessels, each with hundreds of sablefish traps, began inundating our traditional fishing areas with massive amounts of trap gear, harvesting Conception area sablefish at staggering rates. Markets for exported frozen sablefish have fluctuated over the past few years, but they are again becoming stronger and we are concerned about massive effort by these large IFQ vessels displacing our small vessels that are limited to areas close to port. As recently as this year, landings close to 100,000 pounds in a single month have been relatively common by IFQ boats. These vessels far exceed historic levels of take by the trawl fleet in central California, which had catch limits exceeding 15,000 pounds in a single two month period. This fast extraction has had devastating effects on some of our local fishing grounds. Each line of traps set by these large vessels is one to three miles long and each vessel sets four to eight of these sets. These traps are often kept in the same areas, often close to our harbors, for several weeks or even months, forcing those of us in small vessels to venture farther from port to avoid losing our longlines by tangling with traps, putting us in more danger from inclement weather. This practice has effectively closed off many miles of prime fishing areas close to port for weeks or even months at a time. This fast rate of harvest also devastates the fishing in these areas, leading to declines in CPUE for many months after.

Each two mile set of trap gear lost off our coast results in another area small scale longliners cannot fish due to risk of snagged and lost lines. Traps are normally left unattended at sea while returning to port to unload fish, often in areas of high ship traffic. Miles of heavy rope with traps have been lost in Conception area sablefish habitat off our coasts every year since 2011, leaving more and more area littered with derelict traps, which make it impossible for us to

return to fish these spots with our lighter longlines without losing them on the traps and rope. Although these big boats have considerable range and ability to withstand rough weather conditions, they have fished close to Morro Bay and Santa Barbara with very few exceptions, leaving lost gear in traditional fishing areas close to these ports. Requiring all traps to be retrieved before returning to port and considering trap limits for each vessel could help to reduce gear loss by the new IFQ trap fishery.

We are also deeply concerned about the nearly exclusive targeting of the large mature females by these vessels, which fetch a much higher price than averaged sized male sablefish. Traps are fished in deep water with large escape rings, which allow all but the large female fish to escape. The importance of the spawning females to the future of the sablefish fishery is made very clear in the 2011 stock assessment. We think it would be prudent to limit the maximum size of escape rings used in sablefish traps, and special consideration given to the change in sizes of sablefish harvested by the trawl fleet since the beginning of the IFQ program began, to prevent over harvest of the spawning female biomass by new trap boats.

Rates of sablefish harvest by the fixed gear trawl sector should reflect the historic nature of that fishery. Trap limits and requiring sablefish gear to be more closely attended to can help protect our local waters from derelict fishing gear, and the local fishing communities that rely on these fishing areas. These steps are being considered as limitations for considering allowing sablefish traps in Alaska by the North Pacific Fisheries Management Council, and we believe they deserve consideration for Conception area sablefish as well. In light of the 2011 stock assessment, the importance of the spawning female biomass for west coast sablefish cannot be overstated, and we believe the use of large escape rings to exclusively target large female sablefish is not acceptable for the long-term future of the fishery.

Many of us have grown up fishing these waters and we all feel a strong sense of stewardship for our local resources, as they allow us to provide for our families and at the same time provide an economic benefit to our local homeport fishing communities and associated infrastructure. Please consider our concerns for our fishery and the jobs and high quality seafood it provides for thousands of Californians.

Sincerely,

Owen Hackleman
(FV Provision/GFO633)

Steve Hackleman
(FV Ruth Anne II/GFO377)

Roger Cullen
(FV Dorado/GFO388)

From: **Bill James** <Halibutbill@live.com>
Date: Fri, May 23, 2014 at 12:13 AM
Subject: F.9 Omnibus Regulation Change
To: "pfmc." <pfmc.comments@noaa.gov>
Cc: Bill James <Halibutbill@live.com>

Madame Chair members of the Council: My name is Bill James . I am the fishery consultant for PSLCFA out of Avila Beach California.

Our Open Access and Fixed gear commercial fishermen fishing Blackcod and Blackgill Rockfish are experiencing problems from large IQ out of state vessels fishing the ocean waters front Point Lopez to Point Conception. They are saturating the fishing grounds with 200 to 500 pots per vessel. These boats occupy the area for 3 to 4 weeks at a time and then leave trucking their fish back north. For at least a month after their visit our vessels cannot catch enough fish to make it worthwhile.

What is happening I believe is in violation of quite a few National Standards of the Magnuson Stevens Fishery Conservation and Management Act. and many of the objectives in the Pacific Coast Groundfish Management Plan.

Please develop some regulations that makes it a more level playing field. Thank you, Bill James