

MEMORANDUM

TO: Council and SSC Members

FROM: Chris Oliver
Executive Director

DATE: November 30, 2011

SUBJECT: Gulf of Alaska Pacific Cod Jig Fishery Management

ESTIMATED TIME 2 HOURS

ACTION REQUIRED

Review recent actions taken to manage the Gulf of Alaska Pacific cod jig fishery

BACKGROUND

In 2009, the Council adopted Amendment 83 to the Gulf of Alaska (GOA) Groundfish FMP, establishing separate sector allocations for Pacific cod. The Council also tasked staff to evaluate options for revising management of the cod jig fisheries to increase entry-level opportunities. In 2010, the Council initiated an analysis of alternative management measures intended to ensure full access by the jig fleet to harvest both State and Federal jig allocations: a “reverse parallel fishery,” which would open Federal waters to jig gear concurrent with the State guideline harvest level (GHL) fishery.

In April 2011, the Council reviewed an analysis of the reverse parallel fishery concept. The Council recommended changing the B season opening date for jig gear to June 10, or after the State GHL jig fishery closed, to provide a year-round Pacific cod fishery. The A season would open January 1 and close when the A season jig allocation is reached or on March 15, whichever occurs first. The Council also chose to postpone further action until after the Board of Fisheries (Board) had an opportunity to comment and take action during its meeting in October 2011.

The Council’s recommendations, however, did not account for the different regulatory triggers that open the State waters GHL fishery in each of the State management areas and were not sufficiently clear in regards to opening the Federal B season, mentioning only one GHL season closure as the trigger. There are, however, different GHL closure dates for each of the State management areas depending on the harvest rate and overall GHL available to jig gear. In its draft Amendment 83 rule implementing the sector allocations, NMFS chose not include the Council’s March 15 deadline and instead proposed that the Federal fishery close when the total allowable catch (TAC) is harvested or on June 10, whichever occurs first, with the intent to provide a seamless Federal jig fishery while providing the Board the flexibility necessary to open and close the GHL and State parallel fisheries in each State management area.

In October 2011, the Council requested that the Board consider options to provide jig fishing opportunities concurrently in State and Federal waters, as proposed under NMFS’ draft Amendment 83 rule, when State regulations allow and where practical to implement. At its Pacific cod regulatory

meeting, the Board recommended regulations for each State management area that were generally consistent with Council recommendations, synchronized to the extent practicable GHL season opening and closing dates with the Federal jig seasons proposed under NMFS' draft rule, and chose not to recommend a March 15 closure date for the Federal A season. No changes are thus necessary to the proposed regulations implementing the jig A and B season start dates in the final Amendment 83 rule.

Actions taken by the Board and the implementation of Amendment 83 jig season dates will provide the jig fleet the ability to harvest Pacific cod concurrently in State and Federal waters. Specifically, jig vessels will be able to harvest in a parallel fishery concurrent with the Federal fishery. Jig operators will also have the ability to concurrently harvest in Pacific cod in the State GHL fishery and Federal waters, provided sufficient GHL and TAC allocations are available.

At this meeting the Council will review the report on GOA Pacific cod jig fishery management may want take no action or reschedule the issue for further discussion after sector allocations are implemented and after the next Joint Protocol Committee meeting. The timeline below highlights events over the last two years concerning development of the Federal rule on the sector split and management of the GOA Pacific jig fishery.

Federal and State regulatory process for the GOA Pacific cod jig fisheries:

April 2009	Council took action to exempt jig vessels from LLP license requirement (Amendment 86)
December 2009	Final Council action on Amendment 83, the GOA Pacific cod sector split; Joint Protocol Committee meeting on Federal actions in GOA Pacific cod fishery
December 2010	Council reviews discussion paper on the management of the GOA Pacific cod jig fishery
April 2011	Council receives Initial Review/Final Action analysis to revise GPA Pacific cod jig fishery management; Council postpones taking action to allow for recommendations from and actions by the Board of Fisheries on management of the State waters jig fisheries
May 2011	NMFS releases early draft rule implementing the sector split
July 2011	NMFS' draft rule published in the <i>Federal Register</i> , July 26, 2011 (76 FR 44700)
September 2011	Public comment period closes September 9; draft rule receives Secretarial approval
October 2011	Board holds regulatory meeting on GHL and parallel Pacific cod fisheries in the Prince William Sound, Cook Inlet, Chignik, Kodiak, and South Alaska Peninsula areas
December 2011	Council will review the staff report on GOA Pacific cod jig fishery management; Will also review a discussion paper on changing the GOA Pacific cod A season opening dates
December 2011	<i>(target)</i> Final rule implementing Amendment 83 published in the <i>Federal Register</i>
January 1, 2012	<i>(target)</i> Implementation of GOA Pacific cod sector allocations by area and gear type for 2012
March 2012	<i>(tentative)</i> Joint Protocol Committee meeting