

# PUBLIC TESTIMONY SIGN-UP SHEET

Agenda Item: D-2 STAFF TASKING

	NAME (PLEASE PRINT)	TESTIFYING ON BEHALF OF:
1	Kenny Down	Freezer Longline Coalition
2	Lori Swanson / JASON ANDERSON	GFF / AKSC
3	Julie Benning	AIDB
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NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person "to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.



**Freezer Longline Coalition  
Discussion Paper Request**

**North Pacific Fishery Management Council  
October 2011**

**Agenda Item D-2, Staff Tasking**

**"Approaches for Bering Sea and Aleutian Island Greenland Turbot Gear Type Split  
Proposed Amendment to the Fishery Management Plans for Groundfish of the Bering Sea and  
Aleutian Island Area."**

**Industry Draft Purpose and Need statement and Alternatives**

**Purpose and Need**

The Bering Sea and Aleutian Island Greenland Turbot fisheries limited access derby-style management has led to competition among the trawl and fixed gear sectors. Participants in the fisheries who have made long-term investments and are dependent on the fisheries face uncertainty as a result of the competition for catch shares among sectors. To reduce uncertainty and contribute to stability across the sectors, and to promote sustainable fishing practices and facilitate management measures, the Bering Sea and Aleutian Island Greenland Turbot fisheries TACs should be divided among the sectors.

The Aleutian Island turbot fishery closed to all directed fishing in both 2009 and 2010. The Bering Sea turbot fishery is expected to close to all directed fishing in 2011. The closures can be attributed to a shift in the proportion of catch by sector. The shift in the proportion of catch by sector was due to changes arising from Amendment 80 passed in 2007. In 2008, 2009, 2010 and again in 2011 trawl-caught Greenland turbot has exceeded the level of catch by fixed gear vessels. The fixed gear participants have participated as the major harvesters for more than 15 years. Without Council action fixed gear vessels are likely to continue to lose historical fishing opportunities.

Amendment 80 to the BSAI Fishery Management Plan (FMP) was designed to improve retention and utilization of fishery resources. The amendment established a limited access privilege program for the non-AFA trawl catcher/processors. This authorized the allocation of groundfish species quotas to fishing cooperatives and effectively provided better means to reduce bycatch and increase the value of targeted species. Amendment 80 did not address the Bering Sea and Aleutian Island Greenland Turbot fishery as an Amendment 80 species nor did the amendment limit activity by the fleet the Bering Sea and Aleutian Island Greenland Turbot fishery.

The Freezer Longline Coalition vessels entered into a voluntary cooperative in 2010 and have agreed to a long-term durable cooperative agreement distributing BSAI Pacific cod allocation among its members. The group desires to end the race for fish in other fisheries including the Bering Sea and Aleutian Island Greenland Turbot fishery and has requested Council action to move forward with a discussion paper to analyze a BSAI Fishery Management Plan (FMP) amendment to split the annual Bering Sea and Aleutian Island Greenland Turbot Total Allocated Catch (TAC) allowance by gear type.

**Options and Alternatives:**

**Alternative 1: No Action.** Status quo. Bering Sea and Aleutian Island Greenland Turbot TAC will continue to be allocated without gear specific split.

**Alternative 2: Gear specific fixed gear / trawl gear** Bering Sea and Aleutian Island Greenland Turbot TAC split.

**Option 1**

Bering Sea Greenland Turbot TAC will be split between trawl and fixed gear using historical catch for following years:

- I. 2002-2007
- II. 2002-2007: Best 5 years
- III. 2002-2007: Best 3 years

Other years to be added by industry request.

**Option 2**

Aleutian Islands Greenland Turbot TAC will be split between trawl and fixed gear using historical catch for following years:

- I. 2002-2007
- II. 2002-2007: Best 5 years
- III. 2002-2007: Best 3 years

Other years to be added by industry request.

**Option 3**

Roll over provisions:

- I. Any portion of Bering Sea or Aleutian Island Greenland Turbot TAC determined by NMFS to remain unharvested by the trawl or fixed gear sectors during the remainder of the fishery year will become available as soon as practicable to the other sector.



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January 25<sup>th</sup>, 2011

Chairman Eric A Olson  
North Pacific Fishery Management Council  
605 W 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Chairman Olsen,

I hope the Council family is well and that your new year is off to a good start. On behalf of all of the Freezer Longline Coalitions members I look forward to extending a warm welcome next week to my home town here in Seattle.

As you may recall, at the October 2010 council meeting during agenda item C-6, final action on arrowtooth flounder MRA's, I brought forward concerns in public testimony about the Amendment 80 (A-80) trawl fleet's substantial increase in catch in the AI and BS Greenland turbot fishery after A-80 was implemented in 2008. As I pointed out in my testimony, substantiated by documentation handed in during my comments, the BS and AI turbot quotas have been quite small and our fleet has several members, and many crew positions that rely on this resource each year as part-and-parcel of their yearly income. In fact the hook-and-line fleet took a large majority of the AI and BS turbot catch each year from 1995-2007. The first year of A-80 implementation in 2008 saw a steep increase in effort by the A-80 fleet in both the AI and BS turbot fishery that has our members deeply concerned.

After our testimony before the Council in October, the Freezer Longline Coalition (FLC) was encouraged to try and find an equitable solution to the turbot fishery concerns through negotiations in good faith with representatives of the A-80 fleet. These negotiations are ongoing and this letter is intended as an update to the NPFMC on the progress of the negotiations.

After the October Council meeting the hope of the FLC was to have an offer in the works by the following December 2010 meeting and avoid taking valuable time away from a very full NPFMC 2011 agenda. The two groups have met several times culminating with the FLC's making an offer on November 23<sup>rd</sup>, 2010 for a "BS and AI turbot fixed gear / trawl split". The offer was based on historical catch in the BS and AI from 2001-2007 (pre-A-80 implementation) and was received by representatives of the A-80 fleet. At the December Council meeting the FLC agreed with the A-80 representatives to allow more time for a response and agreed the A-80 group was negotiating in good faith. It was our expressed desire at that time to have a framework agreement in the works ahead of the February meeting. The FLC members are disheartened by a lack of substantive response to our offer after two months. The two groups will be meeting on this issue at the February 2011 meeting and our hope remains that we resolve this issue without involving the Council at this time, however I am writing this letter to advise you that we have nothing close to an agreement to date.

If we are unable to resolve this issue we will be left with no other choice than to request the Council's attention on this matter at the April 2011 meeting in Anchorage. Clearly the best time to have settled this would have been at A-80 analysis and final action when many species were allocated as A-80 species and sideboards were set for A-80 based on history. That ship has clearly sailed but the core issue remains the same, it is our hope that the Council revisits this in the very near future if the FLC and A-80 groups are not able to come to a full and complete solution on their own.

A handwritten signature in black ink, appearing to read "Kenny Down", with a long horizontal line extending to the right.

Kenny Down  
Executive Director  
Freezer Longline Coalition

Cc: Chris Oliver, Executive Director